

1 Evan Levy (SBN 359556)
2 Harrison Beck (SBN 341717)
3 CENTER FOR BIOLOGICAL DIVERSITY
4 2100 Franklin St., Suite 375
5 Oakland, California 94612
6 Telephone: (510) 844-7100
7 Facsimile: (510) 844-7150
8 elevy@biologicaldiversity.org
9 hbeck@biologicaldiversity.org

10 *Attorneys for Petitioner and Plaintiff Center for Biological Diversity*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CENTER FOR BIOLOGICAL DIVERSITY,

Petitioner and Plaintiff,

v.

CITY OF LANCASTER; CITY COUNCIL
OF THE CITY OF LANCASTER and DOES
1 through 20, inclusive,

Respondents and Defendants;

NP AV LOGISTICS CENTER, LP;
NORTHPOINT DEVELOPMENT, LLC; and
DOES 21 through 40, inclusive,

Real Parties in Interest.

Case No.

**VERIFIED PETITION FOR WRIT OF
MANDATE AND COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF**

[Pub. Resources Code § 21000, et seq. (California
Environmental Quality Act); Code Civ. Proc. §§
1085, 1094.5; Gov. Code § 65300, et seq. (State
Planning and Zoning Law)]

INTRODUCTION

1. This action challenges the decision of the City of Lancaster, California (“City”) and its City Council (together, “Respondents”) to approve the Westside Annexation and North Lancaster Industrial Specific Plan (“Specific Plan,” together with other relevant approvals, the “Project”) and to certify an Environmental Impact Report (“EIR”) and Statement of Overriding Considerations for the Project (State Clearinghouse No. 20254081372).

2. The Project includes (1) approval of the annexation 7,153 acres of unincorporated Los Angeles County on October 14, 2025, (2) approval of a general plan amendment on October 14, 2025, to change land use designations from County designations to City designations (3) approval of a Specific Plan on October 14, 2025, to allow up to 38.5 million square feet of industrial uses over 1,860 acres, (4) adoption of Ordinance 1140 on October 28, 2025 to amend the City Zoning Map to pre-zone the annexed area, and (5) adoption of Ordinance 1141 on October 28, 2025 to adopt a Development Agreement to establish specific development rights for Planning Areas 2, 4, 6, and 8.

3. The goal of the Project is to “[m]aximize development of Class A speculative warehouse industrial buildings.” With warehouses comes heavy-duty truck traffic: the EIR discloses that the Project’s first phase, covering just a quarter of the Project’s industrially-zoned land, would bring an average of 4,940 heavy-duty truck trips to the Antelope Valley every day. Altogether, the Project would create at least 163,472 new vehicle trips each day at full buildout.

4. The environmental impacts from the warehouse operations would be tremendous. For example, the truck trips generated by the Project will originate over 100 miles from the Project site in the Ports of Long Beach and Los Angeles. These trips, along with passenger vehicle trips serving the project, will combust over 30 million gallons of fossil fuels annually. This fuel combustion will add tens of thousands of pounds of volatile organic compounds, nitrous oxides, carbon monoxide, sulfur oxides, and fine particulate matter to Southern California’s already-polluted air every year. Operations in the Specific Plan alone would add 269 million vehicle miles traveled to Southern California roadways annually.

5. This enormous increase in traffic and warehouse operations would single-handedly

1 generate enough greenhouse gas (“GHG”) emissions to prevent the City from achieving the emissions
2 reduction targets in its Climate Action Plan, resulting in emissions that would exceed 156 percent of the
3 *entire* City’s GHG budget for 2040. Each year, the Project would also consume 510,000 megawatt hours
4 of electricity, enough to power nearly 78,000 California homes, and 2.83 billion gallons of desert water.

5 6. The Center for Biological Diversity (“the Center”), along with several other
6 organizations, governmental agencies, and individuals, demonstrated throughout the administrative
7 process that the Project would have significant negative environmental impacts on, among other things,
8 GHG emissions, air quality, energy, vehicle miles traveled, biological resources, light, noise, population
9 and housing, and aesthetics. Yet the Project’s EIR failed to disclose or adequately analyze these impacts.

10 7. The City also failed to adopt feasible, common-sense measures to mitigate the Project’s
11 impacts, especially for its enormous air quality, climate, and energy impacts. For example, responding to
12 comments by the Center and others, the City refused to require the installation of solar panels on
13 warehouse rooftops to power Project operations, even though the practice is commonplace in the
14 industry, including in Southern California. The City also refused to take any meaningful steps to
15 facilitate heavy-duty truck electrification, even though that too is standard across the industry, including
16 in Southern California. Likewise, the City failed to require tenants to utilize as high a percentage of
17 zero-emission heavy-duty trucks as feasible as quickly as possible.

18 8. Instead of adopting feasible measures like these, the City’s Statement of Overriding
19 Considerations declared that the Project’s speculative benefits would outweigh its significant and
20 unavoidable impacts to (1) air quality, which would delay the Antelope Valley’s attainment of air
21 quality standards under its Air Quality Management Plan, (2) GHG emissions, which would prevent the
22 City from achieving its target emissions reductions, and (3) noise caused by traffic.

23 9. The EIR’s deficiencies render the Project’s environmental review inadequate under the
24 California Environmental Quality Act (“CEQA”), Public Resources Code sections 21000 et seq.

25 10. Petitioner brings this lawsuit to ensure that the City fully discloses, analyzes, and
26 mitigates the Project’s environmental impacts and considers reasonable alternatives in compliance with
27 CEQA and the State Planning and Zoning Law before moving forward with the Project.

THE PARTIES

11. Petitioner CENTER FOR BIOLOGICAL DIVERSITY (“the Center”) is a non-profit conservation organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has members across the country and has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and the overall quality of life for people in Los Angeles County. Members of the Center will be directly and adversely affected by the approval and construction of the Project. The Center submitted several extensive comment letters to the City regarding the Project’s Draft EIR and Final EIR.

12. Respondent CITY OF LANCASTER is a political subdivision of the State of California responsible for regulating and controlling land use within the jurisdiction of the City, including implementing and complying with CEQA. The City is the “lead agency” for the Project for the purposes of section 21067 of the Public Resources Code, with principal responsibility for conducting environmental review of the Project. The City has a duty to comply with CEQA, the State Planning and Zoning Law, and other state laws.

13. Respondent CITY COUNCIL OF THE CITY OF LANCASTER (the “City Council”) is the City’s duly elected decision-making body. As the decision-making body, the City Council is responsible for adopting the necessary resolutions, ordinances, or approvals for the Project, and for ensuring that the City has conducted an adequate and proper review of the Project’s environmental impacts under CEQA and the State Planning and Zoning Law prior to doing so.

14. On information and belief, Real Party in Interest NP AV LOGISTICS CENTER, LP is the owner of real property that is the subject of the approvals challenged in this action and/or the recipient of the approvals and/or entitlements challenged in this action.

15. On information and belief, Real Party in Interest NORTHPOINT DEVELOPMENT, LLC is the owner of real property that is the subject of the approvals challenged in this action and/or the recipient of the approvals and/or entitlements challenged in this action.

16. The Center does not know the true names and capacities, whether individual, corporate, associate, or otherwise, of respondents DOES 1 through 20, inclusive, and therefore sues said

respondents under fictitious names. Petitioner will amend this Petition to show their true names and capacities when the same have been ascertained. Each of the respondents is the agent and/or employee of respondents, and each performed acts on which this action is based within the course and scope of such respondent's agency and/or employment.

17. The Center does not know the true names and capacities, whether individual, corporate, associate, or otherwise, of real parties in interest DOES 21 through 40, inclusive, and therefore sues said real parties in interest under fictitious names. Petitioner will amend this Petition to show their true names and capacities when the same have been ascertained.

JURISDICTION AND VENUE

18. This Court has jurisdiction to issue a writ of mandate to set aside respondents' decision to approve the Project under California Code of Civil Procedure, section 1094.5 (or alternatively, section 1085) and Public Resources Code, section 21168.5 (or alternatively, section 21168), and section 21168.9.

19. Venue for this action properly lies in the Los Angeles County Superior Court because respondents and the proposed Project site are located in the County. Many of the Project's significant environmental impacts that are the subject of this lawsuit would occur in the County, and the Project would affect the interests of County residents, including the Center's members.

20. The Center has performed any and all conditions precedent to filing the instant action and has exhausted any and all administrative remedies to the extent the law requires, including, but not limited to, timely submitting extensive comments objecting to the Project approval and identifying in writing to Respondents the deficiencies in Respondents' environmental review. Specifically, the Center submitted comments on the Draft EIR to the Planning Commission on July 21, 2025, on the Final EIR to the Planning Commission on August 18, 2025, and on the Revised Final EIR to the City Council on October 10 and October 14, 2025. In each instance, the Center requested compliance with CEQA and the completion of a full and adequate environmental review through the revision and recirculation of the EIR to correct the deficiencies detailed by commenters. All issues and claims raised in this petition were raised in a timely manner by the Center, other groups, members of the public, or public agencies.

21. Respondents have taken final agency action with respect to approving the Project and certifying the EIR. Respondents had a duty to comply with applicable state laws, including but not limited to CEQA and the State Planning and Zoning Law, prior to undertaking the discretionary approvals at issue in this lawsuit.

22. The Center has complied with the requirements of section 21167.5 of the Public Resources Code by serving a written notice of the Center's intention to commence this action on respondents on November 13, 2025. A copy of the written notice and proof of service is attached hereto as Exhibit A.

23. The Center has complied with the requirements of section 21167.6 of the Public Resources Code by concurrently notifying respondents of the Center's request to prepare the record of administrative proceedings relating to this action. A copy of the Center's Election to Prepare Administrative Record of Proceedings is attached hereto as Exhibit B.

24. The Center will comply with Public Resources Code, section 21167.7 and Code of Civil Procedure, section 388 by furnishing the Attorney General of the State of California with a copy of the Petition. Attached hereto as Exhibit C is the true and correct copy of the letter transmitting the Petition to the Attorney General.

25. This Petition is timely filed in accordance with Public Resources Code, section 21167, 14 California Code of Regulations, section 15000 et seq. (the "CEQA Guidelines"), section 15112, and Government Code, section 65860.

GENERAL ALLEGATIONS

The Proposed Project and Project Site

26. The proposed Project site encompasses 7,153 acres of largely undeveloped land with vast, open vistas in the northernmost reaches of Los Angeles County. The Westside Annexation EIR covers all 7,153 acres. The Specific Plan EIR covers 1,860 acres within the broader annexation, divided into "Planning Areas." The Specific Plan authorizes 11.3 million square feet of industrial warehouse space and 3.3 million square feet of heavy industrial uses in Planning Areas 2, 6, 7, 8 and 9 (Phase 1), and 20.6 million square feet of industrial buildings for Planning Areas 1, 3, and 5 (Phase 2), much of

1 which would also be warehouses. Of the remaining 5,293 acres of the Annexation area (Phase 3), the
2 EIR authorizes another 1,330 acres of industrial zoning and 15.6 million square feet of non-residential
3 development.

4 27. The Project will disproportionately pollute communities already bearing substantial
5 environmental burdens. The census tract immediately downwind from the Project site is in the 89th
6 percentile for overall pollution burden in California, according to CalEnviroScreen. The Project tract
7 itself is in the 89th percentile for ozone pollution. Nearby communities are in the 99th, 96th, and 96th
8 percentile for asthma, cardiovascular disease, and poverty, respectively. Air pollution caused by
9 warehouse projects, specifically the immense volume of particulate matter emitted by heavy-duty
10 truck's combustion of diesel fuel, are well known to exacerbate asthma and cardiovascular disease in
11 nearby communities.

12 28. There are three mobile home parks within the Project area. One of these parks has over
13 200 senior residences and would be entirely enclosed by industrial buildings at full Project buildout.
14 Several additional mobile home parks are located near the Project boundaries.

15 29. The Project would drastically change the landscape within the Project area and the
16 broader Antelope Valley. The warehouses and other industrial buildings proposed could cover 50
17 percent of the overall land area in the Specific Plan, not including the additional space needed for at
18 least 7,700 passenger vehicle parking spaces, new roads, and hundreds of docking stations for heavy-
19 duty trucks. These buildings would be up to 100 feet tall, or even higher with a conditional use permit.

20 30. The Project is by far the biggest of a broader, recent buildout of logistics centers in the
21 Antelope Valley. Within the annexation area alone are the approved Antelope Valley Logistics Center -
22 West, a 2 million square foot warehouse development, and another 578,000 square foot warehouse.
23 Outside the Project footprint, but still nearby and within City limits, are three approved warehouses of
24 395,390 square feet, 574,039 square feet, and 1,227,596 square feet, a 647,756-square-foot warehouse
25 that is under construction, and a 649,136-square-foot warehouse that is undergoing plan review.

26 31. The Project would generate a tremendous amount of GHG emissions. In 2015, the entire
27 City of Lancaster emitted 785,150 metric tons of carbon dioxide equivalent ("MTCO₂e"). The City's
28

Climate Action Plan, adopted in 2017, established a goal to limit the City's emissions to 300,980 MTCO_{2e} by 2040. The Project alone would generate 472,780 MTCO_{2e}, far surpassing the City's 2040 target. Approximately 63 percent of the GHG emissions generated by the Project would come from mobile sources, most of which would be from heavy-duty trucking. Yet, as discussed below, other than placing time limits on truck idling, the EIR requires no mitigation to reduce heavy-duty truck-related GHG emissions.

32. The Project will also add a significant amount of air pollution to the Valley's already polluted air, most of which would also come from heavy-duty trucking. At least 90 percent of the Project's particulate matter, and over 60 percent of the nitrous oxides, would come from mobile sources like heavy-duty trucks. And much that truck traffic will occur in the South Coast Air Quality Management District, which is in extreme nonattainment—i.e. uniquely hazardous—for those pollutants pursuant to the federal Clean Air Act. Yet the EIR contains no mitigation measures to reduce the Project's air quality impacts within that jurisdiction.

33. The Project will also introduce significant amounts of noise into an otherwise undeveloped environment. As with the air quality and GHG impacts, this noise will predominantly come from the 163,472 daily passenger car and heavy-duty truck trips that would be generated by the Project. As a result, the Project would *double* overall noise in locations in and around the Project area and significantly impact sensitive receptors. Yet the City adopted no measures to mitigate these significant noise impacts.

34. Further, the Project would irreversibly impact important biological resources in the area through the destruction of thousands of acres of desert habitat, the effects of which would extend beyond the Project's boundaries. The entire eastern edge of the Project abuts the Antelope Valley Significant Ecological Area. Within that Significant Ecological Area, and immediately adjacent to the Project border, are the Piute Ponds. The Piute Ponds are the largest freshwater marsh in Los Angeles County, with wetlands covering about 2,500 acres. The wetlands are a globally important bird area on the Pacific Flyway that hosts over 300 species of birds, many of which depend on the marsh as a critical stopover point on their migrations. Amargosa Creek, which bisects the Specific Plan area, feeds these wetlands

1 with freshwater. Amargosa Creek was included within the SEA until 2019, but was removed for
2 unknown reasons. The Project would degrade the habitat quality of the Project area, the Piute Ponds, and
3 Amargosa Creek through changing the area's hydrology, paving over habitat, and edge effects from the
4 massive industrial development, such as light and noise pollution.

5 35. Though the City conducted only limited biological surveys, those surveys showed
6 substantial biodiversity, with 68 plant species, 30 species of birds, 5 species of reptiles, and 4 species of
7 mammals occurring in Phase 1 Planning Areas. The plant survey found that 23.5 percent of Phase 1, or
8 193 acres, was occupied by the alkali mariposa lily, a rare plant as defined by controlling regulations.
9 Surveys also found 3.35 acres of the rare Mojave spine flower and 0.81 acres of the extremely range-
10 restricted and rare Rosamond eriastrum. Burrowing owls, a protected candidate species under the
11 California Endangered Species Act, are also likely to occur and nest in the Project area.

12 36. Without explanation, the City failed to conduct any biological surveys for the 950 acres
13 of Phase 2 of the Project, which is likely to include some of the most biologically rich areas within the
14 Project area because it contains the Planning Area closest to the Antelope Valley Significant Ecological
15 Area and the Piute Ponds. Likewise, the City also failed to conduct a single biological survey for the
16 5,293 acres of Phase 3.

17 37. The Project also impairs the State's progress towards several key policy goals. Though
18 California is experiencing an affordable housing crisis, for example, the EIR allows Phases 1 and 2 of
19 the Project to be built without the construction—or even consideration—of a single new unit of housing.
20 Additionally, though the planned route of the California High Speed Rail runs through the entire Project
21 area from north to south, the Draft EIR does not mention High Speed Rail once or consider the rail's
22 implications for the Project's environmental impacts. The Project is also inconsistent with California
23 climate policy, conflicting with the California Air Resources Board 2022 Scoping Plan to reduce GHG
24 emissions statewide.

25 38. The EIR's stated goal of "[m]aximiz[ing] development of Class A speculative warehouse
26 industrial buildings" precluded meaningful consideration of a reduced intensity project alternative
27 because anything less than the maximum intensity would fail to meet that goal. Instead, the City
28

determined that the Project’s immense environmental impacts cannot be fully mitigated. Rather than reducing the Project’s size or implementing more measures to minimize environmental impacts, the City prepared and adopted a Statement of Overriding Considerations for the Project’s significant GHG emissions, air quality impacts, and noise impacts.

Project Review and Approval

39. On or around September 3, 2024, the City issued and circulated a Notice of Preparation of the EIR for the Project, in which it notified public agencies and interested individuals that, as a lead agency, it would be preparing an EIR to analyze the Project’s potentially significant environmental impacts. The California Department of Fish and Wildlife (“CDFW”) submitted comments on the Notice of Preparation and recommended, among other things, that the City specifically perform focused surveys for and mitigate impacts to Crotch’s bumblebee, burrowing owl, Swainson’s hawk, rare plants, migratory birds, and other species of special concern; analyze Project impacts to sensitive ecological areas, such as the Antelope Valley Significant Ecological Area; and obtain a Lake and Streambed Alteration Agreement if the Project would impact claypans or streams.

40. The Sierra Club also submitted comments on the Notice of Preparation, recommending that the City propose additional measures to mitigate the Project’s GHG emissions and air quality impacts, such as by requiring developers to install sufficient rooftop solar to power 100 percent of the Project’s demand and using the cleanest available vehicle technology. Sierra Club also raised concerns regarding energy impacts, biological impacts, lighting impacts, water supply, transportation routes, and Project alternatives.

41. In March 2025, Respondents published a Draft EIR for the Specific Plan.

42. On May 23, 2025, the City published a Notice of Availability of a Draft EIR for both the Westside Annexation and the Specific Plan and circulated the Draft EIR for public review and comment. The comment period initially ran for 45 days until July 7 but the City later extended it for two weeks because the initial Draft EIR was missing a section.

43. The Center submitted comments on the Draft EIR on July 21, before the close of the comment period, pointing to serious deficiencies, including, but not limited to:

- a. The Draft EIR’s analysis of and mitigation for impacts to air quality was inadequate because, among other things, it used an unsupported threshold of significance and failed to adequately evaluate, disclose, and adopt all feasible measures to mitigate significant impacts to air quality, such as by requiring warehouse developers to cover 100 percent of their energy demand through onsite solar and building infrastructure to support electric heavy-duty trucks;
- b. The Draft EIR’s analysis of and mitigation for impacts to GHG emissions was inadequate because, among other things, it used an unsupported threshold of significance, failed to analyze GHG emissions from disturbing soil and destroying deep-rooted native plant communities, and failed to adequately evaluate, disclose, and adopt all feasible measures, including the solar and electric truck measures identified above;
- c. The Draft EIR failed to support its analysis of energy usage from Project operations, because, among other things, the Draft EIR underestimated Phase 1 energy usage compared to Phases 2 and 3; and
- d. The Draft EIR’s analysis of and mitigation for environmental justice impacts was inadequate because, among other things, it failed to adequately consider the Project’s cumulative impacts to the pollution burden of nearby communities and failed to adopt all feasible measures to mitigate impacts to those communities.

44. On July 21, 2025, CDFW commented on the Draft EIR, recommending, among other things, that the City:

- a. Survey for biological resources across the entire Specific Plan, rather than just Phase 1;
- b. Revise its determination of burrowing owl presence to “present” and require focused burrowing owl surveys be conducted according to CDFW’s published guidance;
- c. Include mitigation measures for the rare plants identified throughout the Project area, such as 2:1 compensatory mitigation for all rare plant habitat destroyed, and conduct protocol level botanic surveys;
- d. Include mitigation measures and protocol-level surveys for the Crotch’s bumblebee;

1 e. Consult with CDFW and obtain incidental take permits if any listed species are found
2 onsite; and

3 f. Require 150-foot setbacks from Amargosa Creek and claypans.

4 45. On July 25, 2025, the South Coast Air Quality Management District also commented on
5 the Draft EIR, recommending, among other things, that the EIR:

6 a. Consider the whole of the Project by evaluating the amount of mobile source emissions
7 caused by the Project that would occur within the South Coast Air Quality Management
8 District's jurisdiction; and

9 b. Require additional feasible mitigation measures, such as truck electrification and limiting
10 the daily number of truck trips to the number analyzed in the EIR.

11 46. Numerous organizations and individual members of the public also submitted comments
12 identifying serious deficiencies in the Draft EIR, including, but not limited to:

13 a. The Draft EIR's analysis of and mitigation for impacts to air quality was inadequate
14 because, among other things, it used an unsupported threshold of significance and failed
15 to adequately evaluate, disclose, and adopt all feasible measures to mitigate the Project's
16 significant air quality impacts, such as by requiring warehouse developers to cover 100
17 percent of their energy demand through onsite solar, to utilize as high a percentage of
18 zero-emission heavy-duty trucks as feasible as quickly as possible, and to use less
19 resource intensive methods and materials for building construction;

20 b. The Draft EIR's analysis of and mitigation for impacts to GHG emissions was inadequate
21 because, among other things, it used an unsupported threshold of significance and failed
22 to adequately evaluate, disclose, and adopt all feasible measures to mitigate significant
23 impacts to GHG emissions, such as the solar and electric trucks measures identified
24 above;

25 c. The Draft EIR failed to adopt all feasible measures to mitigate energy impacts, such the
26 solar and electric truck measures identified above;

- d. The Draft EIR's analysis of and mitigation for environmental justice impacts was inadequate because, among other things, it failed to adequately consider the Project's cumulative impacts to the pollution burden of nearby communities and failed to adopt all feasible measures to mitigate impacts to those communities;
- e. The Draft EIR failed to adopt all feasible measures to mitigate noise impacts;
- f. The Draft EIR inappropriately treated Phase 3 of the Project as speculative and omitted it from much of the mitigation measures applied to the Specific Plan;
- g. The Draft EIR's project description was incomplete, and the Draft EIR improperly segmented (or piecemealed) its analysis, because it failed to describe a recently approved warehouse project within the Specific Plan area;
- h. The Draft EIR was inconsistent with aspects of the City's General Plan, including, but not limited to, its Environmental Justice Element and the City's Climate Action Plan, among other relevant regional plans;
- i. The Draft EIR's analysis of and mitigation for impacts on aesthetics and biological resources was inadequate because, among other things, it failed to adequately evaluate, disclose, and adopt all feasible measures to mitigate significant impacts from construction and operational lighting;
- j. The Draft EIR's analysis of and mitigation for impacts to viewshed aesthetics were inadequate because, among other things, it failed to adequately evaluate, disclose, and adopt all feasible measures to mitigate significant impacts caused by construction activities and large buildings;
- k. The Draft EIR's analysis of and mitigation for impacts to biological resources was inadequate because, among other things, it failed to adequately evaluate, disclose, mitigate, and avoid significant impacts to biological resources, such as Joshua trees, burrowing owls, Amargosa Creek, the Antelope Valley Significant Ecological Area, and wildlife corridors, and failed to properly evaluate and mitigate habitat quality degradation associated with increased Project-related "edge" effects;

1 minimal, 50-foot buffer from Amargosa Creek, and (5) deferred consultation with and monitoring by the
2 Yuhaaviatam of San Manuel Nation.

3 49. Despite recommendations by the Center, Sierra Club, the South Coast Air Quality
4 Management District, and various other commenters, the City did not include mitigation measures to
5 require the installation of solar panels, nor any measures to mandate, accommodate, or facilitate the use
6 of electric heavy-duty trucks by warehouses within the Project area.

7 50. On or around August 18, 2025, the Lancaster Planning Commission held a public
8 meeting and recommended that the City Council adopt and certify the Final EIR. The Planning
9 Commission also recommended the City Council (1) annex 7,153 acres from Los Angeles County, (2)
10 amend the General Plan from county designations to city designations, (3) pre-zone the annexed area,
11 (4) adopt the Specific Plan, and (5) enter into a development agreement for Phase 1. Because the
12 Planning Commission does not allow remote testimony, the Center submitted written comments in lieu
13 of oral testimony before the Planning Commission met on August 18, 2025. That day, another
14 commenter submitted comments describing how the Final EIR's responses to comments were
15 inadequate.

16 51. On or around October 3, 2025, the City published a Revised Final EIR to respond to
17 additional comments received near to, but before the Draft EIR's August 18 comment deadline. The
18 only substantive revisions in the Revised Final EIR from the previous Final EIR included applying the
19 Specific Plan's limited air quality mitigation measures to Phase 3 of the Project and requiring limited
20 electric bike parking.

21 52. On October 10, 2025, the Center submitted extensive comments on the Revised Final
22 EIR. These comments explained why the changes to the Draft EIR failed to cure the deficiencies
23 identified by the Center and other commenters, and identified additional deficiencies, including, but not
24 limited to:

- 25 a. The Revised Final EIR's analysis of and mitigation for impacts to air quality was
26 inadequate because, among other things, it used an unsupported threshold of significance
27 and failed to adequately evaluate, disclose, and adopt all feasible measures to mitigate the
28

1 Project's significant impacts to air quality, such as by requiring warehouse developers to
2 supply 100 percent of their development's energy demand through onsite solar and by
3 building the infrastructure necessary to accommodate electric heavy-duty trucks;

4 b. The Revised Final EIR's analysis of and mitigation for impacts to GHG emissions was
5 inadequate because, among other things, it used an unsupported threshold of significance
6 and failed to adequately evaluate, disclose, and adopt all feasible measures to mitigate
7 significant impacts to GHG emissions, such as the solar and electric trucks measures
8 identified above;

9 c. The Revised Final EIR's analysis of and mitigation for significant noise impacts was
10 inadequate because it failed to evaluate noise impacts on wildlife and adopted no noise
11 mitigation measures;

12 d. The Revised Final EIR's analysis of vehicle miles traveled for outbound heavy-duty truck
13 trip lengths was inadequate and unsupported;

14 e. The Revised Final EIR's analysis of and mitigation for impacts to biological resources
15 was inadequate because, among other things, it failed to adequately evaluate, disclose,
16 and adopt all feasible measures to mitigate significant impacts to biological resources,
17 such as Crotch's bumblebee, various rare plant species—particularly the alkali mariposa
18 lily, burrowing owl, desert tortoise, Amargosa Creek, Piute Ponds, other jurisdictional
19 waters, and the Antelope Valley Significant Ecological Area;

20 f. The Revised Final EIR failed to describe an adequate baseline for biological resources by
21 failing to perform any biological surveys across Phase 2, jurisdictional waters
22 delineations, and focused surveys for special status species;

23 g. The Revised Final EIR's analysis of and mitigation for energy impacts was inadequate
24 because, among other things, it failed to adequately analyze, disclose, and adopt all
25 feasible measures to mitigate significant impacts from operational energy usage;

1 h. The Revised Final EIR failed to discuss how the Project was inconsistent with many
2 aspects of the City’s General Plan, particularly its Environmental Justice Element and
3 Climate Action Plan; and

4 i. The Revised Final EIR failed to adequately respond to public comments.

5 53. On October 14, 2025, the City Council held a public meeting where it (1) certified the
6 EIR, (2) approved the pertinent annexation, (3) approved the Specific Plan, and (4) approved an
7 amendment to the City’s General Plan to change land use designations within the annexation area from
8 County designations to City designations. In addition, at that October 14 meeting, the City Council also
9 introduced two ordinances, Ordinance 1140, amending the City’s zoning map to pre-zone the Project
10 area, and Ordinance 1141, conferring specific development rights related to Phase 1 of the Project.
11 Again, the Center submitted written comments because the City prohibited it from providing remote
12 testimony.

13 54. On October 17, 2025, the City published its Notice of Decision certifying the EIR.

14 55. On October 28, 2025, the City held a public meeting and approved, through its consent
15 calendar, Ordinance 1140 and Ordinance 1141.

16 56. As a result of Respondents’ actions in approving the Project and certifying the EIR, the
17 Center and its members will suffer significant and irreparable harm. The Center has no plain, speedy, or
18 adequate remedy at law for this irreparable harm. Unless this Court grants the requested writ of mandate
19 to require respondents to set aside adoption of the Final EIR and approval of the Project, Respondents’
20 approval will remain in effect in violation of state law.

21 57. Respondents have prejudicially abused their discretion and failed to proceed in the
22 manner required by law in the following ways:

23 **FIRST CAUSE OF ACTION**

24 **Violation of CEQA — Inadequate EIR**

25 **(Public Resources Code, § 21000, et seq., CEQA Guidelines, § 15000, et seq.)**

26 58. Petitioner hereby incorporates by reference all previous paragraphs set forth above.

27 59. The California legislature enacted CEQA to ensure that the long-term protection of the
28

environment is a guiding criterion in public decisions. CEQA requires the lead agency for a project with the potential to cause significant environmental impacts to prepare an EIR for the Project that complies with the requirements of the statute, including, but not limited to, the requirement to disclose and analyze the project's potentially significant environmental impacts. The EIR must provide sufficient environmental analysis such that decisionmakers can intelligently and fully consider environmental consequences when acting on the proposed project. Such analysis must include and rely upon thresholds of significance that are based on substantial evidence in the record.

60. CEQA also mandates that the lead agency analyze and adopt feasible and enforceable mitigation measures that would reduce or avoid any of a project's significant environmental impacts. If any of the project's significant impacts cannot be mitigated to a less than significant level, CEQA bars the lead agency from approving a project if a feasible alternative is available that would meet the project's objectives while avoiding or reducing its significant environmental impacts.

61. CEQA requires that substantial evidence in the administrative record support all the agency's findings and conclusions, including those contained in the EIR, and that the agency explain how the evidence in the record supports the conclusions the agency has reached.

62. Respondents committed a prejudicial abuse of discretion and failed to proceed in a manner required by law because the Project relies on an EIR that fails to meet CEQA's requirements for the disclosure, analysis, mitigation, reduction, and/or avoidance of significant environmental impacts from the Project, including direct and cumulative impacts to biological resources, GHG emissions, air quality, transportation and traffic, energy, water supply, aesthetic resources, population and housing, light, and noise. The EIR also fails to accurately describe the Project, discuss inconsistencies with applicable plans, analyze a range of reasonable alternatives, and adequately respond to public comments.

63. **Greenhouse Gas Emissions.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative GHG impacts in several ways. The EIR's GHG emissions analysis is inadequate for the reasons described above and because, among other deficiencies, the EIR:

- a. fails to adopt feasible measures to mitigate GHG emissions, especially the installation of rooftop solar and heavy-duty truck electrification, among other measures;
- b. fails to adequately analyze the emissions from and the length of inbound and outbound truck trips;
- c. uses an unsupported threshold of significance;
- d. fails to adequately support its conclusions for GHGs generated by energy consumption, especially regarding Phase 1;
- e. fails to identify and analyze all foreseeable GHG emissions generated by the Project, including from land conversion;
- f. improperly defers GHG analyses to later stages;
- g. fails to adequately analyze the emissions associated with passenger vehicle trips;
- h. fails to consider the Project's cumulative GHG impacts with nearby projects; and
- i. fails to discuss inconsistencies with the City's Climate Action Plan.

64. **Air Quality.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative air quality impacts. The EIR's GHG emissions analysis is inadequate for the reasons described above, and because, among other deficiencies, the EIR:

- a. fails to adequately analyze air quality impacts from inbound and outbound heavy-duty truck trips;
- b. fails to adopt feasible measures to mitigate Project-related air quality impacts, including, but not limited to, measures related to the installation of rooftop solar and heavy-duty truck electrification;
- c. fails to adequately analyze and adopt measures to minimize the Project's air quality impacts within the South Coast Air Quality Management District's jurisdiction;
- d. uses an unsupported threshold of significance;
- e. uses an unsupported baseline for air quality;
- f. fails to identify and analyze all foreseeable air quality impacts, including from construction;

- g. improperly defers air quality analyses to later stages;
- h. fails to adequately analyze and support its conclusion that the project will have less than significant air quality impacts on sensitive receptors;
- i. fails to analyze the Project's impacts on foreseeable future sensitive receptors; and
- j. fails to consider the Project's cumulative impacts to air quality with other projects along the Project's trucking route and around the annexation area.

65. **Transportation and Traffic.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative impacts on transportation, traffic, and vehicle miles traveled. The EIR's transportation and traffic analysis is inadequate for the reasons described above and because, among other deficiencies, the EIR fails to:

- a. adequately analyze outbound heavy-duty truck trips;
- b. adequately analyze and support the length and number of passenger vehicle trips;
- c. provide a full trip analysis, especially by neglecting to adequately disclose the number of heavy-duty truck trips for all phases of the Project;
- d. support vehicle miles traveled and transportation mitigation measures with substantial evidence;
- e. support its conclusion that the Project would have less than significant impacts on circulation; and
- f. adequately support its traffic baseline with substantial evidence.

66. **Energy.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative impacts on energy for the reasons described above and due to the substantial increase in vehicle miles traveled, energy demands of cold storage and diesel generators, and fuel consumption the Project will generate, among other deficiencies. The EIR also fails to support the inconsistencies between different amounts of energy consumption between the Project's different phases.

67. **Biological Resources.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative impacts to biological resources, including numerous

special status and endangered animal and plant species affected by the Project. Those species include, but are not limited to: federally- and state-listed Mojave desert tortoise; state-threatened Mohave ground squirrel; California Endangered Species Act candidate species Crotch's bumblebee, burrowing owl, and Joshua tree (*Yucca brevifolia*); and plant species designated as rare by the California Native Plant Society, including alkali mariposa lily (*Calochortus striatus*), Rosamond eriastrum (*Eriastrum rosamondense*), Parry's spineflower (*Chorizanthe parryi* var. *parryi*), Lancaster milk-vetch (*Astragalus preussii* var. *laxiflorus*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), Mojave spineflower (*Chorizanthe spinosa*), white pygmy poppy (*Canbya candida*), and golden goodmania (*Goodmania luteola*). The EIR's biological resources analysis is inadequate for the reasons described above and because, among other deficiencies, the EIR fails to:

- a. establish a reliable baseline;
- b. perform any biological surveys for Phases 2 and 3 of the Project;
- c. analyze impacts on jurisdictional waters, including, but not limited to, Amargosa Creek, the Piute Ponds, and related claypans;
- d. secure a Lake and Streambed Alteration Agreement;
- e. analyze impacts on the Antelope Valley Significant Ecological Area;
- f. analyze edge effects, such as those from noise and light pollution, from the Project on surrounding wildlife;
- g. support its biological resources mitigation measures with substantial evidence; and
- h. mandate sufficient mitigation measures to minimize Project-related impacts on biological resources, especially for rare plants.

68. **Water Supplies.** The EIR fails to support its conclusion that there is an adequate water supply to serve the Project's need, and fails to adequately disclose, analyze, and/or mitigate the impact that supplying the Project's significant water usage would have on the region's water supply, among other deficiencies.

69. **Aesthetic Resources.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative aesthetic impacts for the reasons described above,

1 especially regarding light pollution and changes to the open desert viewshed, among other deficiencies.

2 70. **Light.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's
3 significant direct, indirect, and cumulative light impacts for the reasons described above, especially
4 regarding the impacts light pollution will have on wildlife and the Antelope Valley's dark skies, among
5 other deficiencies.

6 71. **Noise.** The EIR fails to adequately disclose, analyze, and/or mitigate the Project's
7 significant direct, indirect, and cumulative noise impacts for the reasons described above, especially
8 regarding noise impacts on sensitive receptors and wildlife and by failing to adopt any measures to
9 mitigate Project-related noise impacts, among other deficiencies.

10 72. **Population and Housing.** The EIR fails to adequately disclose, analyze, and/or mitigate
11 the Project's significant direct, indirect, and cumulative impacts to the City's and region's population
12 and housing for the reasons described above, especially regarding the impacts associated with job
13 growth, among other deficiencies.

14 73. **Cumulative Impacts.** The EIR fails to disclose and/or adequately consider the Project's
15 cumulative impacts, as described above and because, among other deficiencies, the EIR fails to consider
16 the full scope of recently-approved or pending development projects within the City and neighboring
17 jurisdictions that would together create significant environmental impacts, particularly with regards to
18 California High Speed Rail, among other developments.

19 74. **Project Description.** The EIR's Project description is inadequate for the reasons
20 described above and because the EIR fails to describe the whole of the Project and improperly
21 piecemeals environmental review, among other deficiencies.

22 75. **Inconsistencies with Applicable Plans.** As described in more detail above and below,
23 the EIR fails to adequately disclose and address the Project's inconsistencies with the City's General
24 Plan, including its Climate Action Plan, and the Southern California Association of Government's
25 Regional Transportation Plan, among other applicable plans.

26 76. **Alternatives.** The EIR's selection, consideration, and discussion of Project alternatives is
27 inadequate for the reasons described above and because the EIR fails to analyze a reduced-intensity
28

1 Project alternative or Project alternative with no significant impacts, among other deficiencies.

2 77. **Response to Comments.** The EIR fails to adequately respond to comments on the Draft
3 EIR for the reasons described above and because, among other deficiencies, the responses do not
4 adequately dispose of all the issues raised or provide specific rationales for rejecting suggested Project
5 changes, such as the adoption of feasible mitigation measures.

6 78. Based upon each of the foregoing reasons, the EIR is legally defective under CEQA.
7 Respondents prejudicially abused their discretion in violation of CEQA in approving the Project. As
8 such, the Court should issue a writ of mandate directing Respondents to set aside the EIR certification
9 and Project approval.

10 **SECOND CAUSE OF ACTION**

11 **Violation of CEQA — Inadequate Findings and Statement of Overriding Considerations** 12 **(Public Resources Code, § 21000, et seq., CEQA Guidelines, § 15000 et seq.)**

13 79. Petitioner hereby incorporates by reference each and every allegation set forth above.

14 80. Respondents' Statement of Overriding Considerations violates the requirements of
15 CEQA and the CEQA Guidelines by, among other deficiencies, failing to identify the changes or
16 alterations required to avoid or substantially lessen the Project's significant environmental impacts, or to
17 provide adequate reasoning and disclose the analytic route from facts to conclusions, as required by law.
18 Respondents' Statement of Overriding Considerations is not supported by substantial evidence in the
19 record.

20 81. When an EIR concludes that a project would result in significant environmental effects,
21 but where mitigation measures and alternatives identified in the EIR are deemed infeasible, the CEQA
22 findings must identify the specific economic, legal, social, and technological considerations, as well as
23 other considerations that make infeasible the adoption of mitigation measures or alternatives. All CEQA
24 findings must be supported by substantial evidence in the record and must disclose the analytical route
25 by which approval of a project is justified. Here, the findings regarding the impacts and mitigation
26 measures relied upon by Respondents' approval of the Project are not supported by substantial evidence
27 in the record, and do not disclose the links between evidence and conclusions.

82. As a result of the foregoing defects, Respondents failed to proceed in a manner required by law, and their decision to approve the Project and adopt Findings of Fact and a Statement of Overriding Considerations was not supported by substantial evidence.

THIRD CAUSE OF ACTION

Violation of State Planning and Zoning Law

(Government Code, § 65300, et seq.)

83. Petitioner hereby incorporates by reference all previous paragraphs set forth above.

84. The California State Planning and Zoning Law requires the legislative body of each city to adopt a general plan for the physical development of the city. The City's General Plan is a fundamental land use planning document and serves as the "constitution" for future development within the City. Land use decisions, including the approvals associated with this Project, must be consistent with the General Plan.

85. The Project is inconsistent with mandatory Lancaster General Plan policies, including, among other provisions:

- a. Policy 5.2, which establishes a mandate to "improve air quality conditions and minimize air quality impacts on sensitive population groups," along with actions to implement this policy, including Action 5.2A, directing the City to collaborate with industrial businesses to improve outdoor air quality through enhanced operations and pollution reduction measures where possible; Action 5.2C, requiring the City to coordinate with the Antelope Valley Air Quality Management District to identify, monitor, and reduce air pollutants; Action 5.2D, requiring new sensitive land uses to include feasible measures such as setbacks, landscaping, and ventilation systems to minimize exposure to air pollution; and Action 5.2E, which directs the City to designate truck routes to avoid residential and other sensitive areas, especially within environmental justice communities;
- b. Policy 3.3.1, seeking to minimize the amount of vehicle miles traveled;
- c. Policy 3.3.3, seeking to minimize air pollutant emissions generated by new development;

- d. Policy 3.6.1, seeking to reduce energy consumption by establishing land use patterns to decrease vehicle miles traveled and increase transportation efficiency;
- e. Policy 3.6.6, seeking to promote the use of alternative energy, such as wind and solar;
- f. Policy 3.8.1, seeking to preserve views of the surrounding valley and scenic vistas; and
- g. Goal EJ-7, which seeks to “promote and expand job opportunities for disadvantaged communities within the City where they are most needed,” along with Action EJ-7.1.A, which implements this policy and directs the City to require local hiring, apprenticeship, and job training programs to ensure that nearby residents—particularly those in disadvantaged communities—benefit from employment opportunities created by new industrial development.

86. The Project is inconsistent with the General Plan’s Climate Action Plan, including, among other provisions:

- a. The Climate Action Plan’s overarching goal of reducing city-wide emissions 40% by 2030, 60% by 2040 (as interpolated from the 2030 and 2050 targets), and 80% by 2050 compared to 2010 levels;
- b. Measure 4.8.1a, requiring solar power on and battery storage in all commercial buildings;
- c. Measure 4.6.1b, requiring a 10 percent reduction in energy demand beyond the California Building Standards Code for new buildings; and
- d. Measure 4.2.1b, requiring developments to contribute to the Climate Action Plan’s goal of producing more renewable energy within the city limits.

87. By approving a project inconsistent with the City’s General Plan, respondents prejudicially abused their discretion and violated provisions of the State Planning and Zoning Law. As such, the Court should issue a writ of mandate directing Respondents to set aside the Project approvals.

1 WHEREFORE, Petitioner prays for judgment as follows:

2 **PRAYER FOR RELIEF**

3 1. For alternative and peremptory writs of mandate directing Respondents to vacate and set
4 aside certification of the EIR, adoption of the Findings, and approval of all associated Project permits,
5 entitlements, and approvals;

6 2. For alternative and peremptory writs of mandate directing Respondents to comply with
7 CEQA, the CEQA Guidelines, and California State Planning and Zoning Law, and take any other action
8 as required by Public Resources Code, section 21168.9;

9 3. For a temporary stay, temporary restraining order, and preliminary and permanent
10 injunctions restraining Respondents or Real Parties, and their agents, servants, and employees, and all
11 others acting in concert with them or on their behalf, from taking any action to implement, fund, or
12 construct any portion or aspect of the Project, pending full compliance with the requirements of CEQA
13 and the CEQA Guidelines and the California State Planning and Zoning Law;

14 4. For a declaration that Respondents' actions in adopting the EIR and approving the Project
15 violated CEQA, the CEQA Guidelines and California State Planning and Zoning Law, and that the
16 certification and approvals are invalid and of no force or effect, and that the Project is inconsistent with
17 other applicable plans, policies, or regulations;

18 5. For costs of the suit;

19 6. For attorney's fees as authorized by Code of Civil Procedure, section 1021.5 and other
20 provisions of law; and,

21 7. For such other and future relief as the Court deems just and proper.
22
23
24
25
26
27
28

1 DATED: November 13, 2025

CENTER FOR BIOLOGICAL DIVERSITY

2
3 By:



4 Evan Levy
5 Harrison Beck

6 Attorneys for Petitioner CENTER FOR
7 BIOLOGICAL DIVERSITY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

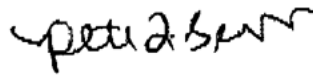
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief and know its contents.

I am the Director of Programs for the Center for Biological Diversity, which is a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I have read the foregoing document and know its contents. The matters stated in it are true of my own knowledge except as to those matters that are stated on information and belief, and as to those matters I believe them to be true.

Executed on November 13, 2025, at Shelter Cove, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Peter Galvin, Director of Programs
Center for Biological Diversity