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May 16, 2024

*Via Certified Mail and Email*

James R. Ross, Interim County Counsel  
Office of the County Counsel  
501 Low Gap Road, Room 1030  
Ukiah, CA 95482  
cocosupport@mendocinocounty.gov

Dear James R. Ross:

I represent the Environmental Democracy Project, a California nonprofit corporation that uses advocacy, education, and litigation to empower communities of color overburdened by pollution in California. I write to inform you that Mendocino County Air Quality Management District (the Air District) is in violation of the Air Toxics “Hot Spots” Information and Assessment Act of 1987, Health & Safety Code sections 44300-44394 (the Hot Spots Act).

The Hot Spots Act requires the Air District to prepare and publicize annual reports that identify industrial facilities that pose cancer risks and other threats to public health (Annual Reports). Health & Safety Code § 44363. The Air District is further required to hold public hearings on these Annual Reports to discuss their content and significance with impacted communities. *Id.*

The Environmental Democracy Project uses Hot Spots Act Annual Reports to inform its environmental justice efforts throughout the state. Unfortunately, the Air District has not prepared and published Annual Reports or held public hearings on the Annual Reports for at least the past four years, between 2020 and 2023. Thus, the Air District has violated and continues to violate its legal obligations under the Hot Spots Act, Health & Safety Code § 44363.

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The Environmental Democracy Project intends to file a petition for writ of mandate to rectify the Air District's failure to comply with the Hot Spots Act. If you would like to discuss a potential settlement of my client's claims, please contact me at [jjanzen@lexlawgroup.com](mailto:jjanzen@lexlawgroup.com) as soon as possible and no later than May 30, 2024.

Respectfully.

A handwritten signature in dark ink, appearing to read "J. Janzen", written over a horizontal line.

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Jacob Janzen  
Attorney for Environmental  
Democracy Project