



FW: comment letters on So Stockton Commerce Center NOP

From Michael McDowell <Michael.McDowell@stocktonca.gov>

Date Thu 9/11/2025 10:03 AM

To Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>

FYI

From: Mary Elizabeth <mebeth@outlook.com>

Sent: Thursday, September 11, 2025 6:42 AM

To: Michael McDowell <Michael.McDowell@stocktonca.gov>; Eric Parfrey <parfrey@sbcglobal.net>; Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>; Florence Low <Florence.Low@stocktonca.gov>; CC - City Clerk <City.Clerk@stocktonca.gov>

Cc: Margo Praus <margopraus@msn.com>; Dick Abood <rabood@pacific.edu>; Zoey Merrill <Zayante.Merrill@stocktonca.gov>; Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>; Courtney Christy <Courtney.Christy@stocktonca.gov>

Subject: Re: comment letters on So Stockton Commerce Center NOP

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Greetings,

Thank you for sharing information about what the community development department does for outreach - if this response had been provided following my 2021 letter for the South Stockton Commerce Center that was in response to not having received notice of the DEIR after submitting comments on the 2020 NOP we would not be in this situation. Having the run around with finger pointing (City Clerk, Development Department, City Manager) - not providing access to power points when making arguments during appeals has got to end.

Please add my address PO Box 4848, Stockton CA 95204

Stockton Environmental Justice Education and Advocacy for all notices of development projects, discretionary projects, CEQA notifications, Public hearing notifications and any other public outreach that is provided in writing only - not electronic communications as is the city's practice for other outreach efforts including request for bids, surveys, contractor communications, city oriented outreach.

I have requested a public records act release of public information regarding all non-resident notification of these types of information.

Issue #: 9436148 - Public Records

Entered on: 09/11/2025 06:25 AM

Status: Open

Date Due: 09/22/2025

Evidently from correspondence dated 9.10.2025 received electronically from the community development department the department maintains a list of interested parties for notification. "The Stockton Community Development Department's consistent and current practice is to send out mailed notices via U.S Postal Service and does not send out digital notices in the form of e-mails for CEQA and development applications." Please provide a mailing list used by the City of Stockton for CEQA and development applications.

Additional comment for issue

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X

ADD COMMENT

Thank you for the information. **Please confirm that, with Florence Low on the email chain, that all city council members including our mayor has received this initial response, as well as the city manager's office. Please confirm, with Zoey Murril on the email chain, that the City Attorney has also received this initial response I am wondering what other barriers are undisclosed that inhibit public participation in city business?**

Sincerely,

Mary Elizabeth, M.S., R.E.H.S.

From: Michael McDowell <Michael.McDowell@stocktonca.gov>
Sent: Wednesday, September 10, 2025 5:55 PM
To: Eric Parfrey <parfrey@sbcglobal.net>; Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>; Florence Low <Florence.Low@stocktonca.gov>

Cc: Margo Praus <margopraus@msn.com>; Mary Elizabeth <mebeth@outlook.com>; Dick Abood <rabood@pacific.edu>; Zoey Merrill <Zayante.Merrill@stocktonca.gov>; Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>; Courtney Christy <Courtney.Christy@stocktonca.gov>
Subject: RE: comment letters on So Stockton Commerce Center NOP

Hi Eric and All,

Please find attached letter in response to your letter of September 8, 2025. In short, we will be pulling the Commerce Center Project from the PC Agenda tomorrow night and rescheduling for PC Meeting of October 9, 2025.

Thank you,

MIKE McDOWELL
ASSISTANT DIRECTOR
Community Development Department

345 N. El Dorado St., Stockton, CA 95202
Direct: 209.937.8690; Office: 209.937.8561

ATTACHMENT F

-----Original Message-----

From: Eric Parfrey <parfrey@sbcglobal.net>

Sent: Monday, September 8, 2025 10:56 AM

To: Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>; Florence Low
<Florence.Low@stocktonca.gov>; Michael McDowell <Michael.McDowell@stocktonca.gov>

Cc: Margo Praus <margopraus@msn.com>; Mary Elizabeth <mebeth@outlook.com>; Dick Abood
<rabood@pacific.edu>

Subject: Re: comment letters on So Stockton Commerce Center NOP

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

All:

Please see the attached letters (and numerous attachments) strongly objecting to the fact that the Sierra Club was not notified of the release and comment period for the South Stockton Commerce Center Recirculated Draft Environmental Impact Report.

Mike, please see that these letters are forwarded to the Planning Commissioners.

Florence, please see that this letter is forwarded to the City Council.

Thank you.

Eric

209-641-3380

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This email has been checked for viruses by Avast antivirus software.

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September 8, 2025

Stockton Planning Commission

Re: Lack of Public Notice for the South Stockton Commerce Center Project

Stockton Planning Commission:

We are writing to strongly object to the City's failure to notify the Sierra Club of the availability of the environmental document for the South Stockton Commerce Center project for public review and comment.

We request that the Planning Commission continue the public hearing for four weeks and direct staff to accept comments from the Sierra Club prior to considering a final vote on the project and City Council recommendations.

One year ago, we submitted an extensive nine-page letter in response to the Notice of Preparation announcing preparation of the Recirculated Draft Environmental Impact Report (RDEIR).

In the opening paragraph of that September 30, 2024 letter (attached) we specifically asked the planning staff to "Please ensure that all future digital notices regarding this and every other discretionary project that are pending with the City are sent to Eric Parfrey, Sierra Club, at parfrey@sbcglobal.net."

The City failed to notify us of the availability of the RDEIR, which was released by the City on December 27, 2024, two days after Christmas during a common holiday time for families.

Obviously, the Sierra Club would have submitted lengthy in depth comments with evidence on the RDEIR if we had been notified that it was released and available for public comment, as we had commented at each opportunity on the original EIR documents for this project

We were also not notified of this Planning Commission hearing on the project scheduled for this Thursday, September 11, 2025 by City staff. We found about it when a planning commissioner sent one of our members an email.

Once again, we are requesting that on Thursday night the Planning Commission hear from staff and accept public comments on the project, and then continue the item for four weeks to the next Commission meeting in October or November 2025.

We remind the City staff that Section 15087 of the State CEQA Guidelines require that

- (a) The lead agency shall provide public notice of the availability of a draft EIR at the same time as it sends a notice of completion to the Office of Planning and Research...**Notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing...**

The City failed to comply with this important State law and the appropriate remedy is to allow the Sierra Club to submit comments to the Planning Commission on the RDEIR and project prior to any action being taken in terms of project recommendation to the City Council.

Sincerely,

s/s Margo Praus, Chair,

Eric Parfrey, member

Mary Elizabeth M.S., R.E.H.S., Conservation Chair

Delta-Sierra Group, Sierra Club

cc: Aaron Isherwood and Joya Manjur, Sierra Club Environmental Law Program
Stockton City Council

Attachment: Sierra Club letter of September 30, 2024 with all attachments

VIA E-MAIL

September 11, 2025

Chair, Vice Chair, and Planning Commissioners
Nicole Moore, Planning Manager
City of Stockton, Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
Email: publiccomment@stocktonca.gov
Email: Nicole.Moore@stocktonca.gov
Tel.: 209-227-3138

**RE: 9/11/2025 Planning Commission Hearing Agenda, Item 5.1:
Request for a Continuance to Ensure Due Process and Meaningful
Opportunity for Review and Comment; and
Objections to the 25-0922 Recirculated Final Environmental
Impact Report for the South Stockton Commerce Center Project of
the City of Stockton (SCH # 2020090561); General Plan
Amendment; Rezone; and a Tentative Map Request for the
Proposed South Stockton Commerce Center Industrial
Development at Multiple Parcels Along South Airport Way (APNS
177-110-04; 177-100-003; 177-110-05; 201-020-01; and 177-050-09)
(Application No. P20-0024); and to the Statement of Overriding
Considerations and Mitigation Monitoring and Reporting Plan**

Honorable Chair, Vice Chair, and Members of the Planning Commission:

On behalf of the Carpenters Local Union #152 (“**Local 152**”), our Office is submitting these comments on the Recirculated Final EIR (“**RDEIR**” or “**Recirculated FEIR**” or “**RFEIR**”) and its related final documents for the City of Stockton’s (“**City**”) South Stockton Commerce Center Project (“**Project**”), located on a 422.22-acre site and aiming to create 13 development lots at Parcel APN ## 177-110-040, 177-100-030, 177-110-050, 201-020-010, and 177-050-090 (“**Project Site**”).

Per the City's Notice of Availability ("**NOA**") for the RDEIR:

PROJECT DESCRIPTION: The SSCC Project proposes a **Tentative Map** for the **422.22-acre site** to create **13 development lots, two basin lots, one park lot, one open space lot, and one sewer pump station lot**. Of the 13 development lots, **12 will** be for development of a **mix of industrial** uses and **one** will be for development of **commercial** uses. Although a **Site Plan** is **not currently** proposed, for planning purposes a **conceptual site plan** was prepared to establish a **target** Floor Area Ratio that was used to generate the **maximum square footage of building area** for the Tentative Map and for purposes of environmental review. As described in Chapter 2.0, Project Description, the Project would result in a maximum of **6,091,551 square feet of industrial** type land uses, **140,350 square feet of commercial** land uses, **54 acres of open space, 41 acres of public facilities, and 18 acres of right-of-way circulation** improvements. (NOA, p. 1, *emph. added.*)

Also, per the NOA:

The Draft EIR has identified the following environmental issue areas as having **significant and unavoidable** environmental impacts from implementation of the project: **Aesthetics; Agricultural Resources; Greenhouse Gases, Climate Change, and Energy; Transportation and Circulation; Cumulative Aesthetics; Cumulative Agricultural Resources; Cumulative Air Quality; and Cumulative Greenhouse Gases, Climate Change, and Energy; and Cumulative Transportation and Circulation**. All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the Project

(NOA, p. 1, *emph. added.*)

Numerous state agencies, including the Department of State and Attorney General commented on the adverse impacts of the Project on the environment and most critically on the disadvantaged population near the Project site. Yet, the City appears to be inclined – and now recommends the Planning Commission – to adopt a Statement of Overriding Considerations and overlook all the adverse impacts, including on human beings, by claiming that those impacts are outweighed by economic, employment, tax considerations and other monetary considerations.

Local 152 is a labor union that represents thousands of union carpenters who live and work in San Joaquin County, and has a strong interest in well-ordered land use planning and in addressing the environmental impacts of development projects.

Individual members of Local 152 live, work, and recreate in the City and surrounding communities and would be directly affected by the Project's environmental impacts.

Local 152 expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearing and proceeding related to this Project. Gov. Code, § 65009, subd. (b); Pub. Res. Code, § 21177, subd. (a); see *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1199-1203; see also *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal.App.4th 1109, 1121.

Local 152 incorporates by reference all comments related to the Project or its CEQA review, including on the Initial Study, original Draft EIR and on the Recirculated DEIR. See *Citizens for Clean Energy v. City of Woodland* (2014) 225 Cal.App.4th 173, 191 (finding that any party who has objected to the project's environmental documentation may assert any issue timely raised by other parties).

Moreover, Local 152 requests that the City provide **advance notice** of any upcoming hearings, as well as for any and all notices referring or related to the Project, as required by the Municipal Code, as well as under the California Environmental Quality Act (**CEQA**) (Pub. Res. Code, § 21000 *et seq.*), and the California Planning and Zoning Law ("**Planning and Zoning Law**") (Gov. Code, §§ 65000–65010). California Public Resources Code Sections 21092.2, and 21167(f) and California Government Code Section 65092 require agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body. We request that such notice be *both* mailed and **e-mailed** to us.

I. THE CITY SHOULD CONTINUE THE PLANNING COMMISSION HEARING FOR FAILURE TO PROVIDE THE REQUIRED AND REQUESTED NOTICE TO LOCAL 152 AND FOR THEREBY DEPRIVING LOCAL 152 THE OPPORTUNITY TO HAVE A MEANINGFUL TIME TO REVIEW THE FEIR AND TO HAVE A FAIR HEARING

First and foremost, the City has been repeatedly failing in its assurances and duty to provide advance notice to Labor 152 despite our repeated requests for the same.

For example – and as we had noted in our prior 02/10/2025 RDEIR comment, the City failed to provide us advance notice of the published RDEIR and the comment period, despite the fact that our law firm has repeatedly requested advance notice, including in its Public Records Act requests to the City and its recent comment on the City’s Notice of Preparation of the Recirculated DEIR. At the time we reiterated our request: **“We, therefore, once again reiterate our request for an advance notice of all hearings and notices** related to the Project and **request** that such advance notice be both **emailed and mailed to us.**” (See, RFEIR, p. 2.0-94 [2/10/2025 Local 152 Comment].) Notably, the City’s response to that comment is: “This comment is noted. This comment serves as an introduction to the comment letter, and reiterates details about the Project. No response is necessary.” (RFEIR, p. 2.0-568.)

Local 152 – and our Office – reasonably and detrimentally relied on the City’s notice of our advance notice requests which, as the City noted in the Final EIR, were “noted.”

But the City failed to give our Office advance notice yet again – and this time for the RFEIR and its final critical hearings. The City’s Staff Report for the 9/11/2025 Planning Commission (“PC”) hearing provides:

Notice for the Planning Commission public hearing for this proposed project was **published** in The Record on August 22, 2025, and **mailed notice** was sent to **all property owners** within a 300-foot radius at least **twenty (20) days** prior to this meeting. As of the writing of this staff report, **no written comments** have been submitted.

(**Exhibit 1**, p. 9, *emph. added* [9/11/2025 PC Staff Report].)

The PC Staff Report further admits:

Throughout the CEQA process, **interested parties** have been in communication with staff regarding **status** of the environmental documents and **timing** of the public hearing process. Staff has also received **multiple public records requests** for all documentation related to the project from multiple groups.

(*Id.*, *emph. added.*)

Notably, indeed, in all of our communications with the planner of the Project, we have been reiterating our request to be provided advance notice of any public hearing and the City – with after significant delays and follow-ups – responded to us and assured us that our Office *would* get such notice: “Lastly, your firm is on our noticing

list. We do not provide emailed notices, but a mailed notice will be sent to you.”
(**Exhibit 2**, p. 2 [5/15/2025 Email communication from/to the City].)

And yet, despite the aforementioned assurances, as the PC Staff Report admits, no notice has been mailed to any interested party, but only to “**property owners** within a 300-foot radius.” (**Exhibit 1**, p. 9.)

Because the City failed in its duty and commitment to provide us adequate advanced notice for the 9/11/2025 Planning Commission hearing, and because such failure precluded our meaningful opportunity to be timely apprised of the PC hearing, to review all the relevant documents, and to meaningfully and substantively participate in the CEQA process of a Project with several significant and unavoidable impacts not only to the environment but also derivatively to the public, our Office **hereby requests the City:**

- 1) **to continue the PC hearing on the Project for at least another 20 days;**
and
- 2) **to provide our Office and all the interested parties new and timely notice of the upcoming public hearing.**

Failure to continue the PC hearing will deprive our Office and the interested parties of the due process and fair hearing rights, will violate CEQA’s mandate and purpose to allow for a meaningful public participation, and will further confirm that the City’s repeated failures to provide advance notice to our Office were not by accident.

II. THE CITY SHOULD REQUIRE THE USE OF A LOCAL WORKFORCE TO BENEFIT THE COMMUNITY’S ECONOMIC DEVELOPMENT AND ENVIRONMENT

As also noted in our prior comments on the City’s Notice of Preparation of the RDEIR and the RDEIR, we reiterate our request that the City require the Project to be built by contractors who participate in a Joint Labor-Management Apprenticeship Program approved by the State of California and make a commitment to hiring a local workforce.

Community benefits such as local hire can be helpful to reduce environmental impacts and improve the positive economic impact of the Project. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project site can reduce the length of vendor trips, reduce greenhouse gas emissions, and provide localized economic benefits.

Incorporation of local workforce will further help to reduce the significant and unavoidable impacts identified in the RFEIR, including air quality and greenhouse gas emissions (“**GHG**”).

In response to our same comment to the RDEIR, the City responded: “Response F-2: The Project applicant will consider utilizing local workforce for the Project.” (RFEIR, p. 2.0-568.) And yet, we have not seen any commitment by the Project Applicant or any binding mitigation measure proposed by the City in any of its resolutions to address the issue of using local workforce for the Project to, *inter alia*, mitigate the Project’s impacts including on air quality and GHG.

To avoid repetition, **we hereby fully incorporate** our prior **2/10/2025 comment** on the RDEIR on the issue of the use of local workforce, and **we request** that the City address it through a binding mitigation measure or condition of approval of the Project.

Making the use of local workforce a condition of approval for the Project will not only meet CEQA’s goals of mitigation significant impacts, but also further the General Plan’s goals and policies of “aimed at attracting and retaining companies that offer high-quality jobs with wages that are competitive with the region and state (Goal LU-4), and attracting employment and tax-generating businesses in the city (Policy LU-4.2).” (**Exhibit 2**, p. 2.)

III. THE PROJECT WOULD BE APPROVED IN VIOLATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. The City’s Responses to the Public Comments Show the Project’s EIR Is Inadequate and Violates CEQA

That the City’s and the Project’s RFEIR is inadequate and the RFEIR should not be certified as an adequate and complete CEQA clearance for the Project is manifest from the responses the City provided to comments, including to the comment of Labor 152, as well as comments by public agencies.

- **City’s Responses to Labor 152 Comment**

In its comment on the RDEIR, Labor 152 raised the concern about the Project’s inaccurate and incomplete description, in light of the lack of information on the specific uses and their location on over 422 acres of land. As an example of a similar

incomplete EIR, which was struck down by the Court, Labor 152 cited to *Stopthemillenniumhollywood.com* case.

In response, the City confirms that the EIR is a *project-level* document. (RFEIR, p. 2.0-569.) But it attempts to distinguish this case from the *Stopmillenniumhollywood.com* case, claiming that “the information provided in the RDEIR is ***much more detailed*** than an “impact envelope”; instead, **the more detailed information and conceptual site plan** included in Chapter 2.0 of the RDEIR, based on the worse-case, maximum buildout of the existing land uses as zoned for the property, allows for quantitative analysis at a detailed level to inform the public and decision makers of the project’s potential impacts.” (*Id.*, emph. added.) And yet, there is no substantive difference between the “conceptual plan” provided by the RFEIR or RDEIR here and the “impact envelope” provided in the *Stopmillenniumhollywood.com* case.

If anything, the information in the RFEIR for the Project here is even more vague than in the *Stopmillenniumhollywood.com* case: it provides that warehouses will be built on 12 out of 13 lots, and one of those lots will have a commercial development, but it fails to mention what kind of commercial development is expected. And, as also pointed out by the San Joaquin County’s Air Pollution District, such commercial development may be restaurants, with their specific impacts related to cooking and emission of hazardous materials in the process of cooking meat. (RFEIR, p. 2.0-590.) And yet, the City’s response to this dismisses the issue by claiming that, as compared with the rest of the Project, the commercial portion is minimal. (RFEIR, p. 2.0-611.)

The RFEIR repeatedly, in its responses to comments, admits that numerous details of the Project and mitigation of impacts will be determined and shaped by the “end-users.” For example, the RFEIR provides:

With regard to additional potential mitigation measures, such additional mitigation measures are not feasible. For example, regarding the commentor’s [sic.] concern about heavy-duty (HHD) truck vehicles, the **exact end-users** are not known at this time; therefore, requiring heavy-duty (HHD) truck vehicles to be of a newer year is not feasible, since this would severely limit the financial viability of the Project, as the exact end-users are not known at this time.

(RFEIR, p. 2.0-20-21, emph. added; *see also*, p. 2.0-71 [“Ultimately, given that the end-users of the Project are not known at this time, no other mitigation measures are feasible to reduce **GHG emissions**.” (Emph. added)].)

As another problem with the City's RFEIR, it speaks about the *phases* of constructing the Project and suggests that some mitigation measures will be determined during the implementation of such phases:

Furthermore, Mitigation Measure 3.3-1 requires that **individual phases** of development **coordinate** with the SJVAPCD to **ensure compliance** with Rule 9510 for both operational and construction emissions. Therefore, **additional** mitigation **may** be implemented at the **individual phase level** at the **time of development** (i.e., final maps, improvement plans, site plan review, etc.), to **demonstrate** that the **individual project** does **not exceed** the applicable SJVAPCD criteria **pollutant thresholds** for project operations or construction. A **determination** on including such **onsite mitigation** is based, in part, on the **specific characteristics** of the **end user**, and the **building(s)** that would be **constructed** on **each** individual lot. Refer to Section 3.3: Air Quality for further detail. No further response to this comment is warranted.

(RFEIR, p. 2.0-604, *emph. added.*)

In the same vein, the RFEIR provides:

The offsite mitigation is specified by the SJVAPCD at the time it can be reasonably accurately calculated, which is typically at Building Permit phase of the project. This is because highly specific information is required by the SJVAPCD for **each individual phase** of development and/or **each individual development proposal**, under the Rule 9510 process. That is, information such as **specific information** such as **end user**, **exact final construction schedule**, and **first date of operation**, are required by the SJVAPCD, to ensure accurate Rule 9510 fees are applied. Because there is **not an identified end user at this time**, **site plan review** has **not been** completed, **architectural plans** are **not** available, **exact construction** schedule for **each individual development proposal** is **not currently known**, etc., it is **not possible** to **reasonably calculate** the **final emissions** or **onsite mitigation** of the **end user/site/building**, making it **impossible** to **calculate** the offsite **mitigation needs**.

This would require a **level of speculation** that is **not appropriate** at this **stage** of development. While it is technically possible to submit a Rule 9510 application to the SJVAPCD, and even have it approved relying on **rough assumptions**, it would need to be resubmitted and reapproved,

should any changes to the individual development proposal be made (including any changes to construction schedule, end user, etc.), which is inevitable given the lack of specific information regarding individual development proposal end user, exact construction schedule, and first date of operation, etc., at this time.

The assumptions that have been made in the modeling effort for the purposes of CEQA are reasonable assumptions to analyze the probable effects of the proposed Project based on development allowances under the General Plan and Zoning Ordinance. Future approval process requires an analysis of the site plan once an end user is known. When that time arrives, Rule 9510 will be ripe for implementation. No further response to this comment is warranted.

(RFEIR, p. 2.0-612-613, *emph. added.*)

But if, as the City admits, the Project involves a *phased* implementation of multiple development projects, the details of which are *not* clear yet and hence the impact/mitigation analysis cannot be determined, and that determination of additional mitigation, including for air quality, as the case here, depends on some future end-users and future buildings and their locations, then the City should have proceeded with a *program-based* EIR, rather than a *project-based* EIR.

To wit, the City claims: “The Recirculated Draft EIR is a project-level EIR.” (RFEIR, p. 2.0-560.) But, under CEQA, a *phased* project, such as here, should proceed with a *program* EIR, to allow for adequate analysis of environmental impacts at each phase and to prevent the type of skewed CEQA review, as occurred here.

Specifically, under CEQA Guidelines section 15165:

“Where individual projects are, or a **phased project** is, to be **undertaken** and where the **total undertaking** comprises a project with significant environmental effect, the Lead Agency shall prepare a **single program EIR** for the ultimate project as described in Section 15168.” (*Emph. added.*)

And the referenced CEQA Guidelines Section 15168, subdivision (b) provides the *advantages* of such a program EIR:

(b) Advantages. Use of a program EIR can provide the following advantages. The program EIR can:

- (1) Provide an **occasion** for a **more exhaustive consideration** of effects and alternatives than would be **practical** in an **EIR** on an individual action,
- (2) Ensure consideration of **cumulative impacts** that might be slighted in a **case-by-case** analysis,
- (3) Avoid duplicative reconsideration of basic policy considerations,
- (4) Allow the Lead Agency to consider broad policy alternatives and program wide mitigation measures **at an early time** when the agency has **greater flexibility** to deal with basic problems or **cumulative impacts**, and
- (5) Allow reduction in paperwork.

(Emph. added.)

But because, as the City claims, its RFEIR is contemplated as a project-level document, it ends CEQA here. Therefore, given the City's above-quoted admissions that it was unable to perform quantitative analysis of impacts, including traffic, air quality, GHG, and others, in light of the uncertainty about the end-users of the 13 lots and the location and type of development and types of buildings there, the RFEIR is inadequate here, as a matter of law, and it violates CEQA by leaving out the analysis of impacts and mitigation from public review and information of decisionmakers.

As related, the RFEIR's project description is inaccurate, non-finite, and incomplete, in violation of CEQA.

Second, the City's positions on the feasible alternatives in the RFEIR is also legally erroneous. It appears to claim, without any analysis or evidence, that a further reduction in the size of the Project from 25% (in the reduced alternative) to 50% (as suggested by Labor 152) would still leave some impacts significant and unavoidable, there is no need for such reduction:

Notably, an alternative that **reduces** the uses by **50 percent** (instead of **25 percent**) would **not eliminate** the **significant** and **unavoidable** VMT impact because VMT is expressed on per dwelling unit or per thousand square feet (ksf) basis. VMT is not expressed as an absolute value in miles. If this was the case, then a decreased project size could potentially reduce impacts to less than significant. Use of **absolute VMT**, rather than **VMT measures** per capita or on a similar basis, is **contrary** to **guidance**

provided in the Technical Advisory of Evaluating Transportation Impacts in CEQA (OPR 2018) for **industrial projects**.

Similarly, an alternative that reduces the **uses by 50 percent (instead of 25 percent) would not eliminate** the significant and unavoidable impact to important farmland because Prime Farmland and Farmland of Statewide Importance would still be converted to urban uses.

(RFEIR, p. 2.0-572, *emph. added.*)

There are at least *several* flaws in the City's reasoning. First, it suggests that the reduction of the Project size would not result in less VMT and that an absolute VMT reduction is contrary to state guidance. And yet, there is no evidence for those claims. The claims also disregard the nature of the industrial project here: warehouses, which admittedly involve heavy-duty trucks which involve long-distance driving.

Second, the City incorrectly suggests that, just because the impact of a project will not be *eliminated* in full, there is no need to mitigate those impacts at all. But CEQA provides: "Each public agency shall **mitigate** or **avoid** the **significant effects** on the environment of projects that it carries out or approves **whenever** it is **feasible** to do so." (Pub. Res. Code § 21001.2(b), *emph. added.*) Similarly, CEQA Guidelines section 15002(a)(2) sets of the purposes of CEQA as: "Identify the ways that environmental damage can be avoided or *significantly reduced*." (*Emph. added.*)

For the same purpose, CEQA allows a statement of overriding consideration when impacts cannot be *significantly reduced*:

When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or **substantially lessened**, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(CEQA Guidelines § 15093(b), *emph. added.*)

As such, the City's suggestion or claim that it was justified not to consider a reduction of the size of the Project from 25% to 50% only because the impacts to VMT or agricultural lands would not have been 100% "eliminated" and further its failure to support its conclusions with any shred of evidence show that the City's RFEIR is based on the legally erroneous reasoning and neither the RFEIR nor the Statement of

Overriding Considerations may be adopted and certified in light of the noted legal flaws as well as failure to support the City's analysis therein with substantial evidence.

The above-noted examples of the City's flawed responses to the Labor 152 comment on the RDEIR are not exhaustive but only illustrative. As noted in Section I, *supra*, we have been unable to provide a more complete analysis of the City's RFEIR, in light of the City's utter failure to provide us with an advance notice of its completed RFEIR and related documents and of the PC hearing date.

Upon the City's grant of continuance of the PC hearing as requested above, we will provide more substantive comments on additional points as to why the City's responses to public comments, including Labor 152, are flawed and why the EIR may not be certified, as a result thereof.

- **The RFEIR Dismiss Critical Comments by Public Agencies and Show that the Project's CEQA Review Has Been Improperly Piecemealed and Evaded a Full Impact Review**

As yet another fatal flaw of the RFEIR, it dismisses critical comments by public agencies and shows that the RFEIR of the Project has been tainted by a piecemeal review.

First, the comment by the **San Joaquin C.aunty Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)**, its comment on the RDEIR was based on the view that the Project is only about the Tentative Tract Map approval and no disturbance was yet to occur:

At **this time**, the applicant is requesting a **Tentative Map** with **no ground disturbance**. Any **future ground** disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be **subject** to **participate** in the SJMSCP before ANY ground **disturbance** occurs and should be **resubmitted** to this **agency**. **Current** or **future owners** of this-or subdivided properties should be **made aware** of the conditions that are placed by the SJMSCP on future development on the created parcels.

(RFEIR, p. 2.0-579, *emph. added.*)

The comment above shows that the City's allegedly project-based EIR is incomplete and inadequate on the issue of biological resources, their impact or mitigation, since there are no guarantees that the impacts of such future physical disturbance would be

duly studied and mitigated and also presented for public review and approval by the elected decisionmakers. Instead, it is manifest that any future review or mitigation, if at all, will occur outside of the public eye and without the approval of the elected decisionmakers. In sum, the Project will evade a meaningful CEQA review, including as to the biological resources.

The City's response to this comment confirms that outcome:

Mitigation Measure 3.4-1 of **Section 3.4** of the Draft EIR **requires** that the applicant, “**seek coverage** under the San Joaquin County Multi-Species Habitat Conservation Plan (SJMSCP) to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization measures (ITMMs) and **payment of fees** for conversion of lands that may provide habitat for covered special status species. These **fees** are used to **preserve** and/or **create habitat** in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the Migratory Bird Treaty Act (MBTA). Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.”

Because Mitigation Measure 3.4-1 would implement the commenter's recommendations, no changes to the RDEIR are necessary.

(RFEIR, p. 2.0-582, *emph. added.*)

And yet, contrary to the City's claims, the noted Mitigation Measure 3.4-1 fails to ensure any commitment on the Applicant's part, much less on the *future* and yet *unknown end users* to mitigate any impacts on biological resources. Neither is it shown that the Project will indeed *preserve* or will *create habitat* for the disturbed biological resources and species with the payment of fees.

In addition and as relevant, on these facts, the City's conclusion that the Project will not have significant biological impacts is unwarranted.

Second and similarly, the City dismisses many of the concerns of the San Joaquin County's Environmental Health Department, including by claiming that certain details will not be determined until the *design* stage:

This comment is noted. The Draft EIR includes a requirement to prepare **a final geotechnical evaluation of soils** at a **design-level**,

consistent with the requirements of the California Building Code. Implementation of this mitigation measure would ensure **that all on-site** fill soils are properly compacted and comply with the applicable safety requirements established by the CBC to **reduce risks associated with unstable soils** and excavations and fills, and that any issues associated with unstable soils are **addressed** at the **design level**. This work will be performed at a design level, and it **is not known** at **this** time if drilling would be necessary, or if a less sampling method would be appropriate.

Nevertheless, it is the City's policy to require any geotechnical drilling to be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6). This is an existing regulation that is in place and there is not a need for a measure requiring this existing requirement.

(RFEIR, p. 2.0-585, *emph. added.*)

This response, however, means that the EIR failed to study the geological impacts of the Project and ensure that the soils at the Project site would be sufficiently stable to withstand the proposed massive developments on over 422 acres. This, in turn, shows that the EIR is inadequate and incomplete as to the issue of the Project's soils and geology impacts.

Third, the City dismisses many of the concerns of the San Joaquin Valley Air Pollution Control District. For example, in response to that agency's concern about the miles travelled and understated air quality pollution of heavy-duty trucks and the need for their disclosure in the EIR, the City conveniently chooses to rely on the arbitrary data provided by the EIR's consultant and faults the District in failing to provide evidence to rebut such arbitrary minimal estimates of heavy-duty trucks, stating:

This comment is noted. However, the commentor [sic.] does **not provide** any **evidence** to **substantiate** their claim that the truck trip length distance for HHD trucks was analyzed incorrectly by the RDEIR. In fact, the CalEEMod model reflects a daily VMT of 777,176 VMT associated with proposed Project, including 114,743 VMT associated with HHD trucks. This VMT estimate is validated based on trip length assumptions and VMT calculations provided by the professional traffic engineering firm Fehr & Peers.

Specifically, this is based on the **approximately 14.8% of all vehicles** traveling to and from the Project site that **would be HHD vehicles**, as provided by **Fehr & Peers**. This VMT calculation includes Project trips

of all relevant distances, and accounts for all the various trip types and lengths that the Project is anticipated to generate, consistent with the traffic modeling by Fehr & Peers. Although the Traffic Impact Assessment **does not identify overall Project average trip lengths** per se, the CalEEMod model **accounts for the VMT modeled** for the Project by **Fehr & Peers**, since it takes into account trip lengths by its very nature (since VMT = total trips multiplied by average trip length), and therefore fully captures the various trips and their trip lengths that are anticipated to be generated by the proposed Project, including HHD truck trips. See Appendix B of the RDEIR for further detail. No further response to this comment is warranted.

(RFEIR, p. 2.0-598, emph. added.)

The City's response is improper since it fails to provide any evidence for the Fehr & Peers' estimate that the HHD truck trips will comprise only 14.8% of all vehicles traveling to/from the Project site. There is no evidence to support this estimate especially where, as here, the City repeatedly claims in other responses to comments that the ultimate impacts, including of VMTs, will depend on the end-users who are not identified at this time.

The City's response is also improper as it makes the public or public agencies look for evidence for the EIR, whereas it is the City's duty, as the lead agency, to investigate all data and to address all the concerns, especially expressed by public agencies, as here.

As noted earlier for the City's inadequate responses to Labor 152's comment and concerns, the above-referenced flaws in the City's responses to public agencies are only illustrative and not exhaustive. We reserve the right to provide more examples of the City's flawed responses upon continuance of the PC hearing, as requested in this letter.

IV. THE PROJECT VIOLATES THE SUBDIVISION MAP ACT AND SHOULD NOT BE APPROVED

One of the requirements of the Subdivision Map Act is that the Project not have substantial impacts on the environment. As discussed and shown above, that is not the case here.

The Subdivision Map Act (Gov. Code, §§ 66410- 66499.37) mandates denial of a tentative map if "the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat." (Govt. Code § 66474(e); Govt. Code § 66474.61(e);

Carson Harbor Village, Ltd. v. City of Carson (2015) 239 Cal.App.4th 56, 63.) Thus, a public agency must conduct an environmental review and undertake a complete environmental analysis as part of any approval under the Subdivision Map Act.

In *Topanga Ass'n for a Scenic Community v. County of Los Angeles* (1989) 214 Cal.App.3d 1348, the court ruled that Government Code Section 66474(e), which requires a governmental agency to deny a map application if the agency finds that subdivision design or improvements are likely to cause substantial environmental damage, provides for an environmental review separate from and independent of CEQA. The court stated as follows: “Appellants argue that elimination of their CEQA causes of action does not foreclose an environmental challenge to the approval of the project because the Subdivision Map Act, in Government Code section 66474, subdivision (e), provides for environmental impact review separate from and independent of the requirements [of the CEQA. We agree. [T]he finding required by section 66474, subdivision (e) is in addition to the requirements for the preparation of an environmental impact report or a negative declaration pursuant to the CEQA. (59 Ops.Cal.Atty.Gen. 129, 130 (1976).)” *Topanga* at 1355–56, emphasis added. Moreover, the court noted that: “The term ‘substantial environmental damage’ as used in subdivision (e) of section 66474 of the Government Code is the equivalent of ‘significant effect on the environment,’ which is defined in section 21068 of the Public Resources Code as ‘a substantial, or potentially substantial, adverse change in the environment.’ (68 Ops.Cal.Atty.Gen. 108, 111, fn. 2 (1985).)” *Topanga* at 1356, fn. 3.

Because the Project and its proposed subdivision of 422 acres into 13 lots, as well as its impacts and mitigation are not fully studied and mitigated, including due to the end users being unknown, the Project here must be denied under the requirement of the Subdivision Map Act. That the Project will have numerous significant and unavoidable impacts, which could have been mitigated if only the City applied a further reduced project alternative, the Project further violates the Subdivision Map Act in having a significant and unavoidable impact that could have been mitigated but was not.

For this reason, the Project’s tentative tract map should not be approved, since the Project violates the Subdivision Map Act and will have a significant and unmitigated impact on the environment.

V. THE PROJECT VIOLATES THE GENERAL PLAN AND ZONING AND THE PLANNING AND ZONING LAW AND ITS SOUGHT

GENERAL PLAN AND ZONING AMENDMENT SHOULD NOT BE APPROVED

The City claims that the Project is consistent with the General Plan and Zoning relying mostly on the industrial uses proposed on the Project Site and pointing to the General Plan and zoning designation of “industrial” on certain lots. However, the City and the RFEIR fail to acknowledge that some of the parcels of the Project site are zoned O (open space) and the City fails to show how the proposed Project or its zoning are consistent with the O zoning.

Moreover, the City and the RFEIR claim that the Project is consistent with the General Plan’s goals of creating jobs in the area. However, the City fails to explain how building warehouses where trucks will be traveling from long distances will create jobs in the area.

Moreover, it appears that the City’s analysis is based on the *consistencies* of the Project with the General Plan and fails to identify the inconsistencies.

Moreover, the City’s responses in the RFEIR acknowledge that the Project is located in the disadvantage community area, but fail to mitigate impacts to air quality and GHG which will necessarily affect the surrounding people. Moreover, the City relies on the 1300 feet distance from sensitive receptors and claims that it is more than 1000 feet threshold and therefore certain air pollution will be dispersed by the time it reaches sensitive receptors. The City’s reliance on the thresholds here is unsupported in light of the heavy-duty trucks which will be traveling to/from the Project site and the City’s focus on the Project site only. Notably, the Planning and Zoning Law mandates consideration of air quality and GHG impacts on disadvantaged communities, which the City failed to do here.

For this reason, the Project’s sought entitlements should be denied since there is no support for the City’s conclusions of the General Plan or zoning consistency of the Project and because the Project is inconsistent with the General Plan’s other provisions, including to protect the disadvantaged communities, as also required by the Planning and Zoning Law.

VI. CONCLUSION

In view of the above-noted concerns, we respectfully request that the City continue its PC hearing for another 20 days, provide our Office with the advance notice in email of the new date, and further not certify the EIR or approve the entitlements of the

Project. The RFEIR here fails to provide such serious consideration of the Project's impacts and confirms that the Project will have significant unstudied and unmitigated impacts on the surrounding environment.

If the City has any questions or concerns, please feel free to contact my Office.

Sincerely,



Naira Soghatyan
Attorneys for Carpenters
Local Union #152

Attached:

9/11/2025 Staff Report (**Exhibit 1**); and

5/15/2025 Email Communications with the City (**Exhibit 1**)

EXHIBIT 1



City Home Page

Legislation

Calendar

City Council

Meeting Body

Archived Media



Details

File #: 25-0922 Version: 1

Type: Appeals/Public Hearings

In control: [Planning Commission](#)

Final action:

Title: ENVIRONMENTAL IMPACT REPORT, GENERAL PLAN AMENDMENT, REZONE, AND A TENTATIVE MAP REQUEST FOR THE PROPOSED SOUTH STOCKTON COMMERCE CENTER INDUSTRIAL DEVELOPMENT AT MULTIPLE PARCELS ALONG SOUTH AIRPORT WAY (APNS 177-110-04; 177-100-003; 177-110-05; 201-020-01; and 177-050-09) (APPLICATION NO. P20-0024)

Attachments: 1. [Attachment A - Location Map and Aerial Photo](#), 2. [Attachment B - General Plan Land Use Map](#), 3. [Attachment C - Zoning Map](#), 4. [Attachment D - SSCC RDEIR - Cover](#), 5. [Attachment E - Tentative Map](#), 6. [Proposed Resolution - Recommending Approval of the FEIR](#), 7. [Exhibit 1 - SSCC RFEIR](#), 8. [Exhibit 2 - SSCC FMMRP](#), 9. [Exhibit 3 - SSCC Findings and SOC](#), 10. [Proposed Resolution - General Plan Amendment](#), 11. [Exhibit 1 - GPA Exhibit and Legal Description](#), 12. [Proposed Resolution - Rezone](#), 13. [Exhibit 1 - Ordinance](#), 14. [Exhibit 1a - Rezone Exhibit and Legal Description](#), 15. [Proposed Resolution - Recommending Approval of the Tentative Map](#), 16. [Exhibit 1 - Tentative Map](#)

History (1)

Text

title

ENVIRONMENTAL IMPACT REPORT, GENERAL PLAN AMENDMENT, REZONE, AND A TENTATIVE MAP REQUEST FOR THE PROPOSED SOUTH STOCKTON COMMERCE CENTER INDUSTRIAL DEVELOPMENT AT MULTIPLE PARCELS ALONG SOUTH AIRPORT WAY (APNS 177-110-04; 177-100-003; 177-110-05; 201-020-01; and 177-050-09) (APPLICATION NO. P20-0024)

recommended action

RECOMMENDATION

Staff recommends the Planning Commission adopt the following:

1. A Resolution recommending the City Council adopt the Recirculated Environmental Impact Report (SCH #202090561), including a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Program; and
2. A Resolution recommending the City Council approve a General Plan Amendment to modify the General Plan Land Use Map for Commercial and Industrial land use designations on a portion of APN 177-050-09; and
3. A Resolution recommending the City Council adopt an Ordinance for a zoning map amendment to modify Commercial, General (CG) and Industrial, Limited (IL) zoning district designations on a portion of APN 177-050-09; and
4. A Resolution approving a Tentative Map for the creation of thirteen parcels.

body

Summary

Trevor Smith, representing Five Corners Group, LLC, proposes to develop industrial and commercial uses on 13 newly subdivided legal parcels totaling approximately 422.22 acres, located west of State Highway Route (SR) 99 and east of South Airport Way, and south of the Stockton Airport, combined as the South Stockton

Commerce Center Industrial Park Project ("project"). The proposed project site development would consist of building construction, parking lot areas, landscaping, lighting, drainage facilities, and loading / service areas. At full buildout, these facilities could total a maximum of 6,091,551 square feet of building development for Industrial land uses, 140,350 square feet of building development for commercial land uses, 54 acres of open space, 41 acres of public facilities, and 18 acres of right-of-way circulation improvements.

To develop the project, the Planning Commission is asked to consider forwarding to City Council recommendations to approve the following: Environmental Impact Report (EIR), Mitigation Monitoring and Reporting Program (MMRP) and Statement of Overriding Considerations (SOC), General Plan Amendment, and Zoning Map Amendment request. The Planning Commission is also asked to approve a Tentative Map for the subdivision of the existing parcels into 13 new parcels.

An EIR was prepared for the project in compliance with the California Environmental Quality Act (CEQA). The EIR is intended by CEQA to be an informational document (CEQA Guidelines Section 15121) to inform public agency decision-making and the public generally of the significant environmental effects of a project. Consequently, information in the EIR does not limit the Lead Agency's (City of Stockton) and any Responsible Agency's ultimate discretion on the project, but as noted the Lead Agency must address each potentially significant effect identified in the EIR in written findings before they approve the project, or portions of the project (CEQA Guidelines Section 15091).

The project is consistent with the 2040 General Plan Land Use Map designation of Industrial applicable to the site. The project also furthers General Plan policies aimed at attracting and retaining companies that offer high-quality jobs with wages that are competitive with the region and state (Goal LU-4), and attracting employment and tax-generating businesses in the city (Policy LU-4.2).

DISCUSSION

Background

The project site comprises 422.22-acres and consists of five (5) legal parcels identified as Assessor's Parcel Numbers 177-110-04, 177-100-03, 177-110-05, 201-020-01, and 177-050-09, as well as a portion of Union Pacific Railroad right-of-way. The Project site is located west of the SR 99 Frontage Road and SR 99 and east of South Airport Way, just south of the Stockton Airport. The Union Pacific Railroad (UPRR) extends south from South Airport Way bisecting the western portion of the site. French Camp Slough extends southeast from South Airport Way across the southwestern portion of the site, within the City of Stockton. (Attachment A – Location Map and Aerial Photo)

The site is bounded on the north by industrial uses, the National Guard, and the Stockton Airport, and on the south, east and west by agricultural lands.

The current General Plan Land Use designations for the parcels that comprise the project site include a mix of mostly Industrial, followed by some Commercial and then Open Space. The Zoning Map designations for parcels includes predominately Industrial Limited (IL), Commercial General (CG), and Open Space (OS). The parcels referenced above are identified in Attachment B - General Plan Land Use Map, and Attachment C - Zoning Map.

Project Description

Five Corners Group, LLC, has applied for all required entitlements to permit industrial and commercial development within the City of Stockton. The proposed project would develop industrial warehouse buildings used primarily for the storage and/or consolidation of manufactured goods, and in some cases raw materials, prior to their distribution to retail locations or other warehouses, as well as commercial uses to support the surrounding area.

The project site totals approximately 422.22 acres and would be developed with up to a total maximum combined square footage of 6,231,901 square feet in floor area, along with parking areas, vehicular access, and storm drainage detention areas.

Development of the project site with commercial, warehouse and industrial uses are considered "Permitted" uses under the proposed Industrial, Limited (IL) rezoning and Commercial, General (CG) rezoning, and would not require additional discretionary actions. Only ministerial approvals would remain for the review of building design and compliance with site development standards. These subsequent applications include Site Plan Review and Design Review, as well as building permits and adherence to any project related approvals.

Access to the proposed project site would be from a new signalized intersection at South Airport Way and consist of a newly created public street running through the property generally in an east to west direction and extending to the east frontage road along SR 99. The new street is proposed to be named Commerce Drive and would be developed to City standards and provide access to the individual parcels.

The wet utility services for the project site, including sanitary sewer and water, would be provided by the City of Stockton from the extension of existing facilities in the area. The project would have an onsite storm drainage system, including collection lines and detention basins in the southernmost portion of the site. Runoff collected in the detention basin would be metered into French Camp Slough when capacity is available. Regulated electrical, gas, and communication utilities would also be extended to the project site from existing facilities in the area. Provision of utility services to the project would require off-site improvements. These improvements would be subject to the review and approval of the City Municipal Utilities, Public Works and Community Development departments and a review of their consistency with adopted wastewater, water, and storm water master plans.

Future proposed commercial and industrial uses would be required to be consistent with the proposed General Plan land use designations of Commercial and Industrial, and adhere to the zoning district standards for each zoning district and allowable land uses per SMC Section 16.20.020 (Allowable Land Uses and Permit Requirements).

STAFF ANALYSIS

To develop the Project, the Planning Commission is asked to consider forwarding to City Council approval recommendations pertaining to the EIR, General Plan Amendment and Zoning Map Amendment. Each request and staff's analysis are provided below.

Environmental Clearance

On October 15, 2021, the City of Stockton prepared and publicly circulated a Draft Environmental Impact Report (EIR), included as Attachment D, for the proposed South Stockton Commerce Center Project (proposed Project), inviting comment from the general public, agencies, organizations, and other interested parties. A Notice of Availability (NOA) was filed with the State Clearinghouse (SCH # 2020090561) and the County Clerk on October 15, 2021, and was published in a local newspaper pursuant to the public noticing requirements of the California Environmental Quality Act (CEQA). The Draft EIR was available for the required 45-day public review and comment period from October 15, 2021, through November 29, 2021. However, the City opted to extend the public review period for the Draft EIR an additional 15 days to December 14, 2021 (for 60 days total).

On December 6, 2022, the California Attorney General announced an agreement requiring the City of Stockton to prepare and consider an ordinance implementing robust mitigation measures for future warehouse development in the city and impose similarly robust mitigation measures to a completely separate, but similar, Mariposa Industrial Park Project. The Attorney General's Office worked with the City of Stockton to develop advanced mitigation measures to address the Mariposa Industrial Park Project's impacts on the surrounding community. Many of the mitigation measures reflect the Attorney General's Warehouse Best Practices guidance, and include a 100 percent electric vehicle (EV) heavy-duty on-site truck fleets, a requirement that operational power be supplied by solar and other renewable sources, large setbacks and landscaped barriers between sensitive receptors, and a community benefit fund to support clean air projects in the south Stockton community.

On December 12, 2023, the Stockton City Council adopted an ordinance, under Title 16, establishing new logistics warehouse development standards. These standards became effective on January 11, 2024 and the Ordinance is referred to as the City's "Warehouse Ordinance." This changed the landscape for the South

Stockton Commerce Center Project Draft EIR. Additionally, the proposed Project's utility improvements have been refined since the prior (2021) Draft EIR public comment period. Consequently, a revised Draft EIR was prepared to reflect the changes in the Project Description resulting from compliance with the Warehouse Ordinance and the refined utility plans.

On December 27, 2024, the City prepared and publicly circulated the revised Draft EIR titled the "Recirculated Draft Environmental Impact Report" for the proposed South Stockton Commerce Center Project, inviting comment from the general public, agencies, organizations, and other interested parties. On the same day, a Notice of Availability (NOA) was filed with the State Clearinghouse (SCH # 2020090561) and the County Clerk and was published in a local newspaper pursuant to the public noticing requirements of the California Environmental Quality Act (CEQA). The *Recirculated* Draft EIR was available for a minimum 45-day public review and comment period from December 27, 2024, through February 10, 2025.

Before taking action on the project, the City must first certify that the EIR is adequate under CEQA. Then, in conjunction with its decision on the project, the City must make specific findings with respect to each of the significant environmental effects identified in the EIR. Guidelines for the certification of an EIR (CEQA Section 15090) require that the Lead Agency certify that 1) the Final EIR has been completed in compliance with CEQA, 2) that the Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information contained in the Final EIR prior to a decision on the project, and 3) that the Final EIR reflects the Lead Agency's independent judgment and analysis.

The EIR is intended by CEQA to be an informational document (CEQA Guidelines Section 15121). Decision making on the project in relation to its environmental impacts is reserved to the Lead Agency, which is the City, and any Responsible Agencies with approval authority over the project. Consequently, information in the EIR does not limit the Lead Agency's ultimate discretion on the project, but as noted, the Lead Agency must address each significant effect identified in the EIR in written findings before it approves the project, or portions of the project (CEQA Guidelines Section 15091). These findings are contained in a separate document that accompanies this Final EIR.

The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR (i.e., the impact has been "mitigated"). This finding is widely applicable in the project findings, as most of the significant effects of the project would be reduced to less than significant with mitigation measures.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (i.e., mitigation is the responsibility of an agency other than the City of Stockton). This finding is not applied to any of the significant effects of the project.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (i.e., the impact is acceptable because the project's benefits outweigh any negative effects associated with its environmental impacts). In this case, the project involves one or more significant environmental effects that cannot be reduced to a less than significant level, and a Statement of Overriding Considerations (SOC) will be necessary. A proposed SOC is provided in a separate document that accompanies the Final EIR.

In the event that the City wishes to approve a project without providing substantial mitigation for all its significant impacts of the project (i.e., if the second or third finding options are utilized), then CEQA Guidelines Section 15093 allows the decision-makers to balance the project's benefits against its unavoidable environmental risks. This decision must be documented in a SOC and adopted by the project decision-makers. The CEQA findings for the project, as noted above, include a SOC.

As a part of the project consideration and approval process described above, the City must also adopt an MMRP (CEQA Guidelines Section 15097). The MMRP is required to ensure that the mitigation measures and project revisions identified in the EIR are implemented. The measures and revisions described in the EIR are

fully enforceable through permit conditions, agreements, or other measures. The MMRP for this project is contained in a separate document that accompanies this Final EIR.

The Draft EIR identified potentially significant effects under several topic areas, many of which are discussed below:

- Aesthetics and Visual Resources: Although the project site is not designated as a scenic vista by the General Plan, the site does contain some of the significant visual features discussed in the General Plan, such as agricultural fields and riparian area along French Camp Slough. These public views are primarily available to motorists traveling along the major transportation corridors, some of which travel at highway speed (such as along South Airport Way and SR 99). In addition, these public views of agricultural fields and riparian areas are characteristic of San Joaquin County, and the exist throughout the region. Because of these impacts to visual features which are unable to be fully mitigated, this is considered to be a significant and unavoidable impact.
- Agricultural Resources: Potential urban-agricultural use conflicts between proposed urban and nearby agricultural uses are expected to be minimal. Neighboring agricultural lands, including Prime Farmland and Farmland of Statewide Importance, are located adjacent to the northern, eastern, southern, and western boundaries of the project site. A variety of industrial and commercial uses would be developed on the project site and sewer improvements would be constructed offsite along Airport Way to Industrial Drive to the north. Because of these impacts which are unable to be fully mitigated, the Project's impact to agricultural resources would be considered a significant and unavoidable impact.
- Air Quality: With implementation of proposed mitigation measures, the project's operational emissions would be reduced. However, even with implementation of all feasible mitigation, it may not be feasible for all individual projects within the project site to reduce operational emissions at full project buildout below the applicable thresholds. Therefore, the Project criteria pollutant emissions would be considered to have a significant and unavoidable impact.
- Biological Resources: Although no biological resources have been identified on-site, potentially suitable habitat for special status species is present on the site and would be impacted by proposed development. Mitigation measures are identified to ensure no such resources are significantly impacted by development of the vacant site. The applicant has agreed to participate in the San Joaquin Multi Species Habitat Conservation Plan (SJMSHCP) and has added additional mitigation measures to protect Crotch's bumblebee (*Bombus crotchii*) habitat. Compliance with the SJMSHCP ensures potentially significant effects to biological resources are reduced to a less than significant level. Additionally, trees will also be removed outside of bird nesting seasons or, if within a nesting season, a biologist will complete a survey to ensure no protected migratory bird nests are present. The project would involve removal of Heritage Oak Trees, which would be mitigated through the City's existing permitting program.
- Cultural Resources / Tribal Cultural Resources: No archaeological or historical resources were identified on the site, but there is potential for discovery of buried cultural resources, including those related to Native Americans. The City's adopted General Plan includes specific mitigation measures that are related to Cultural Resources and Tribal Cultural Resources, which have also been incorporated into this Project. If these resources are discovered on site, then mitigation measures incorporated into the Project will apply.
- Geology and Soils: There are no active or potentially active faults or other geologic hazards within or near the project site. Construction activities on site have the potential to loosen the soil, leaving it exposed to wind and water erosion, however a project at the site would be required to obtain a permit from the City of Stockton that would have conditions that will reduce soil erosion impacts. Additionally, if any paleontological resources are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified paleontologist can evaluate them and follow the protocol set forth in the MMRP.

- Greenhouse Gas Emissions: There are potentially significant impacts related to greenhouse gas emissions for the Project, as identified in the EIR, which cannot be fully mitigated, even with implementing Air Quality Improvement Measures, such as compliance with applicable State and San Joaquin Valley Air Pollution Control District rules and regulations, as well as following the best practices identified in the City of Stockton Climate Action Plan. Because these impacts cannot be fully mitigated, this is considered a significant and unavoidable impact.
- Noise: Noise generated by project construction and traffic on-site and along South Airport Road and the SR 99 Frontage Road would involve exceedance of City noise standards for existing sensitive receptors near the project site. Identified mitigation measures would reduce these impacts to less-than-significant.
- Transportation: The project would involve significant effects on Vehicle Miles Traveled (VMT) and would require certain roadway improvements to maintain City Level of Service (LOS) standards. Mitigation measures would partially mitigate, but not eliminate, VMT impacts. Recommended transportation improvements would address LOS deficiencies.

By the conclusion of the *Recirculated* Draft EIR 45-day review period, nine (9) comment letters were received by the City. Pursuant to CEQA Guidelines Section 15088, all substantive comments are provided responses in the Final DEIR (Exhibit 1 to the Proposed Resolution).

Pursuant to CEQA Guidelines Section 15092, the Planning Commission must consider the EIR prior to acting on the project. As reflected in the attached draft Resolution, an approval recommendation to certify the EIR is presented, including adoption of the corresponding MMRP, adoption of the findings, and adoption of a SOC.

General Plan Land Use Map Amendment

The project site has current General Plan Land Use designations of Industrial, Commercial, and Open Space. Although the Land Use designations are consistent with the proposed project, due to the location of the drive entrances for surrounding developments and the alignment of the future Commerce Drive, a General Plan Amendment to adjust two (2) areas between South Airport Way and the UPRR right-of-way is required. These areas are currently designated as Commercial and Industrial, and the boundaries would be shifted to be consistent with the future Commerce Drive right-of-way center line. The area to the north of the Commerce Drive right-of-way centerline would be designated Commercial and the area to the south of Commerce Drive right-of-way centerline would be Industrial. The boundary change of the Industrial and Commercial designation represents a negligible adjustment to the General Plan Land Use Map.

The subject development would also further the following General Plan policy: Policy LU-4.1: Encourage large-scale development proposals in appropriate locations that include significant numbers of higher-wage jobs and local revenue generation.

As reflected in the attached proposed Resolution, all necessary findings can be made to support the proposed General Plan Land Use Map Amendment action.

Zoning Map Amendment

The project site has current zoning that consists of Industrial, Limited (IL), Commercial General (CG) and Open Space (OS). Although the current zoning is consistent with the proposed project, due to the location of the drive entrances for surrounding developments and the alignment of the future Commerce Drive, a rezone of the two (2) areas between South Airport Way and the Union Pacific Railroad right-of-way is required. These areas are currently designated as CG and IL, and the boundaries would be shifted to be consistent with the future Commerce Drive right-of-way center line. The area to the north of the Commerce Drive right-of-way centerline will be designated CG and the area to the south of Commerce Drive right-of-way centerline will be zoned IL. These minor boundary changes amount to minimal overall change in the total amounts of land designated as IL or CG in the area.

As reflected in the attached draft Ordinance, all necessary findings can be made to support the proposed Zoning Map Amendment action.

Tentative Map

The proposed project consists of a Tentative Map to subdivide the combined 422.22-acre project parcels (APNs 177-110-04; 177-100-03; 177-110-05; 201-020-01; and 177-050-09) into 13 developable parcels as detailed below and parcels to be dedicated for open space, public facilities and roadway rights-of-way (Attachment E - Tentative Map).

Parcels	Parcel Size	Total SF per Land Use	Building SF Max
12 Industrial Parcels	298 acres	467,834 SF	140,350 SF
1 Commercial Parcel	11 acres	12,960,747 SF	6,091,551 SF
Open Space	54 acres	n/a	
Public Facilities	41 acres	n/a	
Roadway ROW	18.2 acres	n/a	
Totals:	422.22 AC		

The proposed subdivision of the project lands would enable each parcel to be developed according to the Industrial and Commercial Land Use designations on the 2040 General Plan Land Use Map. The maximum gross floor area ratio (FAR) for industrial uses is 0.6 and for commercial uses 0.3. This project proposes a FAR of 0.47 for industrial uses and 0.3 for commercial uses.

The subject development would also further the following General Plan policy: Policy LU-4.1: Encourage large-scale development proposals in appropriate locations that include significant numbers of higher-wage jobs and local revenue generation.

The project would install on-site and off-site improvements, including public streets, sidewalks, curbs, gutters, landscaping, and street lighting. All proposed utilities (e.g., water, sewer, storm drainage) would be extended to the subject site from offsite locations and comply with the City's Standard Plans and Specifications. As reflected by the findings in the attached resolution, staff recommends all findings can be made for approval of the subdivision request. While all other actions previously addressed in this report are recommendations to the City Council, here, the Planning Commission will make the final approval on the tentative map.

Development Review Committee

The Development Review Committee (DRC) is required to review the proposed Tentative Map and forward a recommendation to the Director. DRC considered this item on April 4, 2023, and made a recommendation to the Director to approve the Project.

Subsequent Development Permits

As of the writing of this staff report, there have been no subsequent applications made for physical development of the site beyond the conceptual site plan evaluated in the EIR. Should an application be made to develop the site, it would be required to adhere to the conditions of approval and MMRP adopted by the City Council, as well as a comprehensive review and approval through Site Plan Review and Design Review.

Site Plan Review

SMC Chapter 16.152 (Site Plan Review) requires approval for all new industrial buildings prior to construction. The merits of any given Site Plan Review request are weighed against their ability to conform to the standards set forth in the Municipal Code.

Design Review

SMC Section 16.120.020(A)(3) requires prior Design Review approval for all new industrial buildings. The merits of Design Review requests are weighed against their ability to conform to the Citywide Design Guidelines. For this project, Section 5.02 (Industrial and Warehouse Design Guidelines) provides the relevant reference point for the City's expectations for quality development. Since the present request is only for development entitlements, and there are no building plans to consider at this time, an future application for Design Review would be filed for each new building structure under a non-discretionary review by the

Architectural Review Committee with a recommendation to the Community Development Director for approval.

Public Comments

As the project was required to prepare an EIR, there have been significant public outreach efforts required during the CEQA process for both the original circulation of the EIR and the subsequent recirculation effort.

The Notice of Preparation for the initial EIR was distributed to the public for review and comment on September 30, 2020. This initial noticing period ran from September 30, 2020, and concluded with a virtual public scoping meeting on October 26, 2020.

The City prepared the original Draft EIR and circulated that draft for an extended 60-day public review and comment period starting October 15, 2021 through December 14, 2021. The City received eight (8) comment letters from interested parties during that process. The comment letters were from:

1. San Joaquin County Department of Environmental Health related to compliance with County standards;
2. Blum Colling & Ho Law Firm, representing the Golden State Environmental Justice Alliance, commenting on flaws within the EIR related to multiple sections including, but not limited to, biological resources, greenhouse gases, and transportation;
3. San Joaquin Valley Air Pollution Control District related to Project compliance with their standards;
4. Sierra Club, Delta-Sierra Group, commenting on flaws within the EIR related to multiple sections including, but not limited to, community involvement, proposed mitigation measures, and agricultural resources;
5. California Air Resources Board related to Project compliance with their standards;
6. California Attorney General's Office related to Warehouse Projects and Best Practices and Mitigation Measures;
7. Lozeau Drury Law Firm representing the Laborers International Union of North America, Local 73, and the Projects noticing requirements; and
8. Central Valley Regional Water Quality Control Board related to Project compliance with their standards.

The Notice of Preparation for the recirculation of the EIR was distributed to the public on August 29, 2024, and included a 30-day comment period that ran from August 30, 2024 through September 30, 2024. A scoping meeting was also held on September 24, 2024.

The City prepared the *recirculated* Draft EIR and circulated that draft for a 45-day public review period for the Draft EIR commenced on December 27, 2024, and ended on February 10, 2025. The City received nine (9) comment letters from interested parties during that process. The comment letters were from:

1. San Joaquin County Department of Environmental Health related to compliance with County standards;
2. Advocates for the Environment related to greenhouse gases;
3. SJCOG related to Project compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP);
4. California Department of Transportation related to CalTrans standards and coordination of documents;
5. California Department of Conservation related to onsite wells and removal practices;

6. Mitchell M. Tsai Law Firm, representing the Carpenters Local Union #152 and requests using local workforce;
7. Blum Colling & Ho Law Firm, representing the Golden State environmental Justice Alliance, commenting on flaws within the EIR related to multiple sections including, but not limited to, biological resources, greenhouse gases, and transportation;
8. Central Valley Regional Water Quality Control Board related to Project compliance with their standards; and,
9. San Joaquin Valley Air Pollution Control District related to Project compliance with their standards.

The Final EIR has been prepared pursuant to the requirements of CEQA and the CEQA Guidelines, which culminates in the public review process of the environmental document, and includes all correspondence received to date, comments to any correspondence received, as well as the Notice of Availability posted at the San Joaquin County Clerk's office, the distribution list for the EIR public notices, the Notice of Completion, and other material related to the public review of the EIR.

Throughout the CEQA process, interested parties have been in communication with staff regarding status of the environmental documents and timing of the public hearing process. Staff has also received multiple public records requests for all documentation related to the project from multiple groups.

On June 5, 2025, the applicant hosted a virtual neighborhood meeting which was noticed to all property owners within 300' of the Project Site as well as other agencies that could have a potential interest in the Project, such as the California Army National Guard, SJCOG and San Joaquin County Airport. Two (2) members from the public attended and only requested to learn information about the Project.

Notice for the Planning Commission public hearing for this proposed project was published in The Record on August 22, 2025, and mailed notice was sent to all property owners within a 300-foot radius at least twenty (20) days prior to this meeting. As of the writing of this staff report, no written comments have been submitted.

Attachment A – Location Map and Aerial Photo
Attachment B – General Plan Land Use Map
Attachment C – Zoning Map
Attachment D – Draft EIR
Attachment E – Tentative Map

This staff report was prepared by Nicole D. Moore, Contract Planner, (209) 937-8266; Nicole.Moore.CTR@stocktonca.gov.

EXHIBIT 2

Carpenters Local 152 - City of Stockton - South Stockton Commerce Center - Project Status Inquiry

6 messages

Hind Baki <hind@mitchtsailaw.com>

Mon, May 5, 2025 at 5:13 PM

To: "Nicole Moore.Ctr" <nicole.moore.ctr@stocktonca.gov>, CDD - Planning <planning@stocktonca.gov>, Mitchell Tsai <mitch@mitchtsailaw.com>, Naira Soghatyan <naira@mitchtsailaw.com>, "Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>

Good afternoon,

Our Firm is checking in with you to see if you may have any tentative dates for public hearings later this year regarding the Recirculated DEIR for the South Stockton Commerce Center Project. We also wanted to confirm that our Firm is on the Advance Notice/Interested Parties List for the project (mitch@mitchtsailaw.com, naira@mitchtsailaw.com, and info@mitchtsailaw.com)

Our understanding is that the project will require a Tentative Map, a GPA and a rezone, and that Planning Commission and City Council hearings would be scheduled. Please advise if there is another entitlement or advisory body that will consider this project.

Thank you,
--Hind

Hind Baki

Paralegal

Mitchell M. Tsai Law Firm - *Environmental & Land Use Litigation*

139 South Hudson Avenue, Suite 200

Pasadena, CA 91101

Office: (626) 314-3821

Fax: (626) 389-5414

Email: hind@mitchtsailaw.com

Website: <https://www.mitchtsailaw.com>

****Please note that Hind Baki is out of office on Fridays; for any urgent matters, please contact info@mitchtsailaw.com****

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Hind Baki <hind@mitchtsailaw.com>

Wed, May 14, 2025 at 5:24 PM

To: "Nicole Moore.Ctr" <nicole.moore.ctr@stocktonca.gov>, CDD - Planning <planning@stocktonca.gov>, Mitchell Tsai <mitch@mitchtsailaw.com>, Naira Soghatyan <naira@mitchtsailaw.com>, "Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>, "stephanie.ocio@stocktonca.gov" <stephanie.ocio@stocktonca.gov>

Hello,

I am following up on this email.

Thank you,
--Hind

Hind Baki

Paralegal

Mitchell M. Tsai Law Firm - *Environmental & Land Use Litigation*
139 South Hudson Avenue, Suite 200
Pasadena, CA 91101
Office: (626) 314-3821
Fax: (626) 389-5414
Email: hind@mitchtsailaw.com
Website: <https://www.mitchtsailaw.com>

ATTACHMENT F

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[Quoted text hidden]

Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>

Thu, May 15, 2025 at 5:36 AM

To: Hind Baki <hind@mitchtsailaw.com>, CDD - Planning <planning@stocktonca.gov>, Mitchell Tsai <mitch@mitchtsailaw.com>, Naira Soghatyan <naira@mitchtsailaw.com>, "Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>, Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>

Good morning, Hind-

I'm sorry, but I never received the initial email. Can you forward the original to me so I can verify the email address was correct? It looks like it was cut out below.

In regard to the questions below, we have not tentatively scheduled the Planning Commission or City Council hearing for the South Stockton Commerce Center project at this time. These are the only two Review Authority's for the Project. It will not go to LAFCo.

The Project entitlements comprise a Tentative Map; CEQA Review, General Plan Amendment and Rezone.

Lastly, your firm is on our noticing list. We do not provide emailed notices, but a mailed notice will be sent to you.

Please let me know if you have any other questions,
Nicole



Nicole D. Mojica, LEED-AP

Contract Planner

Community Development Department

345 N. El Dorado Street, Stockton CA 95202

Office: 209.937.8444 Direct: 209.227.3138

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City Website <http://www.stocktonca.gov>



From: Hind Baki <hind@mitchtsailaw.com>

Sent: Wednesday, May 14, 2025 5:24 PM

To: Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>; CDD - Planning <planning@stocktonca.gov>; Mitchell Tsai <mitch@mitchtsailaw.com>; Naira Soghatyan <naira@mitchtsailaw.com>; Mitchell M. Tsai Attorney at Law, P.C. <info@mitchtsailaw.com>; Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>

Subject: Re: Carpenters Local 152 - City of Stockton - South Stockton Commerce Center - Project Status Inquiry

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

[Quoted text hidden]

Hind Baki <hind@mitchtsailaw.com>

Thu, May 15, 2025 at 3:56 PM

To: "Nicole Moore.Ctr" <Nicole.Moore.Ctr@stocktonca.gov>

Cc: CDD - Planning <planning@stocktonca.gov>, Mitchell Tsai <mitch@mitchtsailaw.com>, Naira Soghatyan <naira@mitchtsailaw.com>, "Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>, Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>

Thank you very much for this email Nicole, and for confirming that our Firm's address is on the Notification list. We appreciate having this update about the project.

And thank you for asking to verify the email addresses I sent the original email to (we'll also check with our IT staff, as this may be a problem on our end):

from: **Hind Baki** <hind@mitchtsailaw.com>
to: "Nicole Moore.Ctr" <nicole.moore.ctr@stocktonca.gov>,
CDD - Planning <planning@stocktonca.gov>,
Mitchell Tsai <mitch@mitchtsailaw.com>,
Naira Soghatyan <naira@mitchtsailaw.com>,
"Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>
date: May 5, 2025, 5:13 PM
subject: Carpenters Local 152 - City of Stockton - South Stockton Commerce Center - Project Status Inquiry
mailed- mitchtsailaw.com
by:

Best wishes,
--Hind

Hind Baki

Paralegal

Mitchell M. Tsai Law Firm - *Environmental & Land Use Litigation*

139 South Hudson Avenue, Suite 200

Pasadena, CA 91101

Office: (626) 314-3821

Fax: (626) 389-5414

Email: hind@mitchtsailaw.com

Website: <https://www.mitchtsailaw.com>

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[Quoted text hidden]

Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>

Fri, May 16, 2025 at 6:59 AM

To: Hind Baki <hind@mitchtsailaw.com>

Cc: CDD - Planning <planning@stocktonca.gov>, Mitchell Tsai <mitch@mitchtsailaw.com>, Naira Soghatyan <naira@mitchtsailaw.com>, "Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>, Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>

Good morning, Hind-

Those addresses all look "good" on my end, but it doesn't look like they made it to me. I even checked my spam/junk folder and did not see anything.

If you do not see a response from me when you send an email, please don't hesitate to send a follow up email or call! I try to always respond on the same day/by the next day if possible.

Have a great weekend-
Nicole



Nicole D. Mojica, LEED-AP

Contract Planner

Community Development Department

345 N. El Dorado Street, Stockton CA 95202

Office: 209.937.8444 Direct: 209.227.3138

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City Website <http://www.stocktonca.gov>



From: Hind Baki <hind@mitchtsailaw.com>

Sent: Thursday, May 15, 2025 3:56 PM

To: Nicole Moore.Ctr <Nicole.Moore.Ctr@stocktonca.gov>

Cc: CDD - Planning <planning@stocktonca.gov>; Mitchell Tsai <mitch@mitchtsailaw.com>; Naira Soghatyan <naira@mitchtsailaw.com>; Mitchell M. Tsai Attorney at Law, P.C. <info@mitchtsailaw.com>; Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>

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[Quoted text hidden]

Hind Baki <hind@mitchtsailaw.com>

Mon, May 19, 2025 at 11:59 AM

To: "Nicole Moore.Ctr" <Nicole.Moore.Ctr@stocktonca.gov>

Cc: CDD - Planning <planning@stocktonca.gov>, Mitchell Tsai <mitch@mitchtsailaw.com>, Naira Soghatyan <naira@mitchtsailaw.com>, "Mitchell M. Tsai Attorney at Law, P.C." <info@mitchtsailaw.com>, Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>

Hello Nicole,

Thank you very much for taking a look. Our IT staff is still looking things over on our end--the good news is it seems like whatever glitch happened has been resolved. I'll definitely reach out to you in the future in case a glitch like this happens again.

Thanks again,
--Hind

Hind Baki

Paralegal

Mitchell M. Tsai Law Firm - *Environmental & Land Use Litigation*

139 South Hudson Avenue, Suite 200

Pasadena, CA 91101

Office: (626) 314-3821

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