

SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION

RECOMMENDATIONS FOR RESPONSIBLE AGENCY ACTION
PURSUANT TO CEQA GUIDELINES SECTION 15096

PROPOSED ANNEXATION TO COUNTY SERVICE AREA #17
INSURANCE AUTO AUCTION PROJECT
3263 East Cherokee Road, Stockton, CA

APPROVED BY SAN JOAQUIN COUNTY BOARD OF SUPERVISORS
NOVEMBER 23, 2020
COUNTY APPLICATION NO. PA-1900197 (SA)

FEBRUARY 2021

Prepared for:
SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
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1.0 INTRODUCTION

1.1 PURPOSE AND OBJECTIVES

The Insurance Auto Auction (IAA) Project involves development of a processing and storage yard for automobiles acquired and sold at auction by insurance companies as a part of their claims processing activity. Vehicle inventory would be received at the site and then shipped to sellers by truck. The project will operate from 8:00 AM to 5:00 PM Monday through Friday with 50 employees. Vehicle deliveries will take place from 5:00 PM to 8:00 AM seven days per week. The project requires annexation to County Service Area 17 in order to obtain maintenance services for project-related storm drainage, street lighting and fire hydrants.

Development of the project was approved by the County Board of Supervisors in November 2020 after adopting a Mitigated Negative Declaration under the California Environmental Quality Act (CEQA). As required by the project conditions of approval, the County has petitioned the San Joaquin Local Agency Formation Commission (LAFCo) to approve the proposed annexation. The IAA Project is a “project” as defined by the California Environmental Quality Act (CEQA) and requires environmental review pursuant to the State CEQA Guidelines.

LAFCo is a Responsible Agency for the project as defined by CEQA and is responsible for CEQA compliance in connection with its review of the proposed annexation. LAFCo’s duties as a Responsible Agency are defined in CEQA Guidelines §15096 (Appendix, summarized in Section 1.2).

1.2 CEQA GUIDELINES SECTION 15096, PROCESS FOR A RESPONSIBLE AGENCY

In accordance with CEQA Guidelines §15096, LAFCo must consider the Lead Agency’s environmental document and use the document in its approval decision. The Lead Agency’s document may be augmented with other available information, or the Responsible Agency may prepare a new CEQA document pursuant to the requirements of §15096. In the case of the IAA project, LAFCo staff have determined that the County’s adopted 2020 IS/MND is generally adequate for the purposes of processing the proposed annexation but recommend a minor addition to the project description.

As discussed in more detail below, the IAA project has not been subject to any changes in circumstances or changes in available information that may be relevant to fulfillment of LAFCo’s environmental responsibilities. The proposed project would not involve any new or substantially more severe environmental effects than were defined in the County’s adopted 2020 IS/MND. The specific requirements of CEQA Guidelines §15096 are displayed in the Appendix to this report.

2.0 REVIEW OF THE COUNTY'S ADOPTED IS/MND

2.1 THE PROPOSED IAA PROJECT

The project involves development of a processing and storage yard for automobiles acquired and sold at auction by insurance companies as a part of their claims processing activity. Inventory would be received at and shipped to sellers by truck from the site. The project will operate from 8:00 AM to 5:00 PM Monday through Friday with 50 employees. Vehicle deliveries will take place from 5:00 PM to 8:00 AM seven days per week.

The project is located in the eastern portion of the Stockton metropolitan area in unincorporated San Joaquin County as shown in the attached figures. The 139.8-acre site, APN 132-070-10, is located at 3263 East Cherokee Road, northwest of the intersection of Cherokee Road and Newton Road. The site is shown on the U.S. Geological Survey Stockton West, California, 7.5-minute quadrangle map within portions of Sections 41, 42, 52 and 53 of the C.M. Weber Grant, Township 2 North, Ranges 6 East and 7 East, MDBM. The approximate latitude and longitude of the project site are 37° 59' 32" N and 121° 15' 38" W.

The proposed project is consistent with the existing County General Plan designation and zoning of Industrial. The County Board of Supervisors approved the project on November 23, 2020 after adopting a Mitigated Negative Declaration under CEQA. A Notice of Determination was filed with the San Joaquin County Clerk/Recorder on November 23, 2020. The County's Site Approval and associated Conditions of Approval require the project to comply with applicable requirements of the County Development Code (Title 9) and with all adopted building codes, including CALGREEN.

The project site would be developed to provide approximately 10,128 vehicle storage stalls, which would be arranged in rows separated by access aisles. Parking stalls would be arranged in 78' and 54' wide "six-pack and "four-pack" configurations as illustrated on Detail #1 of the Site Plan. The elevation of the proposed storage area will be raised to above the 100-year flood base elevation using fill material excavated from the adjacent storm water basin. Depth of fill would range from one to three feet.

A vehicle processing center at the intersection of Cherokee Road and Newton Road would provide loading and unloading areas for vehicle delivery and pickup, a 5,088 SF warehouse, which would be used for auction activities, and a 9,750 SF office and 74 employee/visitor parking stalls. Vehicles transported to the site would be stored on-site until sold via internet auction and then transported off the site to various buyer locations by truck. An approximately 20-acre area west of the vehicle storage area would be developed as a storm water retention basin. Domestic water service to the project would be provided from existing 12" Cal Water mains adjacent to the site in Cherokee and Newton Roads. Sewage collection and disposal would be provided by the City of Stockton as provided in an Out of Area Agreement that has been submitted to San Joaquin LAFCo

for approval. The project requires annexation to County Service Area 17 in order to obtain maintenance services for project-related storm drainage, street lighting and fire hydrants.

2.2 SAN JOAQUIN COUNTY ADOPTED IS/MND

The County's adopted IS/MND described the project, the project's potential environmental effects and mitigation measures needed to reduce potential environmental effects to a less than significant level. Mitigation measures included in the County's 2020 Adopted IS/MND were attached to the project as Conditions of Approval. The adopted IS/MND is organized in accordance with the CEQA Guidelines Appendix G, Environmental Checklist. The adopted IS/MND identified several potentially significant environmental impacts that would each be reduced to a less than significant level with mitigation measures. These impacts and adopted mitigation measures are and will remain applicable to the project and will be implemented by the County in its review and approval of improvement plans for site development and offsite improvements are submitted for County review and approval. The project CEQA determination, implementation of required mitigation measures and determination of the project's compliance with required Conditions of Approval is the responsibility of San Joaquin County.

In its review of the adopted IS/MND, LAFCo staff identified one area of potential environmental impact that would benefit from additional definition. Biological Resource issues were addressed in detail in Section IV of the adopted IS/MND and were found to be less than significant with mitigation incorporated. The adopted IS/MND includes biological resource mitigation measures, including conformance with the San Joaquin County Habitat Multi-Species Conservation and Open Space Plan (SJMSCP) that would itself require special-status species surveys and a variety of other biological resource protection measures. The primary means for biological resource mitigation is participation in the SJMSCP.

The SJMSCP does not govern potential impacts on removal of oak trees. The project site includes numerous oak trees within the area proposed for development. Section IV(e) of the IS/MND addresses the potential loss of oak trees resulting from the project by requiring conformance with the County Development Title:

The project site is not expected to interfere with local policies protecting biological resources because the applicant will be required to comply with the County's policy, under Development Title Section 9-1505.3, regarding protecting Native Oak Trees, Heritage Oak Trees, or Historical Trees. There are currently 47 Oak Trees on the property, the project will be conditioned to protect and/or provide for replacement of all trees. In this way any impact to protected biological resources will be reduced to less than significant.

This statement is implemented in project Condition of Approval 1(j).

The proposed project would require potential removal of several oak trees of Heritage size. Removal of such trees is governed by the San Joaquin County Development Title (9-1505), and conformance with the Title is required by Condition of Approval 1(j). LAFCo staff's recommendation is that a Tree Preservation Plan for the project be prepared to provide specific guidance as to how tree preservation efforts will be accomplished in conjunction with project construction. A Tree Preservation Plan has been prepared by the project applicant and submitted to LAFCo for review and approval. The Tree Preservation Plan provides additional definition as to how Development Title 9-1505 should be implemented. The Plan does not add to, replace, modify or supersede the requirements of the Development Title. The Plan has been prepared and on approval will be implemented as a part of the County's review and approval of site improvement plans in accordance with the project Conditions of Approval. Recommendations for LAFCo action with respect to the Plan in conjunction with LAFCo's review and decision-making on the proposed annexation are detailed in Section 3.0.

The oak tree preservation requirements of the Development Title are attached to the project as Conditions of Approval, but these are not by definition "mitigation measures" required under CEQA. Rather they are applicable to all development activities and are a part of the existing regulatory environment that is applicable to the project. These requirements do, however, accomplish the objectives of CEQA in that they are designed to and will reduce the potential environmental effects of the project.

2.3 ADEQUACY OF THE ADOPTED 2020 IS/MND FOR LAFCo PURPOSES

Based on LAFCo staff analysis of the adopted 2020 IS/MND by, coupled with inclusion of the proposed Tree Preservation Plan in the proposed project, staff believe that the adopted IS/MND is adequate for the purposes of San Joaquin LAFCo's review of the proposed annexation to CSA 17 as a Responsible Agency under CEQA. The proposed annexation request does not require further environmental review under CEQA.

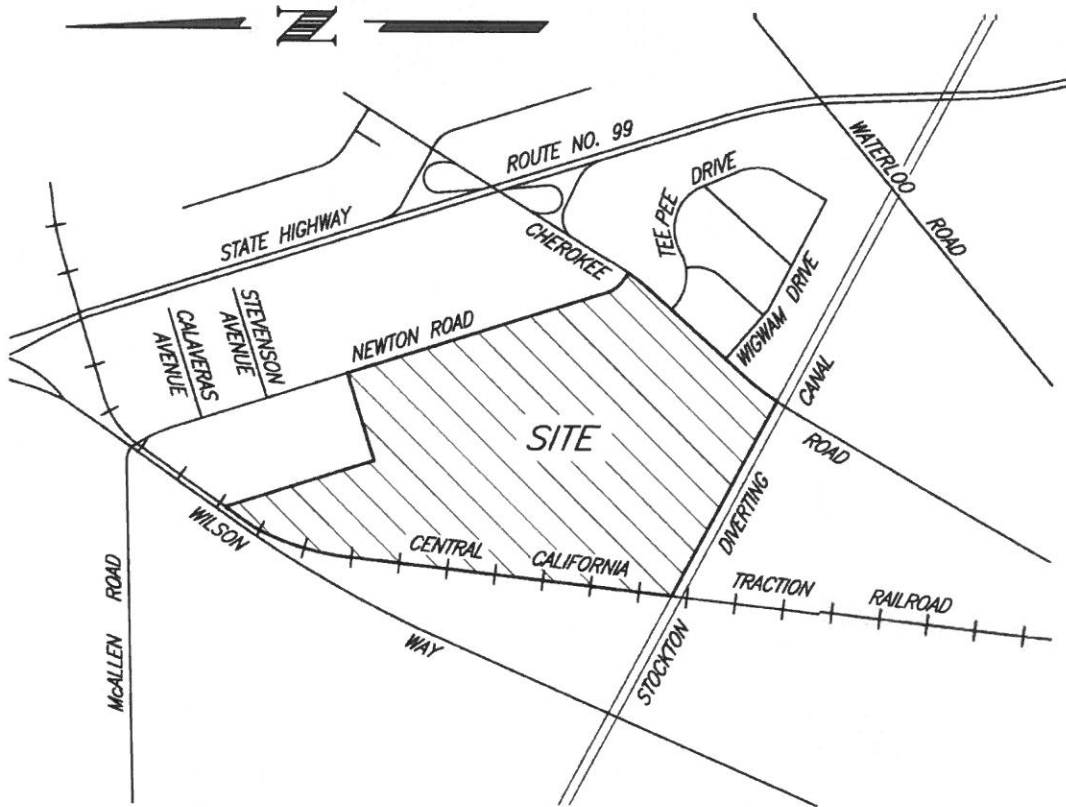
There have been no changes in circumstances surrounding the project, and no changes in the project, that would change the potentially significant environmental effects of the project as identified in the adopted IS/MND. More specifically, the proposed project would not involve any new significant environmental effects, result in a substantial increase in the severity of any significant environmental effects or require additional mitigation measures than were described in the adopted IS/MND. The proposed Tree Preservation Plan provides additional specificity as to the implementation of the mitigation already adopted by the County. Therefore, the requirements of CEQA Guidelines §15162 and §15163 are not triggered, and no subsequent or supplemental environmental document is required.

3.0 RECOMMENDED LAFCo CEQA ACTIONS

LAFCo has responsibility for CEQA compliance as a Responsible Agency in connection with its review of the IAA annexation to CSA 17. LAFCo's duties as a Responsible Agency are defined in CEQA Guidelines §15096. In accordance with §15096, LAFCo must consider the Lead Agency's environmental document and use the document for its project decision in conjunction with other available information or prepare a new CEQA document pursuant to the requirements of §15096. LAFCo is permitted to consider additional mitigation measures under §15096.

LAFCo staff have evaluated the adequacy of the County's 2020 IS/MND for LAFCo's use in processing the proposed annexation and considers it adequate for that purpose. Staff have recommended that a Tree Preservation Plan be included in the project that would contribute to project compliance with County Development Title 9-1505 requirements related to oak tree removal. Based on this information BaseCamp Environmental has prepared the following recommendations for further action by LAFCo with regard to CEQA processing of the project.

1. LAFCo should accept and approve the Tree Preservation Plan submitted by the project applicant. On approval of the proposed annexation, LAFCo shall convey notice of its approval of the Tree Preservation Plan, require that County decision-makers implement the Plan in their review and approval of project improvement plans and amend the mitigation monitoring report to include the Tree Preservation Plan.
2. LAFCo should determine that, with the proposed change to the project incorporating the Tree Preservation Plan, the adopted IS/MND is considered adequate for its use and sufficient to meet its obligations as a Responsible Agency under CEQA.
3. LAFCo should determine that preparation of a subsequent or supplemental document is not warranted under CEQA Guidelines §15162 or §15163, because there have been no substantial changes in the project, no substantial changes in the project's circumstances or new information of substantial importance that require major revisions to the adopted Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously-identified significant effects.



VICINITY MAP

NO SCALE

FIGURE 2
VICINITY MAP

INSURANCE AUTO AUCTION, INC.
LAFCo ANNEXATION TO CSA-17
 VICINITY MAP EXHIBIT

ASSESSOR'S PARCEL NUMBER:	ACREAGE:	DATE:	FIGURE NO.
132-070-10	139.801±	01/28/21	X



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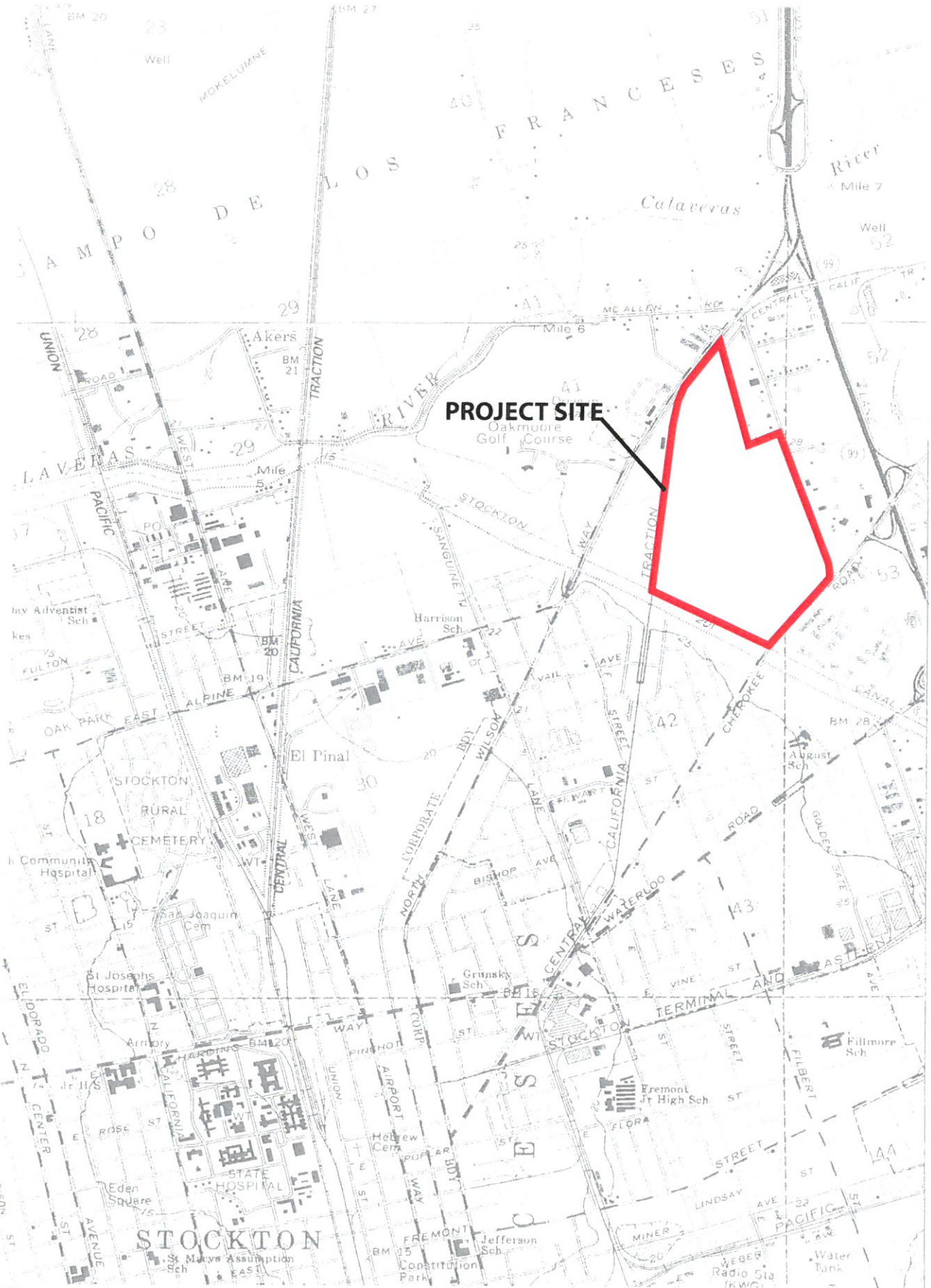




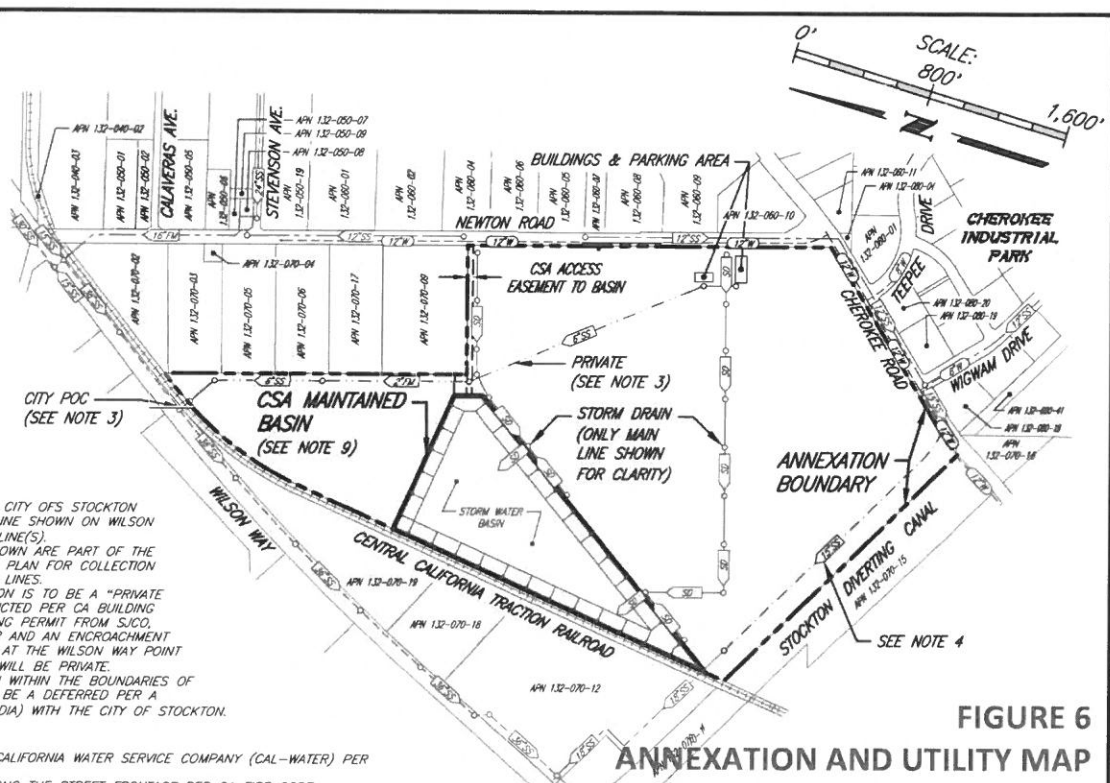
FIGURE 4
AERIAL PHOTO MAP



SOURCE: San Joaquin County Assessor



**FIGURE 5
ASSESSOR'S PARCEL MAP**



NOTES:

SANITARY SEWER:

1. SANITARY SEWER IS PROVIDED BY THE CITY OF STOCKTON VIA COLLECTION SYSTEM NO. 9. THE LINE SHOWN ON WILSON WAY IS THE ONLY EXISTING SANITARY LINE(S).
2. ALL OTHER SANITARY SEWER LINES SHOWN ARE PART OF THE CITY OF STOCKTON APPROVED MASTER PLAN FOR COLLECTION SYSTEM NO. 9 AND ARE FUTURE PIPE LINES.
3. THE ONSITE SEWER LINE SHOWN HEREON IS TO BE A "PRIVATE SEWER LINE" DESIGNED AND CONSTRUCTED PER CA BUILDING CODE REQUIREMENTS UNDER A BUILDING PERMIT FROM S.J.C.O. A PERMIT TO CROSS UNDER THE CTRR AND AN ENCROACHMENT PERMIT FROM THE CITY OF STOCKTON AT THE WILSON WAY POINT OF CONNECTION (POC). MAINTENANCE WILL BE PRIVATE.
4. THE 15" SANITARY SEWER LINE SHOWN WITHIN THE BOUNDARIES OF THE PROPOSED CSA ANNEXATION WILL BE A DEFERRED PER A DEFERRED IMPROVEMENT AGREEMENT (DIA) WITH THE CITY OF STOCKTON.

WATER NOTES:

5. ONSITE WATER WILL BE PROVIDED BY CALIFORNIA WATER SERVICE COMPANY (CAL-WATER) PER WILL SERVE LETTER.
6. FIRE HYDRANTS WILL BE PROVIDED ALONG THE STREET FRONTAGE PER CA FIRE CODE REQUIREMENTS, WATERLOO-MORADA FIRE DISTRICT & S.J.C.O. FIRE WARDEN AND MAINTAINED BY THE CSA.
7. ACTUAL DESIGN FOR THE SITE POINT OF CONNECTION(S) IS PROVIDED BY CAL-WATER AT THE TIME OF PERMIT DESIGN(S).

STORM DRAINAGE:

8. STORM DRAINAGE TO BE DESIGNED AND CONSTRUCTED PER SAN JOAQUIN COUNTY STANDARDS & SPECIFICATIONS.
9. THE RETENTION BASIN, ACCESS RD. & ASSOCIATED APPURTENANCES INSIDE THE BASIN BOUNDARY WILL BE MAINTAINED BY THE CSA. ALL OTHER ONSITE IMPROVEMENTS TO BE PRIVATELY MAINTAINED. NO CHANGE TO MAINTENANCE OF DRAINAGE IMPROVEMENTS ALONG THE FRONTAGE IN THE COUNTY RIGHTS-OF-WAYS.
10. ONSITE STORM DRAIN PIPE NETWORK TO BE PRIVATELY MAINTAINED.

STREET LIGHTING:

11. STREET LIGHTING ALONG THE PUBLIC RIGHTS-OF-WAYS WILL BE MAINTAINED BY THE CSA.
12. ALL ONSITE LIGHTING SHALL CONFORM TO S.J.C.O. DEVELOPMENT TITLE REQUIREMENTS AND BE PART OF THE BUILDING PERMIT. ALL MAINTENANCE WILL BE PRIVATELY MAINTAINED.

**FIGURE 6
ANNEXATION AND UTILITY MAP**

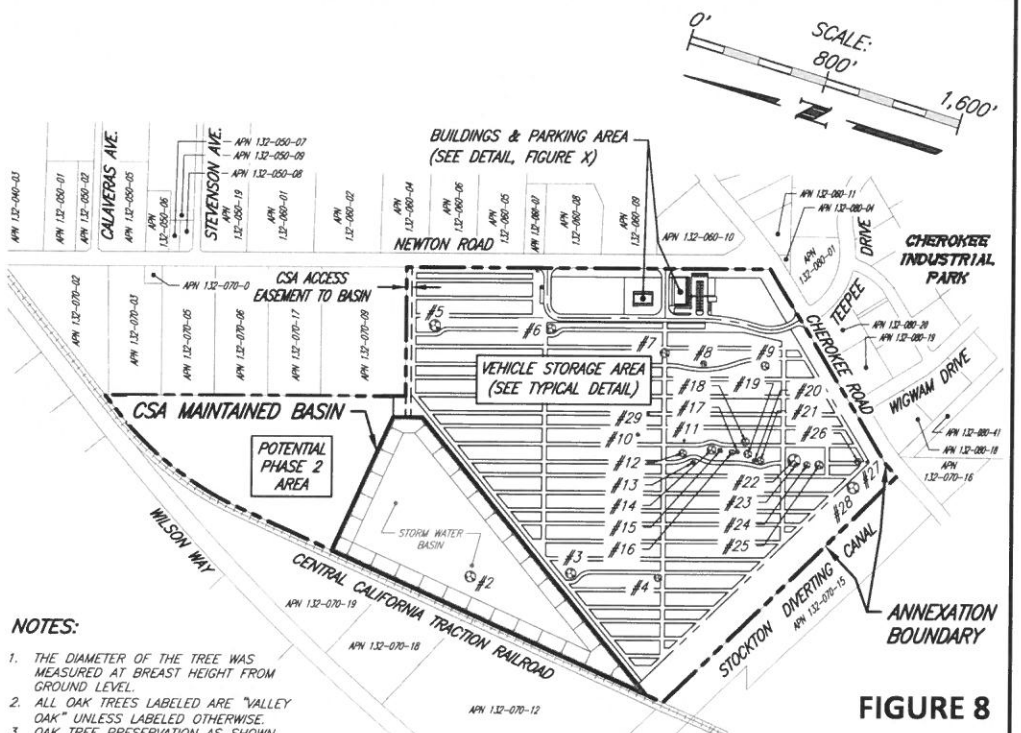
INSURANCE AUTO AUCTION, INC.
LAFCO ANNEXATION TO CSA-17
 SANITARY SEWER, STORM DRAIN & WATER EXHIBIT

ASSESSOR'S PARCEL NUMBER: 132-070-10	ACREAGE: 139.801±	DATE: 01/28/21	FIGURE NO. X
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TREE TABLE

TREE	TREE SIZE & DESCRIPTION	REMARKS
#2	60" OAK	REMOVE
#3	58" OAK	PRESERVE
#4	40" OAK (BURNT)	REMOVE
#5	62" OAK	PRESERVE
#6	48" OAK	PRESERVE
#7	50" OAK	REMOVE
#8	30" OAK	PRESERVE
#9	45" OAK	PRESERVE
#10	18" OAK	REMOVE
#11	30" PALM (BURNT)	REMOVE
#12	40" OAK (BURNT)	REMOVE
#13	24" OAK	PRESERVE
#14	48" OAK	PRESERVE
#15	24" OAK	PRESERVE
#16	30" OAK	PRESERVE
#17	21" OAK	PRESERVE
#18	42" OAK	REMOVE
#19	42" OAK	PRESERVE
#20	20" OAK	PRESERVE
#21	36" OAK	PRESERVE
#22	70" OAK	PRESERVE
#23	17" OAK	PRESERVE
#24	36" OAK	PRESERVE
#25	46" OAK	PRESERVE
#26	34" OAK	REMAIN
#27	8" OAK	REMOVE
#28	66" OAK	REMAIN
#29	12" OAK	REMOVE



NOTES:

1. THE DIAMETER OF THE TREE WAS MEASURED AT BREST HEIGHT FROM GROUND LEVEL.
2. ALL OAK TREES LABELED ARE "VALLEY OAK" UNLESS LABELED OTHERWISE.
3. OAK TREE PRESERVATION AS SHOWN REPRESENTS A METHOD OF PRESERVATION WITHOUT RETAINING AND MEETS THE COUNTY DEVELOPMENT TITLE 9-1505. OTHER METHODS OF PRESERVATION ARE ACCEPTABLE BUT ARE REQUIRED TO MEET COUNTY DEVELOPMENT TITLE CODE.
4. FOR ADDITIONAL INFORMATION ON THE EXISTING TREES AROUND THE PERIMETER OF THE DEVELOPMENT, SEE SHEET 4 (EXISTING TREE TOPOGRAPHICAL MAP) ON THE APPROVED SITE APPROVAL (SA) PA 1900197, APPROVED SAN JOAQUIN COUNTY NOVEMBER 23, 2020.
5. TREES REQUIRED TO BE REMOVED ALONG NEWTON ROAD AND CHEROKEE ROAD FOR WIDENING ARE SUBJECT TO THE TREE PRESERVATION CODE. DEVELOPMENT TITLE 9-1505. HOWEVER CHEROKEE ROAD IMPROVEMENTS ARE PLANNED TO BE DEFERRED AND TREES TO BE REMOVED ARE TO BE SUBJECT TO THE TREE PRESERVATION CODE AT THE TIME OF IMPROVEMENTS.
6. THE EXISTING TREE #26 HAS AN EXISTING ADJACENT GROUND ELEVATION OF 30.0± AND IS TO BE PROTECTED IN PLACE PER SAN JOAQUIN COUNTY REQUIREMENTS.
7. TREES ALONG THE PERIMETER OF DEVELOPMENT NOT SHOWN FOR CLARITY.

**FIGURE 8
TREE PRESERVATION PLAN**

**INSURANCE AUTO AUCTION, INC.
LAFco ANNEXATION TO CSA-17
TREE PRESERVATION EXHIBIT**

ASSESSOR'S PARCEL NUMBER: 132-070-10	ACREAGE: 139.801±	DATE: 02/03/21	FIGURE NO. X
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