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March 9, 2022

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Via Email Only

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City of Sacramento Community Development Department
c/o David Hung, Associate Planner,
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Ron Bess, Associate Planner
City of Sacramento Community Development Department
Email: Rbess@cityofsacramento.org

Re: Agenda Item 1: Director Hearing – HP Hood Cold Storage Expansion Project (DR21-034; SCH No. 2021120483)

Dear Mr. Monighan, Mr. Hung and Mr. Bess:

We are writing on behalf of **Sacramento Residents for Responsible Development** (“Sacramento Residents”) to provide comments on Agenda Item 1: Director Hearing – HP Hood Cold Storage Expansion Project, including comments on the Staff Report and the City of Sacramento’s (“City”) responses to comments on the Initial Study/Mitigated Negative Declaration (“IS/MND”), Mitigation Monitoring Plan, and Site Plan and Design Review for the HP Hood Cold Storage Expansion Project, DR21-034 / SCH No. 2021120483 (“Project”) proposed by HP Hood, LLC (“Applicant”). These approvals will be considered at the March 10, 2022 City of Sacramento Director Hearing as Item 1 on the agenda.

The Project is proposed to be located at 8340 Belvedere Avenue (APN: 061-0140-071-000 and 061-0140-092-0000) in the City of Sacramento. The proposed Project consists of the new construction of a 94,400-square-foot cold storage facility and associated site improvements on the 27.15-acre existing light industrial project site. The proposed expansion building will include an automated storage and retrieval system (“AS/RS”) warehouse, low bay truck dock, additional truck dock expansion offices, employee and utility areas, blow molding expansion, and

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wastewater treatment. Proposed site improvements include an additional 41 covered car parking spaces, landscaping, and a new on-site access road between the parking lot expansion and Safeway Distribution Driveway to the north. The existing on-site fire pump, storage tank, and trash compactors will be relocated to alternative on-site locations to accommodate the new construction. The Project will require a deviation from current zoning building height requirements.

We received technical assistance from air quality and public health expert Dr. James Clark in preparation of these comments.¹

We previously submitted comments during the public comment period for the Project's IS/MND, which ran from Tuesday, December 21, 2021 through Thursday, January 20, 2022.² Our comments explained that an EIR is required because substantial evidence supports a fair argument that the Project may result in significant impacts. These impacts include potentially significant impacts to public health, air quality, energy, water supply, greenhouse gases ("GHGs"), biological resources, noise, transportation, and aesthetics. Our comments also identified significant informational defects in the IS/MND. These issues have not been remedied or adequately addressed in the City's Staff Report or responses to comments. For these reasons, Sacramento Residents urges the Director not to approve the IS/MND, Mitigation Monitoring Plan, and Site Plan and Design Review at the Director Hearing set for March 10, 2022. Sacramento Residents urges the Director to remand the IS/MND back to Staff to allow for preparation of a legally adequate EIR pursuant to CEQA.

I. STATEMENT OF INTEREST

Sacramento Residents is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental and public service impacts of the Project. Sacramento Residents includes the International Brotherhood of Electrical Workers Local 340, Plumbers & Steamfitters Local 447, Sprinkler Fitters Local 669, the District Council of Ironworkers and their members and their families; and other individuals that live and/or work in the City of Sacramento and Sacramento County.

¹ Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.

² Notice of Availability/Intent to Adopt – Mitigated Negative Declaration for the HP Hood Cold Storage Expansion Project (DR21-034), Pg. 1.
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Individual members of Sacramento Residents live, work, recreate, and raise their families in the City and in the surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist on site.

In addition, Sacramento Residents has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for businesses and industries to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. THE STAFF REPORT STILL FAILS TO PROVIDE INFORMATION ABOUT THE BLOW MOLDING EXPANSION

In our initial comments, we explained that the IS/MND fails to provide information necessary to understand the impacts associated with the Project's blow molding operations. Specifically, the IS/MND states that the Project will include a blow molding expansion, but does not provide further information about the expansion's scope or impacts. We also commented that "there is no indication that blow molding activities have been contemplated in any of the IS/MND's environmental analyses." For instance, there remains no evidence that blow molding was included in the modeling parameters in the IS/MND's Air Quality and Greenhouse Gas Analysis. Our comments explained that failing to include the blow molding expansion in the IS/MND's modeling could mask environmental impacts. As a result, the Project description is inadequate.

The City's response fails to provide the necessary information regarding the blow molding expansion.³ The City's response merely identifies sections of the IS/MND that allude to blow molding. But as stated in our initial comments, the IS/MND does not provide any information on blow molding other than it would be part of the Project. And the City still fails to provide evidence that blow molding

³ Response to Comments, pg. 46.
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was considered in the IS/MND's impacts analysis. As a result, the IS/MND still fails as an informational document.

III. THE PROJECT HAS POTENTIALLY SIGNIFICANT AND UNMITIGATED EMISSIONS IMPACTS

As stated above, the Project involves a blow molding expansion. Dr. Clark's comments identify environmental impacts of blow molding not disclosed in the IS/MND. He explains that toxic air contaminants ("TACs") are emitted by polyethylene processing (blow molding) operations.⁴ These TACs include formaldehyde, acrolein, acetaldehyde, acetone, and methyl ethyl ketone, which are known to the State of California to be possible carcinogens or reproductive toxins.

In *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* ("*Berkeley Jets*"), the Court of Appeal held that a CEQA document must analyze the impacts from human exposure to toxic substances.⁵ Here, the Project's operations may emit carcinogenic TACs, yet the IS/MND fails to disclose or mitigate these emissions. As a result, the Project's emissions have a potentially significant and unmitigated impact on public health. An EIR is required to analyze this impact.

IV. THE PROJECT HAS POTENTIALLY SIGNIFICANT AND UNMITIGATED BACKUP GENERATOR EMISSIONS

Our initial comments explained that the IS/MND fails to explain how the Project would handle power outages, and that the City must substantiate its claim that the Project would not use backup generators, which are a significant source of Diesel Particulate Matter ("DPM"). The City's response states that "[b]ackup generators are not necessary for the proposed project because the building would maintain temperature control long enough for goods to be located to other buildings on site, shipped to their ultimate destination, or be disposed of if necessary."⁶

Dr. Clark reviewed the Project's proposed operations and explains that the City's position is unrealistic.⁷ The Project is a cold storage warehouse and relies on an automated storage and retrieval system ("ASRS"). Without power, the Project

⁴ Clark Comments, pg. 5.

⁵ 91 Cal.App.4th at 1369–1371.

⁶ Response to Comments, pg. 44.

⁷ Clark Comments, pg. 2.

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will not be able to maintain refrigerated temperatures and the ASRS will have no utility in the movement of stored products onsite. The City claims that in the event of a loss of power, goods would be relocated from the facility, but it is unclear this is even possible when the ASRS is without power. Accordingly, the need for backup generators is reasonably foreseeable due to the frequency of Public Safety Power Shutoff (“PSPS”) events and extreme heat events (“EHEs”) in California.⁸ As a result, the City must analyze reasonably foreseeable backup generator impacts in an EIR.

Dr. Clark’s comments estimate the amount of DPM backup generators would have emitted during previous PSPS events, which can be up to 9.6 lbs per day.⁹ DPM impacts public health, and thus must be analyzed in a CEQA document.¹⁰ The City’s failure to analyze reasonably foreseeable DPM emissions must be remedied in an EIR.

V. CONCLUSION

For these reasons, Sacramento Residents urges the Director not to approve the IS/MND, Mitigation Monitoring Plan, and Site Plan and Design Review. We thank you for the opportunity to provide these comments.

Sincerely,



Aidan P. Marshall

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⁸ Clark Comments, pg. 2-3.

⁹ Clark Comments, pg. 4.

¹⁰ *Berkeley Jets*, *supra*, 91 Cal.App.4th at 1369–1371.

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