



PLANNING DIVISION
311 Vernon Street, Roseville, CA 95678 (916) 774-5276

APPEAL FORM

Name: Laborers International Union of North America, Local Union 185 Date: July 19, 2023
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Please describe below the action for which this appeal is being filed. (You may attach a separate letter if enough space is not provided.)

See Attached.

[Lined area for describing the appeal action]

Signed: Michael R. Lozeau Date: July 19, 2023

FOR OFFICE USE ONLY. (Date Stamp Below)
Received by: _____
Project Being Appealed: _____
File Number: _____
Approving Body: _____ Approval Date: _____

Appeal Form – Attachment

Laborers International Union of North America, Local Union 185 here by appeals the Planning Manager's July 14, 2023 approval of DTSP PCL DT-6 – 200 Vernon Mixed-Use Redevelopment 200 Vernon St. (File Number PL22-0382) ("Project"). The Project is located within the Downtown Specific Plan ("DTSP") and relies on the April 1, 2009 EIR prepared for the DTSP. The Planning Manager relies on two streamlining provisions of CEQA – Sections 15182 and 15332. Neither provision is applicable because the 2009 DTSP EIR must be supplemented or otherwise updated to address "[n]ew information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified...shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration..." CEQA Guidelines § 15162(a)(3)(A). *See* § 15182(b)(2), (c)(2). Likewise, a supplemental EIR must be prepared to address mitigation measures that are considerably different from those analyzed in the DTSP EIR. § 15162(a)(3)(D). Specifically, since 2009, new information about the presence of formaldehyde emissions from composite wood interior finishing materials at levels that cause cancer risks greater than 10 in a million has come to light. Health risks from such emissions to indoor air were not addressed in the 2009 DTSP EIR. Likewise, mitigation measures that would substantially reduce the health risks of formaldehyde emissions from composite wood materials used in the project were not analyzed in the DTSP EIR. Because the DTSP is outdated regarding this significant impact, it is an abuse of discretion for the Planning Manager to rely on either Section 15182 or 15332 for the Project's CEQA compliance.

In addition, the Planning Manager abused his discretion in applying section 15332's categorical exemption because he cannot support the requisite finding that the project would not result in significant effect relating to air quality. Specifically, the project will have significant air quality impacts by emitting levels of formaldehyde to indoor air that will exceed a cancer risk of 10 in a million in excess of the threshold of significance for toxic air contaminants recommended by the Placer County Air Pollution Control District.