

Resolution No.

# STOCKTON CITY COUNCIL

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**RESOLUTION TO CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH #2021120439), STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM, AND ERRATA TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE ST. JOSEPH'S MEDICAL CENTER OF STOCKTON HOSPITAL EXPANSION PROJECT (APPLICATION NO. P21-0958)**

On September 21, 2021, the applicant, Port City Operating Company, LLC, also known as Dignity Health St. Joseph's Medical Center of Stockton, submitted a request for a Master Development Plan, Development Agreement, Use Permit, Use Permit Amendment, and historic demolition, for the expansion of their 18.7-acre campus at 1800 North California Street; and

On December 17, 2021, a Notice of Preparation (NOP) was distributed for public review and comment, to evaluate if an Environmental Impact Report (EIR) would be required for the project, and what should be evaluated. The City's NOP period closed on January 17, 2022; and

A Draft Environmental Impact Report (EIR) was prepared for the project, in accordance with the California Environmental Quality Act (CEQA) and distributed locally and through the State Clearinghouse for agency and public comments between April 17, 2023, through June 1, 2023. The Draft EIR identified potentially significant environmental impacts which could occur from development of the Project, and where feasible, application of mitigation measures that would reduce the impacts to a level of less than significant; and

The Draft EIR addressed environmental impacts associated with the proposed Project that are known to the City, and that were raised during the NOP process, or that were raised during the preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with; Air Quality, Aesthetics, Biological Resources, Cultural and Tribal Cultural Resources, Greenhouse Gas Emissions, Hazard and Hazardous Materials, Noise, and Transportation and Circulation. After analysis, mitigation measures were applied to lessen any significant impacts that resulted from the Project request; and

No new significant environmental impacts or issues, beyond those already covered in the DEIR, were raised during the 45-day comment period. Responses to comments received during the comment period do not involve any new significant impacts or add "significant[] new information" that would require recirculation of the DEIR pursuant to CEQA Guidelines section 15088.5. Pursuant to CEQA Guidelines section 15088, all substantive comments are responded to in the Final EIR. Comments received were from; and

A total of five (5) written communications, were received during the review period, from:

San Joaquin Valley Air Pollution Control District, received June 1, 2023;  
Shute, Mihaly, Weinberger, on behalf of the Sierra Club, Motherlode Chapter, received June 1, 2023;  
Gill Medical Center, received on June 1, 2023;  
Paul Plathe, resident, received May 22, 2023;  
California Department of Transportation, received April 27, 2023; and

Each of the comments has been responded to by the City's environmental consultant as part of the Final EIR, and, where appropriate, modifications have been made to the Draft EIR. Most impact issue areas will be less than significant with mitigation. For this, a Mitigation Monitoring and Reporting Program (MMRP) has also been prepared; and

The Draft EIR also determined that there are two (2) potential environmental effects of the Project, that are potentially significant and unavoidable, or cannot be mitigated to a Less than Significant or substantially reduced by the available mitigation measures documented in the EIR, and that require a Statement of Overriding Considerations (SOC). The SOC describes the anticipated economic, legal, social, technological and/or other benefits or considerations that warrant the City Council's decision to approve the project, even though all the environmental effects of the project are not fully mitigated; and

The significant and unavoidable impacts identified in the SOC relate to Aesthetics and Greenhouse Gas Emissions. As no other feasible mitigation measures are available for these items, the City Council must adopt a SOC with supportive findings; and

In accordance with CEQA Guidelines sections 15092, 15093, and 15094, the City Council must consider the EIR before acting on the Project. An approval recommendation to certify the EIR and SOC is presented, including the adoption of a corresponding Mitigation Monitoring and Reporting Program (MMRP) and Errata to the Final EIR. The City Council is requested to certify the EIR and adopt the SOC per the CEQA Findings; and

On September 15, 2023, a public notice for the subject application was published in the local newspaper in accordance with the Stockton Municipal Code (SMC) Section 16.88.030; and

On September 26, 2023, the City Council conducted a public hearing on the application, in compliance with SMC Section 16.88.040, at which point all persons wishing to be heard were provided such opportunity; and

At the September 26, 2023, public hearing, and prior to acting on this request, the

City Council considered certification of the Final EIR (SCH #2020120283) prepared pursuant to the California Environmental Quality Act (CEQA); and

On September 26, 2022, the City Council convened a public hearing regarding the Planning Commission's decision. In such meeting, the City Council considered the recommendations of the Planning Commission based on the findings indicated in resolution \_\_\_\_\_; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The foregoing recitals are true and correct and are incorporated by this reference.

2. Based on its review of the entire record herein, the City Council finds:

a. A Draft Environmental Impact Report (EIR) was prepared for the Project, in accordance with the California Environmental Quality Act (CEQA).

b. The Draft EIR identified potentially significant environmental impacts which could occur from development of the Project, and, where feasible, application of mitigation measures that would reduce the impacts to a level of less than significant.

c. Potentially significant environmental impacts identified where mitigation measures were not feasible, resulting in the creation of potentially significant and unavoidable environmental impacts. Most potentially significant effects were identified and paired with feasible mitigation measures to reduce them to less than significant levels.

d. A Statement of Overriding Considerations (SOC), included as Exhibit 2, is needed to accommodate the two (2) significant and unavoidable impacts identified in the SOC relating to 1) Aesthetics, and 2) Project Greenhouse Gas Emissions. Because no other feasible mitigation measures are available for these items, the City Council must adopt an SOC with supportive findings.

3. Based on its review of the entire record herein, including the September 14, 2023 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the City Council finds that the Final EIR for the St. Joseph's Medical Center Hospital Expansion Project (SCH #2021120439) has been completed in accordance with the requirements of the CEQA, the CEQA Guidelines, and Stockton Municipal Code (SMC) Section 16.88.040 (Environmental Determination); and

4. The City Council finds that the Final EIR has been presented to it, that the Planning Commission has reviewed the Final EIR and has considered the information contained in the Final EIR prior to recommending certification to the City Council on the proposed Project, and that the Final EIR reflects the City Council and Planning

Commission's independent judgement and analysis; and

5. Pursuant to CEQA Guidelines section 15164, and in support of approval of the Project, the City Council certifies the Final EIR, attached as Exhibit 1, including its accompanying Findings, Statement of Overriding Considerations (SOC), Mitigation and Monitoring Reporting Program (MMRP), and Errata to the Final EIR, attached as Exhibit 2, and incorporated herein; and

6. The City Council hereby authorizes the Community Development Department, upon approval of the Project, to file a Notice of Determination (NOD) with the County Clerk of San Joaquin County and State Office of Planning and Research pursuant to CEQA section 21152; and

7. Pursuant to CEQA section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council's decision is based are located in and may be obtained from, the Office of the City Clerk at 425 N. El Dorado Street, 1st Floor, Stockton, CA 95202; the City Clerk is the custodian of records for all matters before the City Council.

PASSED, APPROVED, and ADOPTED September 26, 2023.

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KEVIN J. LINCOLN II  
Mayor of the City of Stockton

ATTEST:

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ELIZA R. GARZA, CMC  
City Clerk of the City of Stockton