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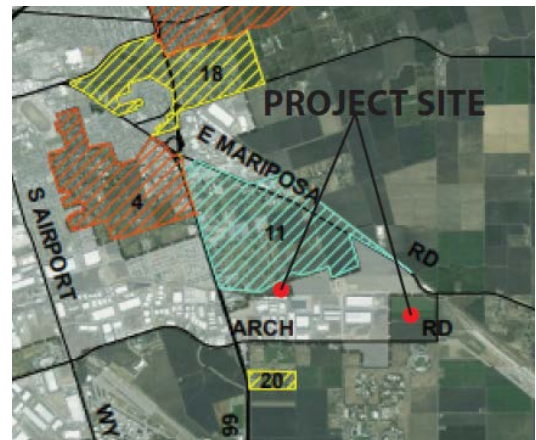
May 28, 2020

Re: DEIR for Hoggan-Sanchez Annexation Project

The Delta-Sierra Group (DSG) of the Sierra Club Mother Lode Chapter has reviewed portions of the Sanchez Hoggan Annexation Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR). A representative attended the Notice of Preparation Scoping Meeting and shared our general concerns with the project. The DSG requests that the City of Stockton postpone approval of this project until such time as there is an understanding and agreement about what requirements are reasonable as development conditions to help abate GHG and air pollutant emissions that affect climate and the health of Stocktonians.

The Final EIR describes the potential environmental impacts that would result from the City of Stockton approval, annexation, and subsequent development of the proposed Sanchez-Hoggan Annexation Project. The project proposes the annexation and pre-zoning of two parcels by the City of Stockton for the purposes of light industrial development of distribution facilities. Once findings of overriding consideration are made the project will be set for annexation by the City because the project would have obtained the City's approval of pre-zoning, parcel map, site plan review, paid for the cancellation of Williamson Act contract on the Sanchez parcel, and obtained authorization to apply for annexation. The annexation would require approval from the San Joaquin Local Agency Formation Commission (LAFCo). Also proposed for annexation are two road segments: the segment of Arch Road adjacent to the Sanchez property and the segment of Austin Road from the intersection with Arch Road to the intersection with Mariposa Road. These road segments would then become the responsibility of the City of Stockton to pay for maintenance. These roads are part of the area designated as the Stockton South East Evacuation Zone. Arch Road, Austin Road, and Mariposa Road have been designated as evacuation routes for the residents of Stockton.

A disadvantaged community is adjacent to and south of the unincorporated Mariposa Road Community: shown as 11 in the figure to the right which is bounded more or less by Mariposa Road, SR 99, and North Littlejohns Creek. The proposed Hoggan annexation is adjacent to and south of this Community, and therefore annexation of the Hoggan property is subject to the requirements of SB 244.¹ No known application has been submitted for annexation of the Mariposa Road Community within the past five years, but it is suspected that area residents may oppose annexation. The applicant for the Hoggan annexation has retained Gravis Marketing, a national professional polling company, to conduct a survey of registered



¹ http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB244

voters in the community to determine their support or opposition to annexation. This survey was to be completed during the public review period for the Draft EIR, and a written report on the survey submitted to the City of Stockton. This written report should be considered before the City certifies the Final EIR which includes a recommendation for annexation. No mention of this report was included in the Final EIR.

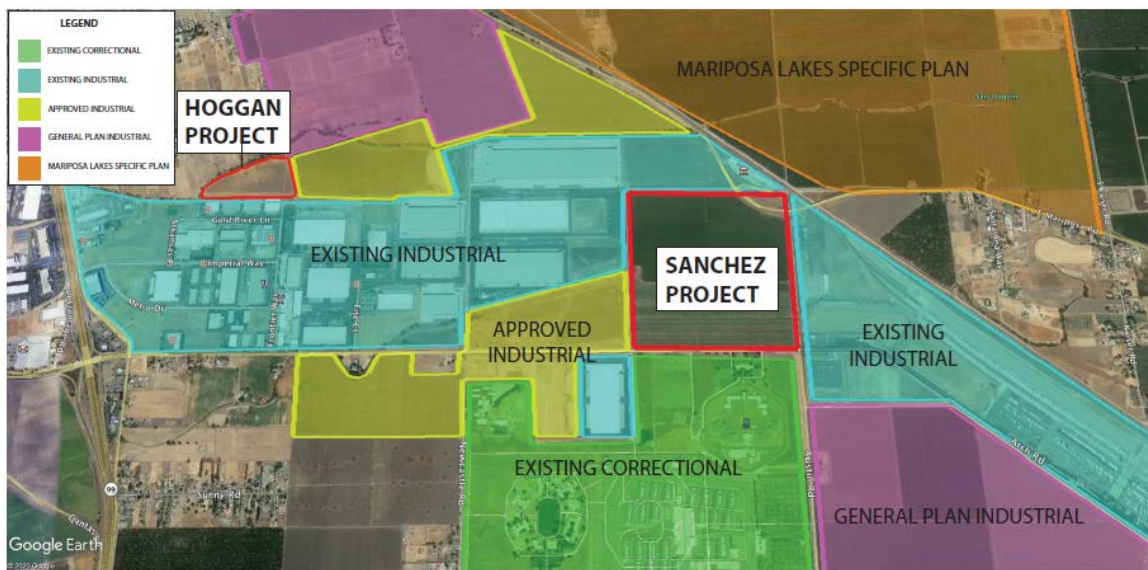
According to the Draft EIR, if the Mariposa Community voters oppose annexation, no action will be required under SB 244. If the voters do not oppose the Hoggan annexation, an application for annexation of the community may be required to satisfy SB 244, and the proposed annexation of the Hoggan parcel may be delayed. Action on the annexation application is a discretionary action that is not addressed in this EIR and may therefore require additional CEQA review.

The project site is presently within the jurisdiction of San Joaquin County. Both parcels have been utilized for agriculture. The Hoggan parcel is currently vacant while the Sanchez parcel is utilized for row-crops. Weber Slough, a channelized stream, traverses the center of the Sanchez property in an east-west orientation. North Littlejohns Creek forms the northern boundary of the Hoggan property. The Sanchez property is accessible by several roads, but there is currently no access to the Hoggan property other than by a dirt road from a driveway to the south. Light industrial development has occurred south of the Hoggan property and west of the Sanchez property. Two California Department of Corrections and Rehabilitation (CDCR) facilities, the O. H. Close Youth Correctional Facility and the California Health Care Facility, are south of the Sanchez property as shown on the previous figure.

The proposed future development of the project site involves light industrial development of both the Sanchez and Hoggan sites, mainly with “high-cube” warehouses, which would involve a total building area of 3,087,388 square feet. The Sanchez property would accommodate 2,796,948 square feet of high-cube development in four buildings, while the Hoggan property would accommodate 290,440 square feet of high-cube development in one building. The Sanchez Property development also would provide parking areas with a total of 2,726 automobile parking stalls and 154 trailer parking stalls. Approximately seven acres would be used for a detention basin at the northwest corner of the property to collect storm water runoff, which would be discharged into Weber Slough. Other portions of the property would be developed with roads or would be left undeveloped near Weber Slough. Access would be available from Logistics Drive and Austin Road adjacent to the property, as well as from an access point from Mariposa Road north of the property. The Hoggan property would be developed with one high-cube warehouse approximately 290,440 square feet in floor area, along with parking areas for 237 automobiles and 41 trailers. Two detention basins to collect storm water runoff would be installed on the west and east sides of the property, which would be sent to the drainage system of the Norcal Logistics Center. Access would be provided by a new extension road from Frontier Way to the south and from the adjacent Norcal Logistics Center site. Alternatively, the Hoggan property may be used as a truck/trailer storage area for adjoining portions of the Norcal logistics development which would seemingly increase truck traffic in the area not considered in previous environmental analyses.

Arch Road LP received approval of the Norcal Logistics Center subdivision of approximately 325 vacant acres of its property that consisted of two non-contiguous parcels: an approximately 50 acre area adjacent to Arch Road, and an approximately 275-acre area adjacent to Mariposa Road. The parcels are the location of the Norcal Logistics Center project, which was the subject of an updated EIR certified by the City in 2015. Vesting Tentative Maps for the Norcal Logistics Center site, already zoned for industrial development, were subsequently approved with conditions. CT Realty proposes to expand this existing development onto the Sanchez and Hoggan properties. As the Norcal Logistics Center is proposed to convey storm water drainage from the project, the conditions associated with the Norcal Logistics Center update should have been disclosed. To date, three buildings totaling 1,696,468 square feet have been completed on the Norcal Logistics Center site, and another building of 709,556 square feet is under construction. According to the

Draft EIR, the City has approved changes to the Conditions of Approval for the Norcal Logistics Center as they relate to required improvements to Mariposa Road. One of the condition changes eliminates a required extension of Newcastle Road from its current terminus to Mariposa Road. The need for the extension had been based on projected traffic from buildout of the Norcal Logistics Center. However, as described in a 2018 addendum to the Norcal Logistics Center EIR, actual traffic generated by development has rendered the extension unnecessary. This 2018 addendum EIR did not consider the impacts associated with an expansion of logistical operations proposed in the Hoggan-Sanchez Annexation Project. Other changes of required conditions allowed included additional access points off Mariposa Road which requires travelers on Mariposa Road to be watching out for truck trailer access at multiple points increasing the likelihood of accidents. A third condition was modified so that specific frontage improvements needed to minimize traffic conflicts at the proposed Mariposa Road access points would be allowed. These access points and improvements would be interim facilities, in place until the planned widening of Mariposa Road to four lanes is implemented. No date or funding sources for this widening project was identified in the portions of the Final EIR and Draft EIR which were reviewed. The anticipated number of truck trips is needed to adequately plan for lifecycles of the roads whose maintenance comes from City funds.



The Figure above taken from the Final EIR shows the southern location of an already approved residential subdivision – the Mariposa Lakes Specific Plan with 1,510 acres of residential housing for over 10,000 homes, six K-8 schools, one high school, a satellite community college site and public facilities including a multi-modal regional Amtrak, 93 acres for commercial and retail development and 702 for industrial warehouse and other business development. The Mariposa Lake Specific Plan consisting of 3,810 acres of unincorporated lands was approved by the Planning Commission and City Council in 2008 by means of overriding consideration. Now, this project is on the books and extensions for development are allowed for an indefinite period of time. As you consider the conditions of overriding conditions for the Hoggan-Sanchez Project please keep in mind the planned residential community that is located adjacent to the Project.

According to the Final and Draft EIR for the Project, the City of Stockton’s 2019 Envision Stockton 2040 General Plan EIR (GPEIR) considered the anticipated growth and build-out of the City as a whole, including the project site and vicinity, both of which are designated “Industrial” in the General Plan. The proposed project and pre-zoning are consistent with the land use designation that was assigned in the GPEIR. The GPEIR found that impacts of planned 2040 development would result in significant and unavoidable impacts on agricultural land conversion, air quality, greenhouse gas emissions, noise, and

traffic. In each of these cases, a Statement of Overriding Considerations was adopted where mitigation was not available or sufficient to reduce impacts to a level that would be less than significant.

According to the Final EIR, the City would be responsible for all the local government approvals associated with the project, except for the annexation, which would require approval by the San Joaquin Local Agency Forming Commission. Other agencies from whom permits or approvals would be required include the San Joaquin County Department of Public Works, the State Water Resources Control Board, the Regional Water Quality Control Board, the Central Valley Flood Protection Board, the U.S. Army Corps of Engineers, and the California Department of Fish and Wildlife.

The City will be responsible for ensuring that the mitigation measures proposed are implemented. The DSG is requesting notification and documentation of mitigation measure monitoring outlined in the Mitigation Monitoring/Findings Table so that the process can be an open and transparent process and that all conditions placed on the project by the Planning Commission and City Council are implemented fully. For example, in the mitigation and monitoring section, the City is stated to be responsible for ensuring that the required tailgate meeting will occur before approval of grading permits to avoid destruction of paleontological and archaeological and tribal resources. What does this entail? The required biological report and habitat conservation mitigation plan are also of great interest to our members as well as any streambed alteration permitting.

The project site is located within the Eastern San Joaquin Groundwater Subbasin which is critically overdrafted. Any conversion of open land to paved land must be considered, perhaps beyond existing CEQA requirements. Once land is paved, recharge to our overdrafted groundwater is decreased unless there are special mitigations and conditions placed on projects of this nature. Recent information presented to the Eastern San Joaquin Technical Advisory Committee suggests that unlined conveyance facilities such as creeks and canals provide excellent conduits through which recharge of aquifers can be accomplished. Paving and utilizing the land for uses that result in polluted storm water runoff reduces the potential for unpolluted groundwater recharge essentially forever. Converting existing farmland only further reduces this important natural process necessary to achieve sustainability.

There has been a renewed focus on climate change since the City was sued by Sierra Club and settled in 2008, and despite the fact that the City of Stockton Climate Action Plan Advisory Committee is no longer listed under Boards and Commissions online meetings, indicating that there are no planned meetings.² The required Climate Action Plan was developed and adopted by the City in 2014.³ There has been few meetings of the City of Stockton Climate Action Plan Advisory Committee since then; the last in 2018 for a final checklist of the settlement agreement requirements and 2040 General Plan Update.

The Draft EIR included an analysis of greenhouse gas operational impacts and found that there were no significant impacts. Common sense would relate a fossil fuel-based industry with greenhouse gas production, yet no operational impacts were identified.

The CalEEMod was used to perform the emission analysis and run to estimate the operational GHG emissions resulting from development under the proposed project. The proposed project results were reported in the Draft EIR to be approximately 13,764 metric tons CO₂ emitted annually under “unmitigated” conditions (i.e., without implementation of any reduction measures). The Market Driven Project scenario would be approximately 15,568 metric tons CO₂ emitted annually under “unmitigated” conditions

² <http://www.stocktongov.com/government/oMeetings/boardComMeetings.html> 5.28.2020

³ <http://www.stocktongov.com/government/boardcom/clim.html> 5.28.2020

The Draft EIR cited SB 32's 2030 reduction target of 40% below 1990 GHG emission levels. The Stockton Climate Action Plan (CAP) does not have 2030 reduction targets. The Draft EIR described a series of assumptions leading to these statements: "Based on information in the CAP, the 2030 reduction target (40% below 1990 emissions) would be 1,074,672 metric tons CO₂. Therefore, the percentage reduction from business-as-usual levels that would be required in 2030 would be approximately 64.5%."

The state and local proportion analysis were described in the Draft EIR using estimates in the 2017 Scoping Plan. The State actions would account for 89.8% of GHG reductions needed by 2030, with local actions accounting for approximately 9.3% of reductions. Somehow the local reduction was further reduced in the Draft EIR to 6.0%. The Draft EIR included the following statements: "Applying this ratio to the percentage reduction for 2030, then 6.0% of the reduction from 2030 business-as-usual levels would be achieved by local measures, including the Development Review Process. A project that can show GHG reductions greater than 6.0% can be said to be consistent with the reduction goals of SB 32. Project GHG operational emissions under both development scenarios would exceed this percentage. Therefore, the project would be consistent with the reduction goals of SB 32." Using the highest possible GHG emissions for a logistical facility may reduce the potential GHG emissions but negate the mass increase. The use of an existing development reduction does not seem to apply to new proposed development that will be adding to our community's GHG emissions. We as a community need to begin to emphasize the carbon impacts of goods distribution particularly since these greenhouse gases carry toxic air pollutants that affect public health and disproportionately affect the public health of our disadvantaged communities that are most vulnerable.

The City of Stockton has been involved in RISE Stockton and in planning for transformative climate change. In 2018, the City of Stockton was awarded a planning grant in the amount of \$170,000 by the Strategic Growth Council to support planning activities in the Downtown and South Stockton region. There was a planned area developed to begin improving areas of Stockton most impacted by climate change relating to GHG emissions.⁴ As the grant has been expended, there has been no avenue for the transformative climate change leaders developed throughout our community to engage in this important effort: to make our city more resilient and to make the changes necessary to mitigate the effects of climate change. The Planning Commission is in the position to not certify this Final EIR with such high operational GHG emissions until such time as there has been consideration and recommendation from the City of Stockton Climate Action Plan Advisory Committee. This is an existing avenue to engage the transformative climate leaders that have been developed. Additionally, the following project mitigations should be included as conditions of development if the Planning Commission decides to recommend approval and certification of the Final EIR:

- Installation of sidewalk along currently unimproved frontage per City standards.
- Implementation of Employee Trip Reduction Plan (per SJVAPCD Rule 9410; see Chapter 6.0, Air Quality).
- Install high-efficiency lighting (55% lighting energy reduction).
- Implement required water conservation reduction (20% reduction in water use).
- Institute recycling and composting services (75% reduction in waste disposed).

In addition to GHG emissions, the proposed project is based on diesel engine operations which have significant air quality effects and interferes with safe bicycle travel. Diesel engines make it hard to breathe and heavy vehicle traffic is associated with decreased bicycle travel relating to safety. We appreciate the construction-based mitigation measure to require 3% of construction vehicles and equipment be electric and that that idling longer than 3 minutes be prohibited, at least during construction. However, we question the vehicle trip reduction claimed in the Draft EIR: The Sanchez-Hoggan project as proposed would generate

⁴ <https://drive.google.com/file/d/0B71E4Ugi1IDnS2JicHR5R2dXRjg/view>

40.9 percent of the trips that would be generated with development of the current General Plan land use designation ($4,324 \div 10,563 = 0.409$). Thus, development of the Sanchez-Hoggan project would result in a 59.1 percent reduction in travel ($0.409 - 1.000 = -0.591$). The current uses of the property generate very few vehicle trips.

Four roads were identified in the Draft EIR as having significant level of service impacts:

- Arch-Airport Road – east of Qantas Lane
- Arch Road – east of Newcastle Road, A
- Arch Road & SR 99 East Frontage Road
- Arch Road & Frontier Way

The Traffic Impact Study for the Sanchez-Hoggan Project dated June 18, 2019 was updated based on revisions of the proposed project by CT Realty. The proposed project is but one possible development scenario that reflects potential changes that reflect the ongoing and rapid changes in the warehousing and distribution industry. The fluidity of this project is challenging when trying to figure out what is the project scope and what are the project's impacts. These roads are also involved with the emergency evacuation of Stockton residents living in the south and east. The impact that this increased traffic will have on evacuation of these largely disadvantaged communities in the southeast was not addressed. Reanalysis of traffic impacts was performed. The Arch Road and State Route 99 impact is considered significant and unavoidable and is the subject of one of the three findings necessary to move the project forward. This interchange is the subject of the City's Statement of Overriding Considerations. The expansion of the area's logistical warehousing and distribution sector has had significant impacts on State Route 99 traffic flow which has significant impacts on air quality, quality of life, and greenhouse gas emission. The Planning Commission has discretion and we urge you to not accept this significant and unavoidable consequence.

The City of Stockton has many areas where the disadvantaged residents are exposed to high levels of air pollutants affecting their public health. Yet, the proposed project has less than significant impacts on air quality. Perhaps it is time to reconsider what constitutes a significant impact and begin community conversations such as what has started between members of the AB 617 Steering Committee which will be developing monitoring measures to better assess community air quality impacts and developing mitigation plans to improve existing air quality impacts. The Final EIR included Appendix V Air Quality Improvement Measures that describes potential COAs that respond to mitigation suggestions. These potential mitigation measures are even more extensive and would further reduce GHG emissions while improving air quality related to the proposed project. These generalized mitigation measures should be considered as possible project development conditions. DSG requests that the City of Stockton postpone approval of this project until such time as there is an understanding and agreement about what requirements are reasonable as development conditions to help abate GHG and air pollutant emissions that affect climate and the health of Stocktonians.

Thank you for the opportunity to review the plan. In this time of Covid-19, the DSG capacity for early and frequent involvement in the planning process has been limited.

Sincerely,



Mary Elizabeth M.S., R.E.H.S.
Delta Sierra Group Conservation Chair
Sierra Club