



City of Mission Viejo

Office of the Mayor and City Council

Wendy Bucknum
Mayor

Edward Sachs
Mayor Pro Tem

Brian Goodell
Council Member

Trish Kelley
Council Member

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Council Member

May 27, 2022

The Honorable Eloise Gomez Reyes
California State Assembly Member and Majority Leader, District 47
1021 O Street, Suite 8219
Sacramento, CA 95814

**RE: AB 2840 (Reyes) Qualifying logistics use projects.
City of Mission Viejo – Notice of Opposition**

Dear Assembly Member Reyes,

On behalf of the City of Mission Viejo, I write in respectful opposition to your AB 2840, which seeks to prohibit local governments from approving any new or expansion of existing warehouses and development projects 100,000 square feet or more if: 1) proposed within 1,000 feet of sensitive receptors, or 2) alternative measures are not imposed on the project that effectively achieve 1,000-foot buffer level protections. Further, the bill specifies that all qualifying logistics projects use only a skilled and trained workforce and save an unspecified percentage of jobs for local residents – without consideration of if a local workforce is available or affordable.

Under current law, CEQA requires the state and local governments to study and mitigate, to the extent feasible, the environmental impacts of proposed projects, providing a key protection for the environment and residents of California. Under CEQA, a local agency carrying out a discretionary project must first determine if the project may have a significant effect on the environment. Through this environmental review process, local governments both assess the potential impacts a development may have on the surrounding area and residents and incorporate proposed developments into their considered planning processes. As written, AB 2840 seeks to codify a decades-old advisory document that advises warehouses not be located within 1,000 feet of sensitive receptors, thus stripping all local governments across California of their zoning and land use authority making it even harder and more expensive to develop critically needed logistic use projects.



In addition to the erosion of local land use authority, AB 2840 presents a hurdle that will negatively impact the state's existing supply chain issues. As evidenced by the COVID-19 pandemic, warehouse development and storage capabilities offer a critical resource to allow for the distribution of essential goods and services in times of emergency. Last year amid unprecedented global disruptions to the goods movement supply chain, Governor Gavin Newsom signed Executive Order N-19-21 to alleviate congestion at California ports and ease supply chain issues. Specifically, the Executive Order highlighted that shipping container dwell times and street dwell times for containers were more than double the normal average due to bottlenecks further downstream in the supply chain, including insufficient warehouses to undock cargo. Even with swift executive orders such as these, the state has not overcome its supply chain issues, which depend on warehouse availability to mitigate.

AB 2840 casts aside the most protective environmental laws in the state, circumvents local land use discretion, and introduces a massive hurdle for the alleviation of supply chain challenges by constraining local governments from being able to responsibly permit critically needed warehouses and logistic use projects throughout California.

For these reasons, I respectfully oppose AB 2840.

Sincerely,



Wendy Bucknum
Mayor

cc: Senator Pat Bates
Assembly Member Laurie Davies
City of Mission Viejo City Council Members
City Manager Dennis Wilberg, City of Mission Viejo

