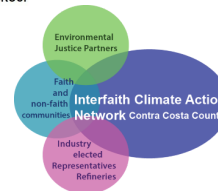




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MOTHER LODE DELTA-SIERRA GROUP



ClimatePlan

February 24th, 2022

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RE: TC NO. CAL. Development Warehousing and Distribution Facility Project DEIR comment letter

Dear Port of Stockton staff:

We, the undersigned, have concerns that the planned Development Warehousing and Distribution Facility project will impact the air quality and health of local Stockton residents already enduring some of the state's most severe environmental and economic burdens. In addition, the project's impacts related to greenhouse gas (GHG) emissions have not been sufficiently considered. Without proper emissions inventory baseline data and a Port of Stockton Clean Air Plan, we strongly urge the Port to withhold its certification of the Final EIR and approval of the project. In addition, we urge placing a hold on any future planned projects that will result in a significant increase of emissions and corresponding public health impacts.

We were encouraged to learn in the January 19th, 2022 Port Outreach Committee meeting that the Port is developing a Clean Air Plan and hope this plan includes target dates, enforcement measures, and related tenant incentives for emissions reductions. Also, we commend the Port for securing funding from the California Energy Commission to develop a blueprint for converting medium- and heavy-duty vehicle fleets and port cargo-handling equipment to zero emissions as soon as possible. Finally, we understand the port is currently updating its emissions inventory data, which has only disclosed 2018 data.

While we see good intentions with these efforts, we find it deeply concerning that such a sizable warehouse project would potentially be approved in advance of the Port developing the Clean Air Plan, electrification blueprint, and updating its GHG emissions inventory. Without baseline emission data to assess where the Port of Stockton is currently, we are unable to evaluate the Port's greenhouse-gas emissions trajectory. We urge the Port to withhold its certification of the Final EIR and approval of the project until the Port has adopted a community-vetted Clean Air Plan with stringent emissions standards and accountability mechanisms for current and prospective tenants. Clearly, this Clean Air Plan should also be formulated with updated emissions inventory data and electrification blueprint mapping feasible pathways for rapid zero-emission transition of medium- and heavy-duty electric vehicles and port cargo-handling equipment.

After these initiatives are completed, we strongly urge that future Port developments prioritize the following objectives:

- 1) Increase emission reduction measures and air quality analysis for warehouses and distribution centers
- 2) Truck traffic reduction enforcement in nearby communities
- 3) Establishing a community benefits package (agreement)

We explain these in more detail below.

1) Increase emission reduction measures and air quality analysis for warehouses and distribution centers

Continuing to propose Port development plans without acknowledging OEHHA's tool, CalEnviroScreen, in the draft EIRs ignores the fact that communities surrounding the Port are disadvantaged communities. CalEnviroScreen is a mapping tool that helps identify California communities most affected by numerous sources of pollution, and especially vulnerable to pollution's detrimental health effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state.

According to CalEnviroScreen 3.0, the AB 617 Stockton community has a CES overall score of 100, an asthma score of 100, and a cardiovascular disease score of 97^{1,2}. These CalEnviroScreen scores are indicative of South Stockton community's health already severely impacted due to high sources of pollution in the South Stockton area such as industrial warehousing and trucking activity associated with the Port of Stockton.

Mitigation measures would reduce pollution, but can only be established with proper infrastructure from the landowner in place. Proper infrastructure, such as an established Port electrification blueprint, would ensure a smooth transition toward zero-emission trucks and other warehousing equipment for current and prospective tenants.

A strategy to increase air quality analysis could include: Installing and maintaining an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the data publicly available in real time. Although air quality monitor installation is not a mitigation measure, it would set a standard for the tenant to be transparent with their air quality data.

We urge the Port of Stockton to further adopt mitigation measures and air quality analysis as recommended by CARB and the CA Attorney General's Bureau of Environmental Justice's (EJ Bureau) Best Practices and Mitigation Measures for Warehouse Projects document.³

¹ 2019 Community Recommendations Staff Report – November 2019:

https://ww2.arb.ca.gov/sites/default/files/2019-12/2019_community_recommendations_staff_report_november_8_acc_3.pdf

² Data Source: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

³ California Department of Justice. (2021, March 16). *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*. Office of Attorney General of California.

<https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf>

2) Truck traffic reduction enforcement near surrounding communities:

An increase in warehousing development at the Port means an increase in heavy truck traffic and associated diesel emissions. This brings concern from both Boggs Tract residents and environmental justice organizations due to the massive influx and outflow of heavy duty trucks utilizing Fresno Avenue and Washington Street to enter and exit the Port of Stockton. Many of those heavy-duty trucks idle across the street from George Washington Elementary school for lunch at a local restaurant. Even though this heavy truck activity takes place outside of the Port's boundaries, there are still mitigation efforts that the Port can take to ensure they are reducing communities' air pollution burdens.

- As a mitigation measure, we recommend providing meal options onsite or shuttles between the facility and nearby meal destinations for construction, warehouse employees, and truck drivers.

We acknowledge from the collaboration with the Port Outreach committee, the Port is evaluating improvements to several in-Port roads that can be used as alternative truck routes.

Unfortunately, without any clear strategy to make sure no heavy duty trucks from this project will take Fresno Avenue and Washington Street, there is not any reassurance for the protection of the Boggs Tract community's health. Strategies that we recommend include:

- Posting signs at every truck exit driveway providing directional information to the truck route as referenced by the EJ Bureau's warehousing guidelines.³
- Requiring tenants to enroll in the United States EPA's SmartWay program, and requiring tenants to use carriers that are SmartWay carriers.

3) Establishing a Community Benefits Package (Agreement)

According to CalEnviroScreen 3.0, the AB 617 Stockton community has an unemployment score of 100.¹ This provides context on the years of disinvestment in this community. In addition to incorporating mitigation measures from the tenant to protect the health of surrounding communities, it is important to incorporate Community Benefits Agreements (CBA) that are tailored to a community's particular need. Although not a new concept, CBAs are fairly new for the Stockton area. This brings an opportunity for the Port of Stockton and its tenants to work with the community in establishing a CBA framework. The CBA Handbook⁴ by Julian Gross is a great example that provides clear direction for all parties interested in starting a CBA. A CBA with the Port of Stockton, their tenant, and the local community could introduce approaches such as workforce development standards with local hiring provisions, along with assurance of union-negotiated wages, benefits, and worker safety protections. For port-specific Community Benefits Agreements, we recommend the West Oakland Howard Terminal Community Benefits process.⁵

⁴ CBA guideline source: https://juliangross.net/docs/CBA_Handbook.pdf

⁵ Port-Specific CBA: <https://www.oaklandca.gov/topics/community-benefits-agreement-cba-for-the-oakland-as-waterfront-ballpark-district-at-howard-terminal/#resources>

In closing, prioritizing environmental justice communities in Stockton is vital to protecting communities from shouldering environmental burdens while improving their public health. We shared our preferred standards for future Port projects. The Port of Stockton has an opportunity to be a zero-emission port, while being a strong regional economic hub. But we will not be able to get there without a foundational Clean Air Plan, a current GHG emissions inventory, and an electrification blueprint that offers pollution-burdened community members a seat at the table. That is why we strongly urge the Port of Stockton to withhold its certification of the Final EIR and approval of the TC NO. CAL. project at this time.

Sincerely,

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⁶ Title is for identification purposes only. The endorsement does not reflect the view of Santa Clara University

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