



City of South Gate

PRESS RELEASE

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COURT RULES IN FAVOR OF THE CITY OF SOUTH GATE Firestone Project and the Gateway Shopping Center Are Two Distinct Projects

CITY OF SOUTH GATE - In two separate public proceedings in 2007, the City of South Gate approved both the Firestone-Atlantic Intersection Improvement Project, which is a publicly funded street improvement project, and a private Gateway Shopping Center Project, a privately funded and constructed retail shopping center. The two projects will be built separately and are not dependent upon one another. To construct the Firestone project, the City found it necessary to acquire several parcels through its power of eminent domain. Prior to any approval, the City prepared an Environmental Impact Report (EIR) for each project, circulating each for public review and comment. After addressing public comment and holding separate public hearings on each of the projects, the City Council approved both projects.

Although the Firestone project and the private Gateway Shopping Center are distinct projects, lawsuits were filed against the City by owners whose property was to be acquired for the Firestone project, claiming that the two projects were one in the same and that the City violated the California Environmental Quality Act (CEQA) during the environmental review of the projects. Property owners also claimed that their property being acquired for the Firestone project was, despite the City's public hearing approvals, being acquired for the Gateway Retail Center and the whole matter should have been studied as part of one EIR under CEQA. The owners' claims were tried on June 18, 2008 before Judge David Yaffe in the Los Angeles Superior Court. Under Judge Yaffe's ruling, the City defeated all of the owners' claims.

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The Court ruled that the City fully complied with CEQA by preparing an EIR for each project that exhaustively studied the unique environmental effects of each distinct project. The Court ruled that the City fully complied with CEQA's goal of informing the public about potential environmental impacts of the two projects, and identified the basis upon which the City officials approved the projects. The Court concluded that through the City's review the public was provided with a full and complete environmental analysis of both projects.

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