

September 17, 2024

Via Email and U.S. Mail

Stephanie Ocasio, Director
Community Development Department
City of Stockton
425 N. El Dorado St.
Stockton, CA 95202
Email: planning@stocktonca.gov

City Clerk
Office of the City Clerk
City of Stockton
425 N El Dorado St.
Stockton, CA 95202
Email: City.Clerk@stocktonca.gov

Via Email Only

Nicole Moore, Contract Planner
Email: Nicole.Moore.CTR@stocktonca.gov

Re: Public Records Act Request – South McKinley Avenue East Industrial Project (SCH No. 2024081317)

Dear Ms. Ocasio, City Clerk, and Ms. Moore:

We are writing on behalf of **San Joaquin Residents for Responsible Development** (“San Joaquin Residents”) to request a copy of any and all public records referring or related to the South McKinley Avenue East Industrial Project (SCH No. 2024081317) (“Project”) proposed by GO Industrial (“Applicant”). This request includes, but is not limited to, any and all file materials, applications, correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project.

This request is made pursuant to the **California Public Records Act** (Government Code §§ 7920.000, *et seq.*). This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a Constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

The proposed Project includes the construction of a 184,166-square foot industrial building for warehouse and office use. The site is currently vacant, previously agricultural, land in San Joaquin County within the sphere of influence of the City of Stockton, which would annex the site as part of the project approval. The site is located at 6505 South McKinley Avenue East. Regional access to the site is provided by Interstate 5 and State Route 99. (APN 193-02-034)

We request access to the above records in their original form, as maintained by the agency.¹ Pursuant to Government Code Section 7922.570, if the requested documents are in electronic format, please upload them to a file hosting program such as Dropbox, NextRequest or a similar program. Alternatively, if the electronic documents are 10 MB or less (or can be easily broken into sections of 10 MB or less), they may be emailed to me as attachments.

We will pay for any direct costs of duplication associated with filling this request up to \$200.² However, please contact me with a cost estimate before copying/scanning the materials.

Please use the following contact information for all correspondence:

U.S. Mail

Alex Stukan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

astukan@adamsbroadwell.com

If you have any questions, please call me at (650) 589-1660 or email me at the address above. Thank you for your assistance with this matter.

Sincerely,



Alex Stukan
Paralegal

AES:acp

¹ Gov. Code § 7922.570; *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161-62.

² Gov. Code §§ 7922.530, 7922.575; *North County Parents v. Dept. of Education* (1994) 23 Cal.App.4th 144; *County of Los Angeles v. Super. Ct.* (2000) 82 Cal.App.4th 819, 826.

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Nicole Moore, Contract Planner
Email: Nicole.Moore.CTR@stocktonca.gov

Re: Request for Immediate Access to Documents Referenced in the Mitigated Negative Declaration – South McKinley Avenue East Industrial Project (SCH No. 2024081317)

Dear Ms. Ocasio and Ms. Moore:

We are writing on behalf of **San Joaquin Residents for Responsible Development** (“San Joaquin Residents”) to request ***immediate access*** to any and all documents referenced, incorporated by reference, and relied upon in the Draft Mitigated Negative Declaration (“MND”) prepared for the South McKinley Avenue East Industrial Project (SCH No. 2024081317) (“Project”) proposed by GO Industrial (“Applicant”). *This request excludes a copy of the MND and its appendices. This request also excludes any documents that are currently available on the City of Stockton’s website as of today’s date.*¹

The proposed Project includes the construction of a 184,166-square foot industrial building for warehouse and office use. The site is currently vacant, previously agricultural, land in San Joaquin County within the sphere of influence of the City of Stockton, which would annex the site as part of the project approval.

¹ Accessed

https://www.stocktonca.gov/business/planning_engineering/other_projects_environmental.php#collapse1930b21 on September 16, 2024.

The site is located at 6505 South McKinley Avenue East. Regional access to the site is provided by Interstate 5 and State Route 99. (APN 193-02-034)

Our request for ***immediate access*** to all documents referenced in the MND is made pursuant to the California Environmental Quality Act (“CEQA”), which requires that all documents referenced, incorporated by reference, and relied upon in an environmental review document be made available to the public for the entire comment period.²

If the requested documents are in electronic format, please upload them to a file hosting program such as Dropbox, NextRequest or a similar program. Alternatively, if the electronic documents are 10 MB or less (or can be easily broken into sections of 10 MB or less), they may be emailed as attachments. We will pay for any direct costs of duplication associated with filling this request up to \$200. However, please contact me with a cost estimate before copying/scanning the materials.

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If you have any questions, please call me at (650) 589-1660 or email me at the address above. Thank you for your assistance with this matter.

Sincerely,



Alex Stukan
Paralegal

AES:acp

² See Public Resources Code § 21092(b)(1) (stating that “all documents referenced in the... negative declaration” shall be made “available for review”); 14 Cal. Code Reg. § 15072(g)(4) (stating that all documents incorporated by reference in the MND . . . shall be readily accessible to the public”); see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442, as modified (Apr. 18, 2007) (EIR must transparently incorporate and describe the reference materials relied on in its analysis); *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 (“[W]hatever is required to be considered in an EIR must be in that formal report. . .”), internal citations omitted.