



Port of Stockton Commissioners
2201 W. Washington Street, Stockton, CA 95203
Via mrodriguez@stocktonport.com

4.6.2020

RE: April 6, 2020 Port Agenda item: Consideration and possible approval of Ordinance #257 to authorize the Port Director to certify and adopt a California Environmental Quality Act (CEQA) Final Environmental Impact Report; Authorization to file a Notice of Determination related thereto; and Approval of an amended and restated lease agreement with NuStar Terminal Operations Partnership L.P., related to the construction and operation of an underground pipeline from Dock 10/11 to NuStar's existing terminal operation located at 2941 Navy Drive for a term of ten years with 4 ten-year option periods.

In accordance with the Port of Stockton Agenda¹ which was distributed on April 2, 2020, comments limited to 250 words² were prepared as written below.

Comments:

The Final EIR for the NuStar Terminal Project referenced in Ordinance #257 is not publicly available on CEQAnet or the Port's website. We request that any action on the referenced agenda item be postponed until the Final EIR has been available to the public for 30 days or more as necessary to provide community information and for a public meeting so that community members can provide input regarding this project and 10 to 50 year lease conditions. We object to the 250-word limit on comments.

The Delta-Sierra Group (DSG) of the Sierra Club requested at the November 4, 2019 Port of Stockton Commission meeting (Commission) that notices be provided whenever a CEQA document is available for review. Port of Stockton staff contacted the DSG and Catholic Charities providing us with the Draft EIR for the NuStar Terminal Project and comments were submitted by the DSG on January 28, 2020³. The DSG

¹ <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u14441/2020%20Apr%2006%20Agenda.pdf>

² Based on Microsoft Word 2016 word count feature.

³ https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u14441/DSG_2020.01.28_NuStar_DEIR_Port_of_Stkn.pdf

requested at the January 21, 2020 Commission meeting that a “workshop should be held to hear the concerns of the community before the final EIR is prepared and briefing notices provided so that the community can be informed and knowledgeable when reviewing the final EIR.” The requested workshop “to ensures that interested persons are informed about discretionary decisions and have the opportunity to provide input” was never held. On February 18, 2020, all Commissioners were provided with the Port’s CEQA webpage showing the most recent document was dated 2015. This remains unchanged⁴.

Sincerely,

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Cc: City Stockton Council Members

⁴ <https://www.portofstockton.com/ceqa-documents/> accessed 4.3.2020.