

## Exhibit J

### Athens MRF: Response to Baldwin Park Letter (November 23, 2016)

This document responds to the City of Baldwin Park (“Baldwin Park”)’s November 23, 2016 comment letter concerning minor changes to the proposed Irwindale Materials Recovery Facility and Transfer Station (“MRF/TS”), which was submitted to the City of Irwindale (“Irwindale”) Planning Department. That letter makes numerous assertions about the propriety of the Irwindale City Council’s past approval of the MRF/TS Development Agreement, the proposed revisions to the MRF/TS, and any future approval of the MRF/TS entitlements.

Baldwin Park’s comments reflect a previous iteration of the proposed revised project (based upon the October 31, 2016 submittal to Irwindale). Although the minor revisions to the proposed project were subsequently modified in later submittals (i.e., reducing the non-truck parking from 327 to 307 spaces), Baldwin Park’s comments nevertheless warrant examination and response. Baldwin Park’s claims are, as addressed below, meritless and are inconsistent with important statutory and regulatory authority and standards. Each of Baldwin Park’s claims, which are separately identified on the attached bracketed letter, are addressed below.

#### Comment 1

Baldwin Park is correct that the site-specific entitlements submitted by the project applicant propose a minor increase in the overall square footage of the project (from 247,007 square feet to 265,228 square feet). The square footage increase is distributed through various individual components of the MRT/TS facility, as identified in the revised site plan. Baldwin Park alleges, however, that the previously certified Final EIR for the project “capped” the total square footage of the MRF/TS. This is correct only to the extent that the proposed project is not subsequently revised during the entitlement process and consistent with the requirements of the California Environmental Quality Act (“CEQA”). There is simply nothing that prohibits modifications to a project that was previously subject to environmental review, provided the changes are analyzed as required by CEQA. *American Canyon Community for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal.App.4th 1062, 1073 [Public Resources Code Section 21166 applies to changes to a project that was previously addressed in an environmental document].

As Baldwin Park subsequently acknowledges, CEQA expressly contemplates project revisions and outlines a procedure for analyzing such changes. Public Resources Code Section 21166 and CEQA Guidelines Section 15162 outline the procedures for analyzing project changes. CEQA Guidelines Section 15162, for instance, provides that “[w]hen an EIR has been certified ... for a project, no subsequent [or supplemental] EIR shall be prepared for that project unless the lead agency determines ...” that there are “substantial changes” to the project or new information of substantial importance. Thus, only when changes are considered “substantial” (meaning resulting in a new significant impact or increasing the severity of a previously identified significant impact) is subsequent or supplemental review required.

However, notwithstanding the provisions regarding supplemental and subsequent EIRs, CEQA also recognizes that “minor” changes to projects should also be analyzed to confirm that they are not substantial changes. Thus, CEQA Guidelines Section 15164 directs lead agencies to

prepare an addendum to a previously certified EIR “if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent [or supplemental] EIR have occurred.”

CEQA’s procedures governing subsequent review are based upon the fundamental question of whether circumstances have changed enough to justify repeating a substantial portion of the environmental review process. *Citizens Against Air Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788,796. If circumstances have not changed enough, meaning that “substantial changes” or new information of substantial importance are not present, then lead agencies are directed to prepare an addendum. Consistent with this standard, because here the minor revisions to the MRF/TS would not trigger supplemental or subsequent review, an addendum is proper.

#### Comment 2

Public Resources Code Section 21166, coupled with CEQA Guidelines Sections 15164, prescribe the instances in which supplemental or subsequent review, or an addendum is required. As discussed above, the addendum prepared for the revisions to the MRF/TS facility – Addendum No. 1 to the Environmental Impact Report Irwindale Materials Recovery Facility and Transfer Station Project (“Addendum”) – is proper and complies with CEQA. The Addendum need not be circulated for public review, but must be considered by the City Council together with the Final EIR when taking any action on the project’s entitlements.

#### Comment 3

As discussed above, the project does propose a minor increase in square footage of the MRF/TS facility (approximately 7%), as well as the convenience store. Although suggested otherwise by Baldwin Park, the Final EIR does not serve to limit the square footage of the proposed project. Any statements about total square footage in the Final EIR reflected the project that was being analyzed in that document, but in no way precludes subsequent changes as long as those changes are analyzed as required by CEQA. CEQA does not freeze a proposed project and, through Public Resource Code Section 21166 and the CEQA Guidelines, expressly recognizes that project’s may be revised and/or changed.

#### Comment 4

Please refer to responses to Comments 1-3, above.

#### Comment 5

The Final EIR did estimate construction air impacts using an assumed 247,007 square foot building. However, as discussed in the Addendum, the proposed revisions would not result in a noteworthy increase in air emissions because, although grading would increase, the type of construction equipment would remain largely the same, and the construction schedule would be consistent with what was analyzed in the Final EIR.

As identified in Table 3.3-10, the worst-case construction emissions from the previously proposed project would fall far below the SCAQMD's thresholds. Even assuming that the 7% increase in total square footage correlates to a similar increase in construction emissions (which is not the case), the project revisions would still fall well below the SCAQMD thresholds. Thus, a new significant impact would not result.

#### Comment 6

As discussed in the Addendum, the project revisions would not result in an increase in traffic because (1) the maximum throughput would not change and (2) the number of employees would not increase. The project's original Traffic Impact Assessment estimated maximum potential project trip generation for the MRF/TS facility by using the project's maximum tons per day (i.e., throughput). This methodology is, as outlined in the Final EIR, more appropriate than a straight square footage trip generation calculation. Thus, because the overall throughput maximum would not change with the revised project, the MRT/TS facility's trip generation figures from Tables 3.12-10 and 3.12-11 of the RDEIR would not change. Also, employee trips would remain the same as the project revisions would not result in additional employees.

#### Comment 7

First, Baldwin Park's letter incorrectly identifies the increase in parking as more than a 222% increase. The revisions propose to increase parking to 307 spaces, which is a far lower percentage increase. Moreover, unlike the conditions in *Concerned Citizens of Costa Mesa, Inc. v. 32nd Agricultural Association*, which is cited by Baldwin Park, the increase in the number of parking spaces is not correlated with an increase in the number of trips or other potential physical impact. The increase is related to Southern California Edison's allowing parking under their transmission line easement at the south area of the site and adding parking in the easement along the east side of the site along Arrow Highway. The increased parking spaces is solely for purposes of allowing a smoother employee shift change, but the increase in parking would not result in an increase in the number of employees or the number of trips per employee (2 trips per day).

#### Comment 8

As discussed above in responses to Comments 1 – 8, the revisions to the project would not result in any new significant impacts or increase the severity of a previously identified significant impact. The Addendum properly analyzes the proposed minor changes to the project, and provides substantial evidence supporting its conclusions.

#### Comment 9

Baldwin Park asserts that a "further EIR" is required to assess whether certain analyses in the Final EIR are still appropriate. However, as discussed above, a "further EIR" is only required in limited instances, none of which are present here (i.e., there are no new significant impacts or an increase in the severity of a significant impact). The Addendum's analysis

supports these conclusions, including with respect to the specific analyses referenced by Baldwin Park. For instance, the Addendum analyzes whether the revisions would result in an increase in overall construction such that air emissions could increase and result in a significant impact. It properly concludes that impact would remain less than significant, and is supported by substantial evidence. Similarly, the Addendum does evaluate whether the proposed project revisions would create new aesthetic impacts. However, as discussed therein, the revisions would not increase total developed area, and the project would retain its fundamental design characteristics (i.e., the height would not be increased, and the façade changes are consistent with City Planning recommendations). Because of these facts, the revisions would not result in a new significant aesthetic impact, and the Final EIR's conclusions remain valid and appropriate.

#### Comment 10

Baldwin Park reasserts claims previously made with respect to the Final EIR's analysis of the project's consistency with the existing and intended character of the area, asserting that the requisite findings cannot be made because the project "could be" detrimental and potentially injurious to nearby receptors. First, Baldwin Park provides no evidence of any such inconsistency or potential impacts. *Porterville Citizens for Responsible Hillside Development v. City of Porterville* (2007) 157 Cal.App.4th 885, 900 [mere uncorroborated opinion or rumor does not constitute substantial evidence]. The assertion that the project "could be" detrimental to nearby receptors is bald and unsupported. Second, the Final EIR thoroughly and appropriately evaluated the both (1) the project's compatibility with existing and intended characteristics of the area (refer to Final EIR Chapter 3.9, Land Use and Planning), and (2) the potential of the project to result in impacts to nearby sensitive receptors (refer to all sections of the Final EIR).

#### Comment 11

Baldwin Park appears to contend that the Final EIR (and Addendum) was required to evaluate additional potential impacts on residential uses south of Live Oak Avenue, located approximately 325 feet from the project site with intervening industrial uses. Again, Baldwin Park does not present any evidence that there could be a potential impact not analyzed in the Final EIR (and Addendum), and actually acknowledges that the Final EIR considered those residences in its analysis. For example, when discussing surrounding land uses, the Final EIR expressly notes that there are residences in the City of Baldwin Park that are located south of the project site beyond existing industrial uses. Final EIR at 3.9-2. Likewise, Final EIR Chapter 3.10, *Noise*, specifically discusses those residences when identifying sensitive noise receptors within the vicinity of the project site, and evaluates the potential of the project to result in a significant impact at those residences. Final EIR at 3.10-33. Also, as acknowledged by Baldwin Park, the Health Risk Assessment prepared for the project identified the single family residences (not singular) as a sensitive receptor. When assessing all of the potential impacts to the residences, the Final EIR considered mitigation where necessary.

Finally, as discussed in the Addendum, the minor revisions to the project would not result in a new significant impact or increase the severity of a significant impact at these receptors.

#### Comment 12

The Final EIR thoroughly and properly evaluated the proposed project's consistency with existing development, including the industrial development located south of Live Oak Avenue. The fact that the proposed project is larger than the adjacent industrial structures, when considered individually, does not result in an impact. First, the consolidated lot on which the structure will be constructed allows for a larger building, as opposed to multiple smaller buildings. Moreover, when considering the totality of the industrial buildings south of the project site, the proposed project would not introduce a structure significantly larger than adjacent development (Baldwin Park even notes that the non-residential buildings range from 20,000 to 60,000 square feet, and that there are multiple such buildings). Baldwin Park also fails to acknowledge that project site is entirely surrounded by industrial development, including multiple large warehouse/industrial buildings, as well as the Santa Fe Dam.

Also, although the proposed project would be taller than adjacent industrial development, it would be significantly smaller than the adjacent Santa Fe Dam (which is approximately 100 feet tall). Thus, the project actually inserts a building that steps down heights from Santa Fe Dam, to the adjacent industrial development, and finally to the residential developments located beyond the industrial development (south of Live Oak Avenue). See Final EIR, Response to Comment 11-7. The Final EIR's conclusions with respect to the project's consistency with adjacent development, existing and proposed land uses, and aesthetic impacts remain valid. Moreover, as discussed in the Addendum, the project revisions would not result in any new impacts or increase the severity of any significant impact.

### Comment 13

Baldwin Park is correct that, in conjunction with approval of the project's requested entitlements, the City must find that the proposed project would not have an adverse effect on the public health, safety, or welfare. Irwindale Municipal Code ("IMC") Section 17.70.050, for instance, requires a finding for Site Plan and Design Review that certain project characteristics are "so arranged as to avoid traffic congestion, to ensure the public health, safety, and general welfare, and to prevent adverse effect on surrounding properties." Consistent with its location in the IMC, all of the project characteristics identified in the finding are specific to site design, not necessarily uses. Baldwin Park is incorrect to read the requirements of the findings to be coterminous with conclusions about significant effects in the Final EIR. Any such interpretation is wholly inconsistent with CEQA, which expressly recognizes that agencies may approve projects despite there being significant impacts. *Citizens for East Shore Parks v. California State Lands Com.* (2012) 202 Cal.App.4th 549, 568 [recognizing that a statement of overriding considerations is required to provide an agency's "reasons for proceeding with the project despite its unavoidable environmental risks"].

Also, the interpretation proposed by Baldwin Park would result in absurd results in which no project that had exceeded any of the relevant significance thresholds of an EIR would be permitted to be constructed. *Silver v. Brown* (1966) 63 Cal.2d 841, 846 [statutes and laws should be interpreted to avoid absurd results]. Thus, the public health and welfare finding must be construed consistent with the underlying purposes of the Site Plan and Design Review provisions of the IMC. IMC Section 17.70.020, which provides the purposes of the Site Plan and Design

Review provisions, states that the purpose of such review is to “ensure that proposed development is compatible with surrounding development in terms of scale, style and construction materials; that on and off-site circulation is adequate to support the project; that city services are adequate and available; that the projects are of the highest quality of land planning and design, and that projects reflect the design themes of the community and are consistent with the city’s general plan and land use and planning, all in an effort to protect the health, safety and welfare of the community and to enhance the development, use, occupancy, health, safety and welfare of surrounding areas for residential, commercial or industrial uses or purposes.” Clearly, the underlying purpose of Site Plan and Design Review is to ensure projects are designed consistent with proper planning and to avoid undermining the health, safety and welfare of the community.

Here, the project would have significant community benefits, including, among others, (1) providing a range of employment opportunities to local citizens, (2) facilitating the generation of additional property tax and revenue for the City, (3) increasing the capacity for waste diversion and recycling, which is a benefit to the environment, (4) construction would achieve a LEED Silver rating, and (5) the project includes construction of various roadway improvements. These benefits clearly outweigh the very limited environmental impacts identified in the Final EIR (i.e., operational traffic noise, temporary construction noise, and operational air quality impacts).

As discussed above, the Addendum analyzed the minor revisions to the proposed project to determine whether any new significant impacts or a substantial increase in the severity of a significant impact would result. Because no such impact would result, no subsequent (or supplemental) EIR is required. The project’s revisions would, as a matter of fact, increase the overall efficiency of the project through minor reorganization and an approximately 7% increase in square footage. The project would not increase truck or vehicular trips. Baldwin Park has not presented any evidence that contradicts the conclusions of the Addendum.

#### Comment 14

Baldwin Park’s assertions that the requested revision to the distance requirements for the sale of alcoholic beverages was required to be analyzed in the EIR is mistaken. First, CEQA specifies that it requires analysis of potential physical impacts of projects on the environment, not economic or social impacts. CEQA Guidelines § 15131(a) [economic or social effects of a project shall not be treated as significant effects on the environment]. All potential environmental impacts of the proposed project were evaluated in the Final EIR, and the project revisions were evaluated in the Addendum. Second, to the extent there could be physical environmental impacts associated with the CUP, Baldwin Park has not presented any evidence of such an impact. *Porterville Citizens for Responsible Hillside Development v. City of Porterville* (2007) 157 Cal.App.4th 885, 900 [mere uncorroborated opinion or rumor does not constitute substantial evidence]. Finally, the propriety of approving a CUP for alcoholic beverage sales and a revision to the siting requirements, including non-physical impacts, will be addressed by the City Council when considering the proposed project.

The project is requesting a Zoning Ordinance Amendment to amend the distance limitations regarding alcoholic beverage sales. This entitlement is expressly permitted by Chapter 17.84 of the IMC, which allows amendments to the Zoning Ordinance whenever a proposed amendment is in the public interest. Here, the public interest would be served by providing a location for the off-site sale of alcoholic beverages, a desired use. Moreover, the only reason the Zoning Ordinance Amendment is necessary is because of the sites proximity to the Santa Fe Dam Recreation Area (within 1,000 feet). However, while the recreation area is within 1,000 feet, the areas primarily used by park patrons, including entrances and exits, are located much further away. The Final EIR outlined this necessary approval and, as discussed above, analyzed any and all potential environmental impacts associated with this aspect of the project.

#### Comment 15

Please refer to response to Comment 13. Again, the City of Baldwin Park is conflating the significance determinations in the Final EIR with the City of Irwindale's independent determination of whether or not the project would have an "adverse effect" such that a requested entitlement should not be granted. As discussed in response to Comment 13, these two issues, while similar in terminology, are not the same determinations and the conclusion that a project would have a significant environmental impact does not mandate that the project would also have an adverse effect.

#### Comment 16

Baldwin Park's comment about the proposed General Plan designation for the project site is misinformed and misleading. First, the comment's discussion about land uses identified in the General Plan – (1) Convenience Commercial, (2) Community Commercial, and (3) Heavy Industry – is irrelevant. Those land uses, which are discussed at pages 24-25 of the General Plan, are not land use designations, but rather land use types that are found within the City. General Plan at 24. The land use designations of the General Plan are discussed in a later section. General Plan at 39. The proposed land use designation for the project site would be Commercial/Industrial, which, per the General Plan, "**supports either industrial development ... or commercial....**" General Plan at 40 (emphasis added). Table 2-7, *Land Use Designation and Development Standards*, likewise notes that light industry, heavy industry, distribution or commercial uses are typical land uses that are permitted within the Commercial/Industrial designation.

Baldwin Park asserts that the project will conflict with a number of General Plan policies, but fails to identify specific policies or any inconsistencies. *Porterville Citizens for Responsible Hillside Development v. City of Porterville* (2007) 157 Cal.App.4th 885, 900 [mere uncorroborated opinion or rumor does not constitute substantial evidence]. Moreover, to the extent Baldwin Park does allege inconsistencies, those inconsistencies are based on a fundamental misunderstanding of the uses and designations identified in the General Plan (as discussed above).

The Final EIR thoroughly evaluated the project's General Plan amendment, and concluded that there would be a less than significant impact. Threshold LUP-2 specifically included an exhaustive discussion of the project's consistency with the General Plan, identifying individual policies and standards and discussing the project's consistency and/or inconsistency. The Addendum likewise addressed the potential for the minor revisions to the project to result in any new impacts, including with respect to General Plan consistency. However, as the proposed revisions are extremely minor in nature and do not change the uses associated with the property, the Final EIR's conclusions remain valid and appropriate.

### Comment 17

Baldwin Park asserts that the project, along with the minor revisions, would not comply with various policies of the General Plan. As discussed below, this contention is incorrect.

- Community Development Element Policy 3: The revised project is consistent with this policy, which directs the City of Irwindale to ensure that the type, location, and intensity of new development adheres to the land use category in the General Plan. As discussed above, the General Plan designation for the project site will be Commercial/Industrial. This designation permits, among other things, light industry, heavy industry, and commercial uses. The General Plan defines the "heavy industry" category, for instance, as characterized "by *intensive industrial operations* that may also include outdoor storage of materials and equipment as an ancillary use." General Plan at 25 (emphasis added). The "light industry" category is defined to include uses that are "similar to the previous categories [of land uses (i.e., industrial park, business park, commercial recreation)] by being located inside buildings in a clean, well-maintained setting." General Plan at 25. The project certainly falls within these land use categories and is consistent with all standards (i.e., Table 2-7 of the General Plan) in the General Plan. Also, per the above, the proposed Zoning Ordinance Amendment, which would allow a MRF/TS use (an industrial use) in the M-2 zone, would be consistent with the General Plan.
- Community Development Policy 5: The revised project is consistent with this policy, which provides that the City of Irwindale will continue to promote development consistent with the General Plan, as opposed to piecemeal and incremental planning. Please refer to the response directly above regarding the project's consistency with Community Development Element Policy 3. Moreover, as discussed in the Final EIR, the General Plan Amendment would resolve the current conflict between the existing land use designation and zoning. Also, the project site has historically been used for an industrial facility, and the surrounding area is dominated by industrial and commercial uses. Thus, approval of the proposed General Plan Amendment would not constitute piecemeal and incremental planning, but would promote comprehensive and cohesive development of the project site and area.
- Housing Element Policy 3: The revised project is consistent with this policy, which encourages the City of Irwindale to promote the maintenance of existing housing units and residential properties. Baldwin Park is correct that there are residences within 325

feet of the proposed project site. However, those residences are located across Live Oak Avenue and behind existing industrial uses, which would minimize any impacts associated with the proposed project. The significant and unavoidable impacts of the proposed project would not, as suggested by Baldwin Park, decrease property values or drive people away from affordable housing. First, the significant and unavoidable impacts of the proposed project would not directly impact the nearby residences. The project's significant and unavoidable impacts are associated with (1) construction and operational noise, (2) traffic increases, but not near the residences, and (3) air quality. Regarding noise, any construction impacts to residences would be temporary, and operational noise would not significantly impact the residences. With respect to air quality impacts, the project would result in significant ROG and NO<sub>x</sub> impacts during operation, which are regional cumulative impacts, not site specific impacts. Because the project's significant and unavoidable impacts would not impact the area residences, there will not be housing decay. Also, as noted above, these residences are already located adjacent to industrial uses, so the construction of the project would not introduce a use different than those already existing adjacent to and near the residences.

- Housing Element Policy 5: The revised project is consistent with this policy, which provides that the City of Irwindale will encourage the development of additional affordable housing. This policy is not applicable to the project. First, the project site is not identified as proper for residential uses in either the General Plan or under existing zoning. This is consistent with the general uses comprising the area, which are largely industrial. Second, the fact that this project does not include affordable housing does not mean that the City of Irwindale is not encouraging affordable housing. The fact that the City of Irwindale does not mandate affordable housing for each and every project does not create an inconsistency, especially where the development of housing would be inconsistent with the General Plan and zoning.
- Resource Management Element Policy 9: The revised project would be consistent with this policy, which directs the City of Irwindale to continue to cooperate with other agencies that are charged with improving air and water quality. The project would generate significant and unavoidable air quality impacts, as discussed in the Final EIR. However, that fact alone does not create an inconsistency with Policy 9. The proposed project is necessary to service existing and future users and, although there would be an air quality impact, it includes multiple mitigation measures and design features to reduce air quality impacts to the greatest extent possible. To the extent applicable, the Final EIR analyzed the project's consistency with SCAQMD standards and policies, which are intended to reduce air quality impacts throughout the basin. And, when applicable, it incorporated various measures designed to reduce any significant impacts. The fact that there are significant air quality impacts does not, in and of itself, result in an inconsistency with this policy.
- Resource Management Element Policy 10: The revised project would be consistent with this policy, which provides that the City of Irwindale will continue to cooperate with surrounding cities in the formulation and implementation of regional resource management plans and programs. This project does not relate to the formulation of any

resource management plan, and would not negatively impact the implementation of any such plan. Baldwin Park has not presented any evidence to the contrary.

- Resource Management Element Policy 11: The revised project would be consistent with this policy, which states that the City of Irwindale supports the ethic of conservation of non-renewable resources, including reducing energy use and GHG emissions. As discussed in the Final EIR, the project would not result in a significant and unavoidable impact associated with GHG emissions or energy use. Moreover, the project incorporates numerous energy conservation measures that would reduce the use of energy and generation of GHGs (including, but not limited to, MM AQ-2, MM AQ-4, MM AQ-5, MM AQ-6, MM AQ-7, MM AQ-8, MM AQ-9, MM AQ-10, MM AQ-14, MM AQ-15, MM AQ-16, MM AQ-17, MM AQ-18, MM AQ-23, and MM AQ-24). Baldwin Park has not presented any evidence supporting an inconsistency with this policy.
- Resource Management Element Policy 19: The revised project would be consistent with this policy, which provides that the City of Irwindale will consider environmental justice issues in all land use decisions. Baldwin Park makes only the general assertion that the project would be inconsistent with this policy because of “serious environmental justice impacts...” However, it fails to present any evidence of such an impact (i.e., a disproportionate effect on a disadvantaged population). Alternatively, the Final EIR included an entire chapter – Chapter 3.6, *Environmental Justice* – devoted to analyzing the project’s potential environmental justice impacts. After an exhaustive analysis, the Final EIR concluded that the project would not have any environmental justice impacts. That thorough analysis remains valid and appropriate for the revised project, which does not propose any revisions that could create new environmental justice impacts.
- Public Safety Element Policies 4, 5, and 6: The revised project would be consistent with these policies, which relate to community noise exposure. Policy 4 is inapplicable because it focusing on reducing community noise exposure from manufacturing activities. The proposed project is not a manufacturing activity. Policy 5 directs the City of Irwindale to work towards reducing noise exposure by considering noise and land use compatibility in planning. As evidence by the Final EIR, the City did consider the proposed project’s potential to result in noise impacts. As discussed therein, the project would not result in significant construction noise impacts at sensitive receptors (see Final EIR at 3.10-33), and any construction noise impacts would be short-term regardless. Any operational noise generated by the project would also not result in a significant impact at the residences (see Final EIR Table 3.10-10). Also, the project includes numerous measures that are designed to reduce noise impacts. Finally, Policy 6 provides that the City of Irwindale will continue investigating strategies that will reduce community noise. The proposed project will not impact the ability to implement this policy in manner, nor would it preclude the development of noise reducing strategies.

### Comment 18

This comment is not a comment on the adequacy of the environmental analysis in the Final EIR or Addendum, or a comment on the potential entitlements being considered by the

City of Irwindale. It is a comment regarding applicable procedures. The City of Irwindale is obligated to abide by all procedural requirements governing consideration of the requested entitlements for the proposed project.

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