

From: [Peter Sheehan](#)
To: [Hector Guerra](#); [Clerk of the Board](#)
Subject: Fw: Akers Business Park MND Board of Supervisors Meeting 5-2-23 9AM Public Hearing Item 5.
Date: Sunday, April 30, 2023 5:28:02 PM
Attachments: [GSEJA Akers Business Park MND BOS Meeting 5-2-23.pdf](#)

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Subject: Akers Business Park MND Board of Supervisors Meeting 5-2-23 9AM Public Hearing Item 5.

To whom it may concern,

Attached to this email and below are public comments on behalf of Golden State Environmental Justice Alliance. The attachment contains further comments and is in addition to the verbiage below. The comments are being submitted to the Board of Supervisors as part of the public record in considering approval or denial of the Akers Business Park MND Board of Supervisors Meeting on 5-2-23 @ 9: 00 A.M. Public Hearing Item 5.

For clarification purposes, the highlighted yellow portion of the body of this email and the attached letter are our public comments that we are requesting to be added into the record along with the attachment.

Please confirm receipt of this email.

Good morning, my name is Peter Sheehan and I'm with the Golden State Environmental Justice Alliance. We submitted a comment letter to the Mitigated Negative Declaration. Our letter identified several deficiencies with the MND. The deficiencies include but are not limited to, project description, air quality, energy, greenhouse gas emissions, land use and planning, population and housing, and noise.

Below is an excerpt regarding the county staff's response to the GSEJA comment letter submitted March 13, 2023 that has been included in the agenda.

ENVIRONMENTAL SUMMARY

"On March 13, 2023, Golden State Environmental Justice Alliance ("GSEJA") sent a letter to the County commenting on the IS/MND for the Akers Business Park Project. Staff found the GSEJA comment letter to be without merit, as detailed in Exhibit "B" of Planning Commission Resolution No. 10068. Most of the assertions are supported by nothing more than brief arguments from GSEJA's attorney, without reference to any evidence, including no opinions or analysis from an environmental consultant or other expert that has the necessary qualifications to review the MND's conclusion. Staff found the IS/MND to still be the appropriate document for the project under CEQA."

This commentary is OBVIOUSLY INCORRECT. In our letter referenced above, there is a 32 page assessment of the projects deficiencies written by an environmental consultant, SWAPE (Soil Water Air Protection Enterprise). The letter further clearly explains in great detail SWAPE's qualifications and credentials.

It is a horrific attempt to undermine and negate the public participation process to provide false information in a public meeting agenda. It is also inappropriate and irresponsible to single out any member of the public to discourage them from participation in the public hearing process by publishing false information in a public hearing agenda.

During these turbulent times, we as citizens expect and deserve our local government's elected and appointed officials to protect us from environmental and social injustice, to aid in the preservation and rehabilitation of the environment in which we all share, and to ensure accountability and responsibility in regard to the environmental decisions they may make.

We stand by our comment letter and believe the MND is flawed, and a full Environmental Impact Report must be drafted and circulated for public review. In closing we call on this Board to be a leader on the aforementioned issues and be the first line of defense for our citizenry and environment. Only by working together can we continue to be excellent stewards of our environment, outstanding stewards to our citizens and each other.

Please confirm receipt of this email.

Thank You,

Peter Sheehan
Golden State Environmental Justice Alliance
1265 West Shaw Ave. Suite 100
Fresno, CA 93711



To: Tulare County Board of Supervisors

From: Golden State Environmental Justice Alliance

Subject: Akers Business Park MND

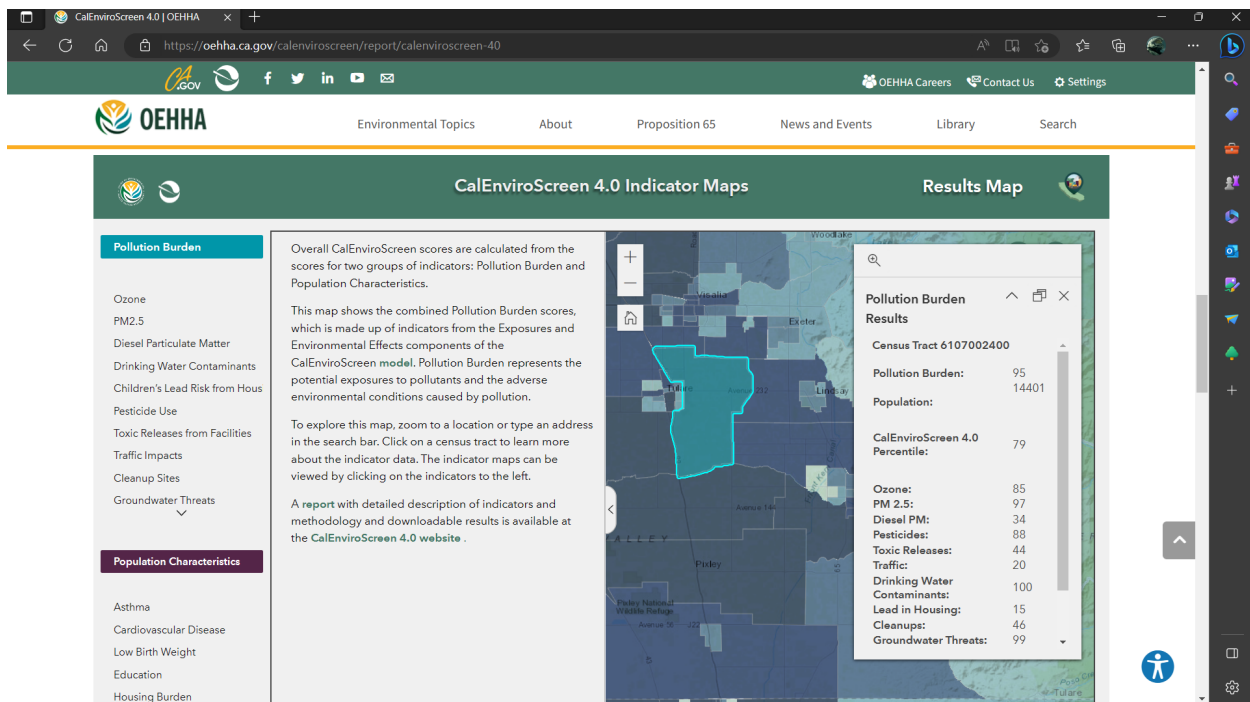
This letter is to serve as further comment in addition to all previously submitted comments and documents by Golden State Environmental Justice Alliance.

CalEnviroScreen Information

CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores. CalEnviroScreen ranks communities based on data that are available from state and federal government sources. CalEnviroScreen is updated and maintained by The Office of Environmental Health Hazard Assessment, on behalf of the California Environmental Protection Agency.

CalEnviroScreen Data on Akers Business Park MND Project Location/Area

The above listed project is in census tract 6107002400. Overall, when compared to other census tracts, the project site census tract is in the 79th percentile regarding pollution. As far as pollution burden is concerned, this census tract is in the 95th percentile. In terms of Ozone, this census tract is in the 85th percentile, Particulate Matter 2.5 97th percentile, Diesel Particulate Matter 34th percentile, Toxic Releases 44th percentile and Traffic 20th percentile to name a few.



RESPONSE TO COUNTY STAFF FALSE COMMENTARY REGARDING GSEJA COMMENT LETTER TO THE IS/MND.

Upon review of the agenda regarding this meeting, County staff has seen fit to add unfounded commentary to the agenda regarding the validity of our originally submitted comment letter. This commentary is also included in the PowerPoint presentation to the Board. For context the commentary referenced is copied and pasted from the agenda below.

“On March 13, 2023, Golden State Environmental Justice Alliance (“GSEJA”) sent a letter to the County commenting on the IS/MND for the Akers Business Park Project. Staff found the GSEJA comment letter to be without merit, as detailed in Exhibit “B” of Planning Commission Resolution No. 10068. Most of the assertions are supported by nothing more than brief arguments from GSEJA’s attorney, without reference to any evidence, including no opinions or analysis from an environmental consultant or other expert that has the necessary qualifications to review the MND’s conclusion. Staff found the IS/MND to still be the appropriate document for the project under CEQA.”

This commentary is OBVIOUSLY INCORRECT. In our letter referenced above, there is a clear 32 page portion written by an environmental consultant, SWAPE (Soil Water Air Protection Enterprise). The letter further clearly explains in great detail SWAPE’s qualifications and credentials.

It is a horrific attempt to undermine and negate the public participation process to provide false information in a public meeting agenda. It is also inappropriate and irresponsible to single out any member of the public to discourage them from participation in the public hearing process by publishing false information in a public hearing agenda.

GSEJA does not approve of this type of behavior by county staff and believes all citizens have a right to participate in the public hearing process and should be free from harassment, persecution, bullying, or intimidation while participating in said public hearing process.

Conclusion

Consider the above referenced information when making this important decision. Realize that you and the citizens of this area face some of the WORST POLLUTION in the entire state of California.

It is the responsibility of the County's elected and appointed officials to make environmentally responsible development decisions. Based on the CalEnviroScreen data, this is more than sufficient evidence of the further air quality impacts that the citizenry of Tulare County will continue to encounter with further development of an industrial park. We are not against development, as we believe it is necessary for further economic growth in our current society. Development needs to be conducted with the highest of expectations to ensure the local population does not suffer further air quality burdens.

We stand by our comments and believe the MND is flawed, and a full Environmental Impact report needs to be drafted and circulated for public review.

Respectfully Submitted,

Peter Sheehan

Peter Sheehan
GSEJA
1265 West Shaw Ave Suite 100
Fresno, CA 93711

Source - <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

Glossary of Terms

Ozone - Amount of daily maximum 8-hour Ozone concentration

Particulate Matter 2.5 - Annual mean PM 2.5 concentrations

Diesel Particulate Matter - Diesel PM emissions from on-road and non-road sources

Toxic Releases - Toxicity-weighted concentrations of modeled chemical releases to air from facility emissions and off-site incineration.

Traffic -Traffic density, in vehicle-kilometers per hour per road length, within 150 meters of the census tract boundary.