APPENDIX RTC-1

DEPARTMENT OF TRANSPORTATION
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Making Conservation a California Way of Life.

February 22, 2019

GTS# 03-SAC-2017-00370
SCH#: 2014062087

Todd Smith
Principal Planner
Office of Planning and Environmental
Sacramento County
827 Seventh Street, Room 225
Sacramento, CA 95814

Mather South Community Master Plan – Draft Environmental Impact Report (DEIR)

Dear Mr. Smith:

Thank you for including the California Department of Transportation (Caltrans) in the application review for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to the California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/heath. We provide these comments consistent with the state's mobility goals that support a vibrant economy and build communities.

The Mather South Project is located along the State Route 16 (SR 16) corridor, also known as Jackson Road, in the Cordova community of Sacramento County. It is approximately 10 miles east of downtown Sacramento and would result in up to 3,522 residential dwelling units of various densities (multi-family, detached, and attached single-family), a 28-acre environmental education campus including 200 multi-family dwelling units, a 21-acre research and development park, two elementary schools, a 6-acre community center, 21 acres of commercial-retail with up to 225,000 square feet (sf) of retail space, 44-acres of parkland including 26 acres of neighborhood parks and a 17-acre community park, and 157-acres of open space areas that include natural preserves and drainage corridors, stormwater quality and detention basins, landscape buffers, and public utility corridors all connected by multi-use pedestrian and bicycle trails.

The project would convert 848-acres of vernal pool grassland to mixed-use residential, commercial, and educational development, and set aside 53-acres as a part of the Mather Preserve. The project includes requests to change the General Plan to accommodate the proposed land uses, adopt the Mather South Community Master Plan, and modify the Mather Field Special

Planning Area Ordinance to incorporate design guidelines and development standards. Based on the DEIR received, Caltrans provides the following comments:

Traffic Operations/Forecasting

- SR 16 (Jackson Corridor) Projects – Please show Future Cumulative Traffic Impact and Future Cumulative Traffic Conditions. The DEIR on pages 17-1 and 17-2, under Jackson Corridor Projects, takes four master plans into consideration: West Jackson Highway Master Plan, Jackson Township Specific Plan, Newbridge Specific Plan, and Mather South Community Master Plan. In addition, Caltrans recommends including the following projects in the future cumulative analyses because of the significant amount of traffic generated from these projects that will impact US Route 50 (US 50) and SR 16:
    - The Cordova Hills – located on the east side of Grant Line Road and north of Kiefer Boulevard.
    - The Ranch – located on the east of Sunrise Boulevard, west of Grant Line Road, north of Kiefer Boulevard, and south of Douglas Road.
    - The Preserve – located north of Douglas Road and west of Grant Line Road.
    - The Grantline 220 Subdivision – located west of Grant Line Road and south of Douglas Boulevard.
    - Mather South Community Project – located in Sacramento County, east of Sunrise Boulevard and north of Kiefer Boulevard.

- The DEIR, on pages 17-63, show an average of 21.9 Vehicle Miles Traveled (VMT) per capital per day, which is higher than the predicted 18.6 VMT per capital average per day for the region. On Plate TR-11: Mather South Project Transit Network, transit will only go to the Sunrise Light Rail Station. To help reduce VMT, we recommend additional bus routes to and from the project connecting to the Zinfandel and/or Mather Light Rail Stations, as well as other light rail stations along Folsom Boulevard and US 50.

- Trip Generation Table – Please include peak hour trips and daily trips for each individual land use. For a more accurate trip generation, please provide the number of students for the two elementary schools, and please be specific as the type of retail.

- Existing Peak Hour Volume – The trip distribution from existing conditions plus the Mather South Community Master Plan shows that an approximate 45% of the trips generated will affect US 50. Caltrans estimates that percentage to be about 10-15% less than expected. Please provide your methodology for approximating the 45% trip generations to US 50.

- Amador County Impacts – Please work with the Sacramento Area Council of Governments and other lead agencies to coordinate on signal coordination, incident management and travel demand management along roadways, transit and active transportation on SR 16. This includes park and ride facilities and coordinating with Amador Transit Commuter with planned Bus Rapid Transit to reduce single occupancy vehicles and VMT.

Relinquishment

Because the Mather South Community Master Plan area is directly adjacent to the West Jackson Highway Master Plan Area, Jackson Township and Newbridge, Caltrans has entered discussions with the County of Sacramento and the City of Rancho Cordova to relinquish SR 16 between Watt Avenue and Grant Line Road. Should the relinquishment occur, and the County take ownership of this facility, then Caltrans will have no approval role on any or all modifications to the segment relinquished to the County. However, should relinquishment not occur, or occur after construction of the Mather South Community Master Plan, Caltrans cannot approve any design changes that would not comply with the design standards set forth by the Highway Design Manual, and cannot approve facility modifications that are incompatible with the SR 16 Transportation Concept Report.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Stuart Mori, Intergovernmental Review Coordinator for the County of Sacramento by phone (530) 634-7606 or via email to stuart.mori@dot.ca.gov.

Sincerely,

Alex Fong, Branch Chief
Office of Transportation Planning
Regional Planning Branch – South

CC: State Clearinghouse

REGIONALSAN
TAKING THE WASTE OUT OF WATER
Sacramento Regional County Sanitation District

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www.regionalsan.com

Printed on Recycled Paper

January 16, 2019

Mr. Todd Smith
Planning and Environmental Review Division
827 7th Street, Room 225A
Sacramento, California, 95814

Subject: Comments Regarding the Notice of Preparation of Draft Environmental Impact Report for the Mather South Community Master Plan (PLNP 2013-00065)

Dear Mr. Smith,

Both the Sacramento Regional County Sanitation District (Regional San) and the Sacramento Area Sewer District (SASD) have reviewed the subject documents for the revised Notice Of Preparation of draft Environmental Impact Report for the Mather South Community Master Plan (PLNP2013-00065).

The comments sent in a letter dated July 8, 2014 are still valid but refers to the District's former website and updated below for your convenience:

Regional San and SASD are not land-use authorities. Regional San and SASD sewer systems are designed using predicted wastewater flows that are dependent on land use information provided by each land use authority. Projects identified within Regional San and SASD planning documents are based on growth projections provided by land-use authorities. Sewer studies, including points of connection and phasing information, will need to be completed to fully assess the impacts of any project that has the potential to increase existing or future flow demands. Onsite and offsite impacts associated with constructing sanitary sewers facilities to provide service to the subject project must be included in environmental impact reports.

The Regional San Board of Directors adopted the Interceptor Sequencing Study (ISS) in February 2013. The ISS updated the SRCSD Master Plan 2000 and can be found on the Regional San website at https://www.regionalsan.com/ISS. The most current SASD planning document, the 2010 System Capacity Plan Update (SCP) was approved by the

SASD Board of Directors in January 2012. The SCP can be found on the SASD website at https://www.sacsewer.com/standards-specifications.

Customers receiving service from Regional San and SASD are responsible for rates and fees outlined within the latest Regional San and SASD ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer and treatment facilities that serve new customers. The SASD ordinance is located on the SASD website at https://www.sacsewer.com/sewer-ordinance, and the Regional San ordinance is located on their website at https://www.regionalsan.com/ordinance.

The SRWTP provides secondary treatment using an activated sludge process. Incoming wastewater flows through mechanical bar screens through a primary sedimentation process. This allows most of the heavy organic solids to settle to the bottom of the tanks. These solids are later delivered to the digesters. Next, oxygen is added to the wastewater to grow naturally occurring microscopic organisms, which consume the organic particles in the wastewater. These organisms eventually settle on the bottom of the secondary clarifiers. Clean water pours off the top of these clarifiers and is chlorinated, removing any pathogens or other harmful organisms that may still exist. Chlorine disinfection occurs while the wastewater travels through a two-mile "outfall" pipeline to the Sacramento River, near the town of Freeport, California. Before entering the river, sulfur dioxide is added to neutralize the chlorine. The design of the SRWTP and collection system was balanced to have SRWTP facilities accommodate some of the wet weather flows while minimizing idle SRWTP facilities during dry weather. The SRWTP was designed to accommodate some wet weather flows while the storage basins and interceptors were designed to accommodate the remaining wet weather flows.

A NPDES Discharge Permit was issued to Regional San by the Central Valley Regional Water Quality Control Board (Water Board) in December 2010. In adopting the new Discharge Permit, the Water Board required Regional San to meet significantly more restrictive treatment levels over its current levels for ammonia, nitrate, and pathogens. The new treatment facilities for achieving the permit requirements must be completed by May 2021 for ammonia and nitrate and May 2023 for the pathogen requirements. In April 2016 the Water Board adopted a new NPDES Discharge Permit that continued the more restrictive treatment levels and deadlines for new treatment facilities for ammonia, nitrate, and pathogens.

Regional San currently owns and operates a 5-mgd Water Reclamation that has been producing and providing Title 22 tertiary recycled water since 2003 to select areas within the SRWTP property and the City of Elk Grove. The recycled water used in the City of Elk Grove is wholesaled by Regional San to the Sacramento County Water Agency (SCWA). SCWA retails the recycled water, primarily for landscape irrigation use, to recycled water customers in the City of Elk Grove. Although Regional San has evaluated at a high level the feasibility of using recycled water in the

Mather area, Regional San currently does not have any planned facilities that could provide recycled water to the proposed project or its vicinity. Additionally, Regional San is not a water purveyor and any potential use of recycled water in the project area must be coordinated between the key stakeholders, e.g. land use jurisdictions, water purveyors, users, and the recycled water producers.

If you have any questions regarding these comments, please contact me at 916-876-4002.

Sincerely,



Anne Tran, P.E.
Regional San/SASD
Policy and Planning

Cc: Regional San Development Services, SASD Development Services, Michael Meyer, and Dave Ocenosak

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

6111 Bollinger Canyon Road 3370A
San Ramon, CA 94583

January 28, 2019

Environmental Coordinator
Office of Planning and Environmental Review
827 7th St, Room 5
Sacramento, Ca 95814

Ref: Gas and Electric Transmission and Distribution

Whom It May Concern,

Thank you for submitting Mather South Community Master plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes,

service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for

proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

a fresh take.
RANCHO CORDOVA
CALIFORNIA

Letter 4

January 29, 2019

Mr. Todd Smith, Principal Planner
Sacramento County
Office of Planning and Environmental Review
827 7th Street
Sacramento, CA 95814

Subject: **Mather South EIR – Transportation Impact Report Mather Specific Plan Amendment**

Dear Mr. Smith:

The City of Rancho Cordova appreciates the opportunity to comment on the draft Environmental Impact report for the South Mather Specific Plan. As this project is directly adjacent to the City of Rancho Cordova, we are very interested in how we can logically coordinate our development efforts.

The City recently prepared our response to the NewBridge Specific Plan DEIR and would like to reiterate those comments via the attached letter dated September 20, 2018. As both of these projects are tiered off of a similar cumulative analysis with all four Jackson Corridor projects, the attached letter also applies to the Mather South Specific Plan.

We would also like to provide comments on the Existing Plus Project Scenario for the Transportation Impact Report Mather South Specific Plan Amendment.

With nearly 40 percent of the project's traffic passing through the Villages of Zinfandel on Zinfandel drive and another 14 percent of project traffic headed up Sunrise Boulevard, we are concerned with operations at the Highway 50 interchanges: Zinfandel Drive, Mather Field Road and Sunrise Boulevard. While the Transportation Impact Report does not identify existing plus project impacts at these interchanges, we feel that the analysis falls short of helping the City of Rancho Cordova understand how these operationally challenged interchanges will function when Mather South is built.

Secondly, we would like to have an understanding of how Sacramento County will participate on impacted roadway facilities that are jointly held by the City and the County. We are particularly interested in the timing of funding and improvements on the following impacted roadway segments and intersections.

- Sunrise Boulevard, Jackson Highway to Kiefer Boulevard
- Zinfandel Drive, south of the Villages of Zinfandel
- Happy Lane/ Old Placerville intersection, and
- Functionality improvements along White Rock Road and Grant Line Road (safety improvements and shoulders)

We look forward to your response on the broader issues described in our September 20, 2018 letter and hope to meet with you to discuss shorter term improvement strategies.

Sincerely,

Albert Stricker, P.E.
Director of Public Works
City of Rancho Cordova

September 20, 2018

Jessica Brandt, Lead Environmental Planner
Department of Community Development
Planning and Environmental Review Division
827 7th Street, Room 225
Sacramento, CA 95814

Subject: **City of Rancho Cordova's Comments on the NewBridge Specific Plan Draft Environmental Impact Report (County Control Number: PLNP2010-00081)**

Dear Ms. Brandt,

The City of Rancho Cordova appreciates the opportunity to comment on the Draft Environmental Impact Report for the NewBridge Specific Plan. We are very interested in this project due to its size and because of its location adjacent to The City.

General Thoughts

We recognize that this document is a Program EIR that will be used to support subsequent environmental analyses within the Specific Plan Area. We are also assuming that this effort will be used to support analyses for the other Jackson Corridor projects; Mather South, Jackson Township and West Jackson Highway.

The bulk of our comments relate to the Transportation Impact Report, Appendix TR-1. While our comments address the NewBridge project, we will also comment on transportation analysis scenarios that include all four Jackson Corridor projects.

The CEQA Cumulative scenario is a significant effort that attempts to envision circulation effects and transportation impacts in a future that builds communities supporting nearly 100,000 new homes south of Highway 50. This is an ambitious effort that attempts to avoid piece-meal evaluations so that we can have a clear vision of what could occur when all contemplated developments are built. The City of Rancho Cordova sees value in this analysis, but is concerned about the practicality of planning for developments that will take, at least, decades to build. The CEQA Cumulative vision is useful for planning, but the vision will likely change dramatically over the next century. We anticipate that new technology and changing social and economic realities will redirect development planning along Jackson Highway as these projects are further developed.

Parks and Recreation

The City believes that there are many benefits to providing adequate parks and reactional facilities for residents within a community. The NewBridge Specific Plan includes various neighborhood and community parks, as well as open space areas that provide an opportunity for pedestrian and bike pathways. Upon review of the NewBridge Specific Plan Public Facilities Financing Plan, park construction cost estimates were determined by utilizing the Cordova Recreation and Park District (CRPD) Impact Fee Nexus Study and funding for the park improvements will be through the payment of the CRPD impact fee. Adopting the CRPD Park Impact fee will ensure that a similar level of park and recreational facilities enjoyed by the residents of the City of Rancho Cordova will also be constructed for the residents of NewBridge.

Transportation

City/County Cost Sharing

In 2015 the County Board and City Council entered into an agreement to share transportation improvement costs associated with environmental impacts across jurisdictions. This agreement is based on the existing plus project scenarios associated with development projects in either jurisdiction. It is our intent to identify Jackson Corridor Development impacts within Rancho Cordova based on the Existing Plus 4 Projects scenario, and then to apply percentage cost shares for improvements based on travel use percentages identified in the CEQA Cumulative model.

The Mather Field Road/Rockingham and Highway 50 EB Ramps/Zinfandel intersections are impacted in the Existing Plus 4 Projects scenario and the EIR identifies these impacts as unavoidable. This is not a complete evaluation. Mitigations projects need to be identified for these impacts.

As a note we recognize that City and County General Plan build-out networks were considered for mitigation. The County has gone on to identify mitigations that go beyond the County General Plan build-out network. We would like to see similar analysis for City mitigations that go beyond the City's General Plan build-out network.

Joint Roadways *Boarder Roads managed by both the City and County*

Many impacts and mitigations identified in the "plus project" EIR scenarios fall on joint City/County facilities; Sunrise Boulevard, Jackson Highway, Bradshaw Road and Old Placerville Road. The City would like to create a mechanism to assure timely County participation on improvements to these facilities as the City moves forward with capital improvements on these roadways. We are requesting the initiation of an effort to move that process forward.

Existing Plus 4 Projects Scenario

Bradshaw Road from Old Placerville Road to Lincoln Village drive, including the Old Placerville intersection are impacted and there is no mitigation project identified. This is an incomplete evaluation. Mitigations projects need to be identified for these impacts.

CEQA Cumulative Scenario

Mitigation projects for several links fully within Rancho Cordova City Limits and along the City/County boundary have not been identified. This is an incomplete evaluation. Mitigations projects need to be identified for these impacts.

Within city limits:

- Keifer Boulevard, Sunrise Boulevard to Rancho Cordova Parkway
- Sunrise Boulevard, Douglas Road to Rio del Oro Parkway
- Rancho Cordova Parkway, Rio del Oro Parkway to White Rock Road
- Old Placerville Road, Routier Road to Rockingham Drive (partially a boarder roadway)
- Sunrise/Douglas Intersection
- Mather Field/Rockingham Intersection

Along boarder:

- Bradshaw Road, Old Placerville Road to Highway 50 EB ramps, including the Highway 50 EB Ramps and Old Placerville Road Intersections
- Happy Lane/ Old Placerville Road Intersection

Transit

As the transit system is being developed within the City of Ranch Cordova and along the Jackson Corridor, both agencies along with transit service providers should develop a joint concept for service. Independent transit plans designed for individual developments are inefficient and not useful to the traveling public. A statement of joint transit system development should be added to the EIR.

Technical

The Mather Field Road/Rockingham intersection delay is reduced by 9.7 seconds with the addition of the NewBridge traffic. We would like to verify that this is an accurate report. Page 76 TIS.

The legend on the graphic for Trip Distribution does not match the percentage labels. Page 118, 191, 273 TIS.

Sincerely,

Albert Stricker, PE
Director of Public Works
City of Rancho Cordova

cc: Darcy Goulart, Planning Manager, City of Rancho Cordova
Todd Smith, Sacramento County
Jessica Brandt, Sacramento County

Department of Water Resources
Michael L. Peterson, Director

SACRAMENTO COUNTY
WATER AGENCY

Including service to the Cities of
Elk Grove and Rancho Cordova

Date: February 19, 2019

To: Sacramento County, Office of Planning and Environmental Review
Attention: Environmental Coordinator

From: Michael Grinstead – Senior Civil Engineer
Sacramento County Water Agency

Subject: SCWA Comments on the January 2019 Mather South Community Masterplan Project Draft Environmental Impact Report (DEIR) State Clearinghouse Number 2014062087 Control Number PLNP2013-00065

The Sacramento County Water Agency (SCWA) has reviewed the subject document as it pertains to Zone 40 and has the following comments:

1. All comments listed in this memo should be taken into account in the DEIR text and it all appendicies to the DEIR.
2. The 30 inch low pressure water supply transmission main that connects the Excelsior Well Field and the Vineyard Surface Water Treatment Plant to the Anatolia Groundwater Treatment Plant and storage tank will not be tapped to supply water to the Mather South Community Master Plan area or any other area. Connection to existing pressurized transmission infrastructure in other areas (examples are Sunrise Blvd. and in Zinfandel Rd.) will be considred for water supply should the NSA Phase II project not be in place at the time of development.
3. All pipe layouts will be as depected in the most current version of the Zone 40 Water System Infrastrucutre Plan Update. At this time the most current version is dated September 2016 and is referenced in the DEIR. Plate WS-7 is labeled Mather South Water Supply Infrastructure although the Plate depicts Groundwater Elevation Differences so the Water Supply Infrastructure in the DEIR being evaluated for impacts is unclear.
4. Once capacity in the 30 inch low pressure water supply transmission main that connects the Excelsior Well Field and the Vineyard Surface Water Treatment Plant to the Anatolia Groundwater Treatment Plant is allocated on a first come first served basis, SCWA will construct the 54 inch Phase II pipeline and ultimately a 10 million gallon water tank farm on the 5.27 acre reserved parcel. The planned 10 million gallons of storage is contrary to the

one million gallons of storage listed in the DEIR and appendicies. At this time the storage is planned to consist of two 5 million gallon water tanks.

5. A looped water system connecting to two transmission mains will be required for each phase of development.
6. The Public Facilities Financing Plan (PFFP) is an appendix document. It references a Mather South Community Master Plan (MSCMP) Fee that will reimburse the developer for distribution infrastructure that is not reimbursable through the Zone 40 credit/reimbursement process. The PFFP states that the fee will be administered by the County and not SCWA. SCWA will not assess, collect, administer, or authorize distribution of a fee such as this in the future.
7. The Public Facilities Financing Plan (PFFP) is an appendix document. For the PFFP it should be noted that all Zone 40 credit and reimbursement amounts are updated periodically. The reimbursement per unit is located in Schedule C of Title 4 of the Sacramento County Water Agency Code. The code can be found at the following link: http://www.countycounsel.saccounty.net/Pages/WaterAgencyCode.aspx.
8. SCWA's Zone 40 is responsible for construction of potable water facilities within the Zone. Zone 40 charges a fee that is used to reimburse developments for eligible capital expenses including installation of transmission mains and other regional improvements such as water supply development and treatment. After infrastructure is installed, it is SCWA's Zone 41 that is responsible for the ongoing operation and maintenance of this infrastructure. Zone 41 is funded by the end user who pays a user service charge.
9. A hardpan restoration plan is listed in the DEIR as a mitigating action for the Sewer Trunk Line. It is noted that no hardpan restoration plan is required for any other infrastructure which includes all potable and raw water infrastructure.
10. Please check the description of the groundwater basins. The Central Basin and the South Basin descriptions may be switched.

Cc: electronic file: P:\Shared Folders\Wsplandev\Zone 40\Mather South\2019 01 28 Draft EIR Review

2-20-2019

Sacramento County
Office of Planning and Environmental Review
Attention: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814

Re: Mather South Community Master PLAN Project
(State Clearinghouse No. # 2014 062087, County Control Number PLNP 2013-00065).

To Whom it may Concern:

I am opposed to the proposed project which seeks to build 3,522 residential dwellings units, a 6-acre community center, and 21 acres of commercial retail. This project would destroy approximately 850 acres of vernal pool grassland. Well over 90% of vernal pools in the Sacramento Valley have been wiped out. The Plan Area contains habitats consisting of grassland, wetlands, vernal pool areas, intermittent drainages, and swales. Vernal pool Tadpole Shrimp-an endangered species-occurs in the area, as do Vernal pool Fairy Shrimp, Mid Valley Fairy Shrimp, and Rickseckers Scavenger Beetles. All of these animals will be lost if this project is approved.

The proposed project would cause the loss of breeding habitat and upland habitat for the Western Spadefoot Toad. The Western Spadefoot toad is rare in the Sacramento Region and Statewide and its numbers have decreased drastically mostly due to habitat loss. This trend towards State and Federal listing for the Western Spadefoot toad is a significant impact. Besides being killed outright by bulldozers, toads in the area of the proposed project will be run over by cars, chopped up by mowers, and weed wackers, poisoned by herbicides, pesticides, and other toxins, and noise and vibrations would break the toads dormancy. All elderberry shrubs will be destroyed by the proposed project, causing the loss of the endangered Elderberry Longhorn Beetle. Five special status plants occur in the Plan Area – slender orcutt grass, Sacramento orcutt grass, Aharts dwarf rush, Boggs lake hedge-hyssop, and legenere. These would all be destroyed by the proposed project.

There are 455 native trees with a diameter at breast height of 6 inches or greater – 453 are Fremont Cottonwood and 2 are Pacific Willow. Also present in the Plan Area are 22 non – native trees with a diameter at breast height of 6 inches or greater. All of these trees would be destroyed by the proposed project.

Offsite infrastructure near the proposed project would damage or destroy riparian habitat, marsh habitat, and native Oak trees.

Fuel lubricants, solvents, and other hazardous materials used at the airbase may be released into the environment by excavation and construction activities. 18 percent of the Mather South Plan is in the over flight zone – this includes a community center and housing with 5 to 10 units per acre. This is a safety concern and many interfere with airport operations.

Tri–Colored black birds forage in the Plan Area. Increased noise and human activity could disrupt breeding near the construction area.

The Proposed project would destroy nesting and wintering habitat of the burrowing owl. Adult owls, eggs, and juvenile owls would be killed by construction of this project.

Northern Harriers, White – tailed kites, and loggerhead shrikes occur in the Plan Area and their numbers will be reduced if this habitat is destroyed. Short – eared owls and grasshopper sparrows would be impacted by this project and this would push these species further along towards extinction. Annual grasslands and scrub and open portions of cottonwood woodland throughout the Plan Area are habitat for American Badgers. There are 2 dens in the plan area and one in the Mather preserve. Construction will cause the death of adult badgers and young badgers – this will result in further decline of the species.

Western pond turtle adults, eggs, and hatchlings would be killed by the proposed project.

There are numerous trees in the project area that provide nest sites for the Swainson's hawks. The proposed project would destroy these trees and remove approximately 592 acres of annual grassland foraging habitat, which would result in death of individuals and eggs. Swainson's Hawks foraging habitat value is greater in large expansive open space and agricultural areas

than in areas that have been fragmented by agricultural – residential or urban development. The Swainson;s Hawk is listed as threatened under the California Endangered Species Act and has had a 90% decline in statewide population numbers. The loss of nesting and foraging habitat increases the likelihood of this species becoming endangered and eventually extinct. Therefore, direct and indirect impacts by the proposed project on the Swainson's Hawk would be significant.

The Plan Area contains habitat for nesting birds protected under the California Fish and Game Code Section 3503 and the Migratory Bird Treaty Act.

Take of vernal pool branchiopods can eliminate a portion of the genetic pool available to the species thereby eliminating the overall genetic diversity of the species. If the genetic diversity is severely reduced, the chances of a species persisting through unpredictable future environmental conditions are reduced. If this project is approved and other planned projects are approved (New Bridge, Jackson Township, and West Jackson), then 17,688 acres of grassland habitat will be lost. There are no more large expanses of interconnected wetland complexes surrounded by open space and no feasible mitigation available to reduce impacts to a less - than - significant level. Therefore, the project would result in a significant and unavoidable cumulative impact.

I keep hearing about " build out " of Sacramento County. Sacramento County does not have to build upon every bit of open space. Sacramento County does not have to drag in everyone from other places to Sacramento County. Once this open land is gone it is gone forever. Future generations will never be able to see the land and to know the animals that live there. You must not allow all our open space to be destroyed. During all of the hearings for Sacramento County's General Plan, The Sacramento County Planning Commission and the Sacramento County Board of Supervisors consistently voiced their desire to retain large areas of open space in Sacramento County for wildlife habitat, for future farm and ranch land and for people to see and enjoy open space.

At the very least, Alternative 2: Biological Resource Avoidance Alternative – would provide additional buffers around sensitive vernal pools along Kefir Blvd in the southern portion of the proposed project and around the critter

pool in the center of the Plan Area. Under this alternative the Plan Area would still develop 2,827 residential units.

Roxanne Fuentez

State of California – Transportation Agency GAVIN NEWSOM, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
East Sacramento Area
11336 Trade Center Drive
Rancho Cordova, CA 95742
(916) 464-1450
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

February 21, 2019

File No.: 260.15702

County of Sacramento
Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814

The East Sacramento Area Office of the California Highway Patrol recently received a "Notice of Completion," Environmental Impact Report for the proposed Mather South Community Masterplan Project, State Clearing House (SCH) #2014062087. After our review, we have concerns with the potential impact this project could have on traffic congestion.

Our concerns relate to the proposed construction of a master planned community to include up to 3,522 residential dwelling units, an environmental education campus with 200 multi-family units, a 21 acre research and development park, two elementary schools, 21 acres of commercial-retail with up to 225,000 square feet of retail space, 26 acres of neighborhood parks and a 17 acre community park, along with multi-use pedestrian and bicycle trails. This project is located along the Jackson Road corridor in Sacramento County. There are several major roadways that will be impacted by the increased traffic congestion. Jackson Highway, State Route 16 (SR-16), is a two lane undivided highway with minimal shoulders, surrounded by agricultural fields. SR-16 already experiences significant traffic delays/congestion during commute hours and heavy commercial vehicle traffic due to the commercial businesses within the area, and the County Landfill. SR-16, Sunrise Boulevard, Zinfandel Drive, Bradshaw Road, and Mather Field Road are roadways within our jurisdiction and the California Highway Patrol, South Sacramento Area's jurisdiction that are significant ingress and egress routes that will be used to access the proposed community from both US Highway 50 and State Route 99 (SR-99). There are numerous cross streets within the vicinity of the planned project that will also see an increase in traffic congestion.

The aforementioned roadways currently experience traffic congestion during commute hours, and without proper traffic management engineering prior to the development of the proposed community, traffic congestion will significantly increase. This project could have a negative impact on our operations due to the increased traffic congestion, which could lead to a potential increase in traffic collisions within our jurisdiction as well as our bordering South Sacramento Area.

If you have any questions regarding these concerns, please contact Lieutenant Johnson at (916) 464-1450.

Sincerely,

R. M. JOHNSON, Lieutenant
Commander

cc: State Clearing House
Valley Division
Special Projects Section

Cordova Recreation & Park District

February 22, 2019

County of Sacramento
Office of Planning and Environmental Review
827 &th Street, Room 225
Sacramento, CA 95814

Submitted via email to CEQA@saccounty.net

Regarding: **DEIR for Mather South Community Master Plan Project**
Control Number PLNP 2013-00065
State Clearinghouse Number 2014062087
Dated: January 2019

Reviewed by: Cordova Recreation and Park District
Laura L. Taylor, CRPD Park Planning and Developmnet Manager

GENERAL COMMENTS

Cordova Recreation and Park District (CRPD or 'the District') provided comments regarding the *Revised Notice of Preparation* on February 10, 2017, the draft *Mather South Community Master Plan* on January 5, 2018 and regarding the *Public Facilities Financing Plan and Urban Services Plan for Mather South* on December 10, 2018.

As a representative of the Cordova Recreation and Park District I have reviewed the document and have found that many of the District's previous comments submitted have been addressed in the DEIR and supporting appendixes, primarily Appendix PD-1: *Mather South Community Master Plan.*

Comments below represent opportunity for on-going dialogue as the details of the project design and implementation unfold.

EXECUTIVE SUMMARY

The proposed park system configuration has been modified substantially in response to the District's input on the original Mather South Community Master Plan dated September 2013. The first plan included three large park parcels. The District requested more smaller neighborhood parks and one large community park. The District appreciates the cooperative efforts to adjust the land use plan to more closely reflect District standards on the size of community and neighborhood parks.

CRPD's previous comments regarding the quantity of Quimby park land provided in this project have been addressed in Table ES1: 'Summary of Impacts and Mitigation', page ES-44 and 45 in the sections titled "IMPACT: PARKS AND RECREATION SERVICES" and in Appendix PD-1: *Mather South Community Master Plan*, Section 5.7.1 and 5.7.2.

PROJECT DESCRIPTION

Comments previously made by CRPD concerning the location of Park 1 have been addressed in section 5.7.1 of Appendix PD-1 *Mather South Community Master Plan*, section 5.7.1 and indicates that Park 1 will be accessed via a public street that also serves the elementary school and the EEC.

As mentioned in previous comments CRPD does not accept parcels that are encumbered by utilities or drainage easements. The District also does not maintain areas with drainage basins or bisecting regional trails. Because Park 4 is partially divided by a drainage basin it may be difficult to locate the preliminary program for three soccer fields in the community park. *(See comments on January 5, 2018.)* Trends and needs may change the final program for the park. The *Mather South Community Master Plan* document states that some flexibility in the final configuration of the neighborhood parks during the tentative map phase. Some flexibility on the final configuration of the community park may be helpful depending on the timing of the final map approval and the final program established for the community park.

AESTHETICS

There does not seem to be a specific reference to lighting for sports fields as a part of the future impacts of the master plan development. The EIR should address lighting for sport fields in community parks.

Park 3 is located next to a water tank utility yard. This park may require additional screening. A future wall or fence around the utility yard will need to be located outside the Quimby park land.

BIOLOGICAL RESOURCES

Seasonal wetlands appears to be located within park site 1 and 2 (Plate BR-1). White Tailed Kite has been observed on park site 2 and Northern Harrier has been observed on park site 5 (Plate BR-2), Requirements to mitigate existing wetlands, protected plants and animals will have to be met before the park lands are turned over to CRPD.

GEOLOGY AND SOILS

Park site 1 has the soil type; Red Bluff-Redding Complex (Table GS-2 and Plate GS-3). This material has a high shrink and swell potential which may be of concern for construction of structural elements. CRPD requires a base condition for acceptable soil that can be utilized for park development. The base condition for acceptable soil is specified in the Cordova Recreation and Park District's Design and Construction Standards Manual in Section 2.01. The standards require that soils on all the park sites are tested before they are accepted by the districts.

HAZARDS

Based on the close proximity of a former Air Force Base, hazardous materials (including munition debris, explosives and asbestos), have been found within the Master Plan area. Park sites 1, 2 and 4 include "Areas of Concern" (Plate HM-2). Soil testing, the disposal of contaminated soils in addition to the restoration of disturbed sites will need to be completed before the park land can be accepted by CRPD. Additional testing may also be required before structures can be located on the park sites.

HYDROLOGY, DRAINAGE AND WATER QUALITY

CRPD does not accept parcels that are encumbered by utilities or drainage easements. Because Park 4 is partially divided by a drainage basin it may also be difficult to locate the planned three soccer fields within the park boundary. Some flexibility on the final configuration of the community park may be helpful depending on the timing of the final map approval and the final program established for the community park.

NOISE
Table NOI6,states that noise levels in parks can go up to L75. Parks and schools should therefore be added to the 'new noise sources' in the 'Summary of Impacts and Mitigation' table.

PUBLIC UTILITIES
Quimby park land cannot be encumbered by utilities. A storm drain appears to be located on the property line between the Environmental Educational Center and the Park 1. The easement for this line should be located outside the park parcel.

TRAFFIC AND CIRCULATION
CRPD recommends that pedestrian and bicycle trails are connected to park sites. Appendix PD-1 indicates that all parks except Park 5 are accessible by the Class 1 bike trail network.

Appendix TR-1 Traffic Impact Report does not specifically address trip generated by use of the community park. The anticipated level of service (LOS) of the local road adjacent to the community park is A-D. The LOS could be influence by peak traffic generated by entering and exiting recreation programs and events at the park.

Design of the future community park will need to include on-site parking. Community parks benefit when on-street parking is available to accomodate spill-over parking for larger events. In this case an elementary school site is proposed adjacent to the park site which could possibly provide capacity for spill-over parking; however, there is a recent trend for schools to lock gates across their parking lot entrances after hours. The street section for Parkway Drive immediately adjacent to the community park does not include on-street parking lanes (figure 4.4-4 of of Appendix PD-1 *Mather South Community Master Plan.*).

LAND USE
The Master Plan falls short of the County's Quimby requirement for park land by 0.24 acres. CRPD recommends that this area be incorporated into the community park (potentially by subtracting the same amount of land from the adjacent open space corridor). This would also change the balance between community parks and neighborhood parks, to closer match CRPD's standards (of 52% community parks and 48% neighborhood parks). This modification would affect Table LU-1.

Our District appreciates the opportunity to review development applications and environmental reports within our service boundary. We are committed to add quality park development to all new growth areas. It is very helpfull for us to be involved at the early planning stages for the Mather South Community Master Plan.

WATER SUPPLY
Estimated water needs for future park sites have been adequately addressed in the Water Suppply Assessment for the project.

FINANCE

The *Public Facilities Finance Plan* (Appendix PD-3) and the *Urban Services Plan* (Appendix PD-4) seem to be reasonably consistent with CRPD's input. However, some of CRPD's comments made on these documents on December 10, 2018 are not reflected. The current USP does not reflect the previously made comment, " Page 20, second paragraph, first sentence: Delete the second part of the sentence "... or park maintenance will be included in the Mather South Maintenance/Transit CFD." This option is not acceptable to the District."

Respectfully,

Laura L. Taylor, ASLA
Park Planning and Development Manager
Cordova Recreation and Park District

Copy: Patrick Larkin, District Administrator for Cordova Recreation and Park District
Todd Smith, Sacramento County
Philip Rodriguez, Lewis Management Corp.

COUNTY OF SACRAMENTO
INTER–DEPARTMENTAL CORRESPONDENCE
DEPARTMENT OF WATER RESOURCES

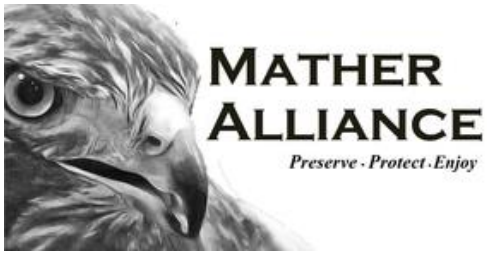
M E M O R A N D U M

Date: **February 22, 2019**

To: **Todd Smith**
CC: **Michael Johnson**
From: **Michael Durkee**

Subject: **Water Resources Comments for the Mather South Draft EIR, January 2019**

1. On page 1-24, 1-32, and 5-21, it is mentioned that the drainage basins could be muli-purpose basins and have a secondary purpose as an "informal recreation resource". Based on the Mather South Storm Drainage Master Plan (DMP), the basins were designed as wet basins which means the basins will hold water year-round. Due to safety concerns, Water Resources requires that wet basins are fully fenced to prevent the public from entering the basins. Because the basins will hold water year-round and will not be accessible to the public, using the basins as an "informal recreation resource" does not seem possible.
2. On page 1-24, the Open Space Trails and Basins section indicates that the drainage basins would be "naturalized with trees and native plant materials". As mentioned above, the basins will be fully fenced wet basins and Water Resources restricts landscaping within basins to native grasses, due to limited drainage maintenance resources. Any landscaping "naturalization" would need to occur outside the basin fencing.
3. On page 5-21, in the second paragraph, it is mentioned that there are nine drainage basins. According to the latest Mather South DMP, there are ten drainage basins.
4. On page 12-13, the title of the Stormwater Quality Design Manual is not correct. The 2018 manual does not cover the South Placer Region, it is only for the Sacramento Region.
5. On page 12-24, the Sacramento County Stormwater Quality Partnership Hydromodification Management Plan (HMP) is discussed in the context of being in a draft form. The Sacramento County Stormwater Quality Partnership HMP was finalized in December 2017.
6. On page 12-25, Low Impact Design (LID) features are referred to as optional to reduce the required water quality treatment volume. Based on the 2018 Stormwater Quality Design Manual, LID measures are required for all projects.



To work with stakeholders to advocate for responsible use and management of Mather Field resources.

February 21, 2019

Sacramento County, Office of Planning and Environmental Review
Attention: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814

Email to CEQA@saccounty.net and Todd Smith: smithtodd@saccounty.net

RE: Mather South Community Master Plan Project Draft Environmental Impact Report
County Control Number: PLNP2013-00065

To Sacramento County Office of Planning and Environmental Review:

The Mather Alliance core group and its members wish to express sincere thanks to Sacramento County Supervisors, County staff, and the Lewis Group for their continuing efforts to involve community members in shaping the new development proposed for the retired Mather Air Force Base. We feel grateful for the opportunity to advocate for the responsible use and management of Mather Field's valuable resources.

Area residents and Mather wetlands supporters are particularly proud of the cultural, historical, and ecological significance of these lands of Sacramento County. Our culture is one of deep respect and appreciation for the plants and wildlife that live among and around us. Mather's historical significance as an Air Force base of great strategic importance for national security and as a continuing aviation training facility makes us proud. As does our local ecology which includes world-class vernal pools filled with extremely rare species, some of which have not even officially been named yet by scientists. There is much to be proud of at Sacramento County's Mather and much to protect.

In addition to the points we addressed below in our comments on the Mather South Draft Environmental Impact Report and Community Master Plan, we wish to make a special request. To reflect our esteem and gratitude for Sacramento County Supervisor Don Nottoli's dedicated involvement with and attendance to our community, the Mather Alliance requests that a road in the new community be named "Nottoli Way." We feel "Nottoli's way" is exemplary. As a community leader and public servant, he consistently listens to our community members' concerns and demonstrates that he genuinely cares about our future.

We look forward to continuing our collaboration with the County to ensure that Mather resources and values are preserved. Therefore, we respectfully submit the following comments in response to the Mather South Draft Environmental Impact Report (DEIR), including specific comments regarding the Mather South Community Master Plan.

Watershed to the Critter Pool and Fill Dirt in Environmental Campus Parcel

Area of Concern: Environmental Campus

Issue/Impact: Unnecessary loss of valuable natural features and historic resources

As discussed at length in various stakeholder and supervisory board meetings during consideration of the broader Mather Field project, the community value of the former USAF munitions storage complex (currently designated as parcel EC in the Draft Mather South Community Master Plan) stems from its historic significance as part of Mather Air Field and the natural features located adjacent to it and running through it. While we appreciate that this parcel has been designated as a site for a future Environmental Campus, we are concerned that the specifics of the proposed grading and drainage plan (reference **Exhibit J of Appendix HY-1**: *Mather South Drainage Master Plan Developed Condition Trunk Drainage and Basins*) unnecessarily erases both the natural and historic resources presently existing on this parcel.

As presently indicated on the drainage plan, the EC parcel will be filled and graded to elevations ranging from 156 to 160 feet. Topographic data (**reference Exhibit C of Appendix HY-1**) indicates that the current surface elevations in this parcel vary from 149 to 155 feet (not including structures). Consequently, almost the entire EC parcel is slated to be filled and leveled to depths as much as 9 feet, including the existing drainage swale that presently sweeps through the western half of the parcel from parcel SP1 toward the preserve on the western margin and all of the existing historic structures.

We contend that this represents an unnecessary loss of natural and historic resources that could potentially enhance the desirability of the planned Environmental Campus, school (parcel SP1), community center (parcel CC) and park (parcel PARK 1). Natural features quite clearly enhance the livability of a community and business environment, while the historic features represent a unique character quality that the community has expressed, many times, its interest in preserving as part of Mather Field (and by direct association, Rancho Cordova) history.
We also are concerned about the visual impact of increasing the grade on this parcel will have on adjacent resources, especially the Critter Pool (parcel OSNP1), which was specifically set aside to help protect the irreplaceable biological resources located in that vernal pool. As currently envisioned, the grade from the EC parcel will drop a full 10 feet on the eastern margin down to an open space drainage (OSD6) and the Critter Pool. Given the proposed roadways and elevations of other developed parcels, the Critter Pool will be effectively isolated visually and topographically, which we believe may cause its perceived value (and thus its preservation) to be diminished in the eyes of residents living at Mather South.

Recommendations:
We would like to see the grading plan for the EC parcel (and possibly adjacent parcels) revised to help preserve and enhance existing natural features that we believe will help make the entire community (business and residential) more livable and environmentally friendly. Specifically, we contend that drainage from parcel SP1 could be contained in a detention basin/bioswale on its southern margin and used to enhance the drainage swale through the EC parcel as part of the environmental draw of the parcel.

We would also like to encourage the Lewis Group to reconsider the total demolition and fill of the former weapons storage facility and solicit additional input from stakeholders about the reuse of existing structures. We believe that the reuse of one or more former USAF buildings on the parcel presents rare opportunity for organizations and businesses to adopt environmentally friendly building reuse/redevelopment methods rather than resort to demolition and new construction. This goes very much hand in hand with the community's proximity to the Mather preserve and serves to integrate the ideals of integrating the natural and built environments into one livable community.

Area of Concern: Drainage Plan

Issue/Impact: Proposed drainages for the northern half of the Mather South Master Plan rely on very large detention basins concentrated on the western margin of development.

For much of the northern half of the planned development, the proposed drainage lines redirect drainage toward one of three large detention basins along the western margin of the community (reference **Exhibit J of Appendix HY-1).** Designated as Basin-01, Basin-02, and Basin-03 in the drainage plans, these areas represent a significant accumulation of surface drainage in a limited area.

While we understand the need for hydromodification mitigation with respect to existing drainages, we are concerned that reliance on these three large basins presents a potential subsurface hydraulic impact to preserve areas located immediately to the west. Furthermore, basins -01 and -02 also require the addition of at least 6 feet of surface fill to construct the berm around them and will visually stand out as very unnatural features relative to the preserve to the west and the environmental campus, park, and community center to the east.

Recommendations:
We contend that drainage management and hydromodification mitigation plans can be better achieved through use of more and smaller detention basins/bioswales dispersed across the northern half of the development area. By adopting a more dispersed approach, the natural drainages already present on the site can be more effectively used to manage stormwater discharge. Furthermore, smaller basins and swales incorporated along the margins of developed parcels help to incorporate natural features within the community and help break up the visual impacts of development, both of which enhance the livability of the community as a whole.

We suggest that a good example of this more dispersed approach to drainage management exists in parts of Folsom where numerous small basins and marshes between neighborhoods serve to create a more natural and livable condition. Paired with walking/cycling paths, these natural buffers create a much more desirable community to live in and help mitigate the typical trappings of visually uninspiring landscaping and concrete block soundwalls.

As discussed previously as an example, we believe a small marsh filled detention basin at the southern margin of parcel SP1 would serve as an excellent way to manage stormwater flows, supply water to a visually impactful natural drainage across the Environmental Campus, and could potentially serve as a valuable onsite natural learning resource for the future school.

Area of Concern: The Critter Pool

Issue/Impact: Proposed grading and drainage plans may still impact the health and long-term viability of the Critter Pool

As noted previously, the proposed grading plans for the Environmental Campus present an unfortunate visual impact on the Critter Pool and parcel OSNP1. While we deeply appreciate and value that this area has been set aside as a preserve, we are concerned that its position relative to other proposed developments around it might isolate it as an undervalued and unmaintained resource that could eventually impact its biologic viability.

Our review of historic aerial imagery of the region prior to construction of the Folsom South Canal indicates that the Critter Pool was once part of a much larger and expansive vernal pool and swale complex that was subsequently buried beneath excavation overburden from canal construction. We contend that despite burial, the subsurface hydrology that once existed through this pool and swale system continues to channel water toward the Critter Pool and beyond. In fact, we believe that the biological diversity and extended wet period found in the Critter Pool is due in large part to the former subsurface hydrologic system sustaining groundwater flow to this location.

Thus, we are concerned that development of residential parcels R5, R6, R13 may have the unintended effect of depriving groundwater flow to the former pool and swale system, eventually degrading the hydrologically favorable conditions found at the Critter Pool.

Recommendations:
We believe that parcel OSNP1 provides an excellent buffer to protect the health of the Critter Pool. Furthermore, we believe that development of parcels R5, R6, and R13 can proceed as planned. However, we recommend that the drainage plans be modified to include the addition of several small stormwater basins/marshes (perhaps one per parcel) to contain surface runoff and allow groundwater infiltration through those basins into the subsurface hydrologic system that feeds into OSNP1 and the Critter Pool. Our resident geologic consultant would be happy to share the details of the former vernal pool and swale system and help guide planners in placing these detention basins.

Adding intermediate drainage basins would have the additional benefit of reducing potential peak flows to the stormwater system, thus decreasing the need for larger basins elsewhere and allow peak discharges to be dispersed to natural drainages more effectively. As discussed previously, these smaller basins would have the additional benefit of helping incorporate natural environments into the community, making them more livable and visually interesting. Such natural areas will also help tie the community in with the Environmental Campus and preserve, which we contend should be an integral part of the draw to living at Mather.

With respect to grading issues, please reference the previous discussion regarding grading and fill on the Environmental Campus.

Area of Concern: Fill Sourcing and Noxious/Invasive Weed Mitigation/Abatement

Issue/Impact: The source and quality of fill required for grading in some portions of Mather South is not clearly defined. The DEIR and community Master Plan do not contain specific protections to prevent potentially contaminated soil disturbance and/or redistribution or noxious weed dispersal migration as applied to cut/fill materials sourced onsite or imported.

It is apparent that some portions of the Mather South development are slated to undergo a significant amount of grading and fill. It is unclear from our review of existing topography (**reference Exhibit C of Appendix HY-1**) in comparison with proposed grading and drainage plans (reference **Exhibit J of Appendix HY-1)** if sufficient material can be cut from higher elevations and regraded to infill lower lying areas. If adequate material for fill cannot be found onsite, we are concerned that imported fill materials could pose a risk to waterways and the nearby preserve if they are sourced from contaminated locations and/or areas with noxious/invasive weed problems.

Even if fill materials can be sourced onsite, the DEIR already notes that additional hazardous materials might be potentially uncovered during grading, notably in former USAF fuel storage, munitions disposal, and small arms firing range locations. However, there is ample reason to suspect that not all former USAF activities in the area were documented. Other decommissioned USAF sites (notably McClellan) have turned up some potentially serious contaminants in recent history, so the potential for unknown contaminants turning up in previously undocumented locations is not without precedent.

Although the DEIR specifies that a Contaminated Soil Contingency Plan must be submitted to the County prior to construction, there is no allowance for public review of this plan to ensure that adequate protections and monitoring procedures are in place to prevent disturbance and redistribution of potentially contaminated soils.

Furthermore, there are already well-documented and ongoing invasive weed problems occurring within and around the Mather preserve, especially toward the northern end. The DEIR does not appear to contain any language specifying mitigation procedures or best practices to ensure that grading activities for the Mather South development do not inadvertently advance the spread of noxious weed species into the southern end of the Mather preserve, either through aerial dispersal or via existing waterways.

Recommendations:
We would like to see some additional clarification of planned excavation, grading, and imported fill plans, procedures and policies, either in the DEIR or in the Mather South Community Master Plan. Noxious/invasive weed management and dispersal mitigation plans should be a requisite component of the construction application process for this sensitive area. Such plans (including the Contaminated Soil Contingency Plan) should be made available for public review prior to approval and community input from stakeholders (especially those familiar with weed management and abatement best practices) should be solicited to ensure that environmental degradation to the Mather preserve is not exacerbated.

Area of Concern: Preserve Management

Issue/Impact: The lack of coordination and cooperation between the current Preserve Manager and Mather stakeholders is of great concern to the Mather Alliance and other parties interested in preserving Mather's vernal pools.

A number of local vernal pool experts who care about the Mather preserve have worked for preservation of its vernal pools for years without compensation or payment. Their efforts come from a sense of duty of stewardship to protect an extremely rare resource that is continuously disappearing via land development - the California Central Valley vernal pool. Mather's vernal pool expert constituents have been effectively cut off from participation in Mather preserve management by the current Preserve Manager. This lack of coordination and cooperation eliminates the Preserve Manager's access to valuable information that could be made available from years of experience and knowledge of the Mather vernal pools. In addition, blocking local experts from the preserve's management discourages that piece of public participation that helped to make the preserve possible.

Recommendation:
The Alliance would like to see a requirement that the Preserve Manager include the input of local vernal pool experts and stakeholders in management actions. In addition, there are a number of volunteers willing to pull weeds in the preserve. Though this method of weed control is not cost effective from a profit-driven model of preserve management, it can be the safer way to remove some invasive plants. Lower cost methods such as pesticide use, controlled burns, and grazing can cause unintended negative impacts to vernal pool species. When free labor is available for weed pulling, it benefits the preserve to use it.

Issue/Impact: The current preserve management efforts are not sufficient to control invasive plant species.

Local vernal pool experts have commented for the last several years, with increasing concern, that not enough is being done to control threatening invasive plant species that are encroaching upon Mather's vernal pools. This could be due to a lack of sufficient funding, or lack of a comprehensive strategy. In either case, the result is a lack of safe and effective action to protect the vernal pool species.

Recommendation:
Again, a number of volunteers are willing to give their time and expertise to help preserve the vernal pools of Mather. We believe Sacramento County would miss a great opportunity by not incorporating these volunteers into the preserve management. The Mather Alliance recommends that the County direct the current Preserve Manager to coordinate and cooperate with local Mather stakeholders. In addition, the Mather Alliance requests that the County adopt a "pay-for-performance" approach for the Mather preserve with specific measurable objectives that the Preserve Manager must meet in order to retain the management contract. There is too much at stake to risk a lack of progress.

Issue/Impact: Preserve Access (Page 4-43 of Appendix PD1 Master Plan), Action 4-4: "Provide docent-controlled access to vernal pool preserve areas under the direction and authority of the Sacramento County Regional Parks Department Director."

Though the Mather Alliance appreciates the provision of docents by both the County and Sacramento Splash for guided walks, the Alliance wants to ensure that the public will retain reasonable access to the vernal pool preserve lands and that their access is not limited to guided walks.

Visitors currently access parts of the preserve for amenities that do no harm to the preserve, such as nature appreciation, photography, and meditation. Though Action 4.4 may not intend to limit preserve access to County-supervised visits only, it could be interpreted that way, and we want to ensure the intent is clarified. The preserve is a public resource and should remain open to the public as long as they abide by and respect the rules that are designed to protect the resources therein.

Recommendation:
Add clarifying language to the Action that docents may be provided by the County, but that County-provided docents are not required to be present for members of the public to access the preserve.

Area of Concern: Artificial Lighting

Issue/Impact: Artificial lighting, especially outdoor lighting, will disrupt the ecosystems and/or safety of plant and animal life within the proposed Mather South development area and its vicinity, including Mather preserve, Mather Lake, and the Mather golf course.

According to The International Dark Sky Association (IDSA) statistical research,[1] "All life relies on Earth's predictable rhythm of day and night. It's encoded in the DNA of all plants and animals. Humans have radically disrupted this cycle by [artificially] lighting up the night. Plants and animals depend on Earth's daily cycle of light and dark rhythm to govern life-sustaining behaviors such as reproduction, nourishment, sleep and protection from predators.

Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants.

Artificial Lights Disrupt the World's Ecosystems. Nocturnal animals sleep during the day and are active at night. Light pollution radically alters their nighttime environment by turning night into day.

According to research scientist Christopher Kyba, for nocturnal animals, "The introduction of artificial light probably represents the most drastic change human beings have made to their environment. Predators use light to hunt, and prey species use darkness as cover near cities, cloudy skies are now hundreds or even thousands of times brighter than they were 200 years ago. We are only beginning to learn what a drastic effect this has had on nocturnal ecology.

Glare from artificial lights can also impact **wetland habitats** that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding ritual. Artificial lights disrupt this nocturnal activity, interfering with reproduction and reducing populations.

[1] International Dark Sky Association at https://www.darksky.org/light-pollution/wildlife/

Artificial Lights have Devastating Effects on Many Bird Species. Birds that migrate or hunt at night navigate by moonlight and starlight. Artificial light can cause them to wander off course and toward the dangerous nighttime landscapes of cities. Every year millions of birds die colliding with needlessly illuminated buildings and towers. Migratory birds depend on cues from properly timed seasonal schedules. Artificial lights can cause them to migrate too early or too late and miss ideal climate conditions for nesting, foraging, and other behaviors.

Ecosystems: Everything is Connected. Many insects are drawn to light, but artificial lights can create a fatal attraction. Declining insect populations negatively impact all species that rely on insects for food or pollination. Some predators exploit this attraction to their advantage, affecting food webs in unanticipated ways."

Recommendations:
Request that Lewis Group waive general developer's lighting standards; instead, adopt Model Lighting Ordinance [2](MLO) developed by the IDSA and the Illuminating Engineering Society of North America to address the need for strong, consistent outdoor lighting regulation in North America.

Developed jointly over a period of seven years, the MLO encourages communities to adopt comprehensive outdoor lighting ordinances without devoting extensive staff time and resources to their development.

Prohibit sports field lighting within the development. The excessive amount of light associated with sports fields creates a number of environmental impacts as outlined in the section above.

Area of Concern: Traffic Management During Sewer Line Trenching

Issue/Impact: Sewer Line Trenching on Zinfandel Drive — Impacts to Independence at Mather Community

The draft EIR is silent regarding the impacts to the 1,271 households of the Independence at Mather Community ("the community") during the sewer line trenching on Zinfandel Drive from Douglas Road to Woodring Drive. While construction of this section of the sewer line was in the Mather Field Specific Plan Draft EIR, we believe this issue should also be addressed in the Mather South Community Master Plan as well.

There are only two roads to enter/exit the Independence at Mather community. Closing Zinfandel Road for sewer trenching will eliminate one. This closure will severely impact the remaining entry/exit points to the community: 1) Woodring Drive at Excelsior Road 2) Arnold Way at Excelsior Road. The impact includes adding to the already heavy traffic on Excelsior during commute hours, and potentially causing massive gridlock on Arnold Way and Woodring Drive with vehicles waiting to exit onto Excelsior Road. Additionally, closing Zinfandel Drive, the only eastern entrance to the community, will severely impede response time and access of emergency vehicles to our community.

[2] Model Lighting Ordinance: https://www.darksky.org/our-work/lighting/public-policy/mlo/

Further, entrances into the community are currently two-lane, narrow streets with vehicle parking on one side only. Driving space allows one vehicle width for each narrow lane. As a result, when vehicles are parked, these roads do not allow space for motorists to pull over to allow emergency response vehicles to navigate through traffic during peak commute times. Sacramento County representatives have advised the community that they are drafting a traffic and emergency plan. This plan has not yet been shared with the community for review.

Recommendation:
We suggest that during sewer trench construction that Zinfandel Drive remain open with at least one single traffic lane with traffic control flaggers and/or flashing red light. In addition, possibly 1) Limit traffic to deliveries, residents, and emergency vehicles only. 2) Install three-way STOP signs with flashing lights at the intersections Excelsior Road and Woodring Drive, and at Excelsior Road and Arnold Way. 3) Deploy officer-directed traffic during peak commute times.

Area of Concern: Species Mitigation

Issue/Impact: Mitigation measures listed for species are vague.

One of the core values of the Mather community is our concern for the welfare of Mather's wildlife. This planned development necessitates earth movement and deposition that will likely devastate and obliterate over 800 acres of existing habitat for all critters currently living there. The least we can do is ensure that earth movement is done with the greatest of care to minimize the number of animals killed or "taken."

Recommendation:
Include specificity in the mitigation measures to inspect for wildlife pre-construction and to relocate individuals, including provisions for new homes (e.g., for burrowing owls, if present).

Area of Concern: Community Theme

Issue/Impact: Request to change community theme from aviation to wetlands and nature preserve. Establish a community theme of nature and open space benefits of the surrounding wetlands preserve. (Reference Mather South Community Master Plan Policies 4.5-11, 6.5.1, 6.10.1)

Residents (and visitors) may respect and steward the environment if they are exposed to featured design elements and education regarding the sensitive wetlands preserve and the need to protect its natural resources, not only for the sake of the environment, but also for the aesthetic value.

Recommendation:
The proposed project theme could salute the area's past aviation history in some areas, while predominantly highlighting the value of a wetlands preserve. We propose to heighten awareness by naming streets after the preserve's wildlife, habitats, and plant species. As part of the homeowner handbook, we suggest the developers include a section of the history, features, and regulations regarding the preserve. And, to bolster our support of preserve access as described above, provide a self-guided walking tour of the preserve with interpretive signage.

Area of Concern: Reinstate Eagles' Nest Road name instead of Zinfandel Drive

Issue/Impact: Previously, the section of Zinfandel Drive south of Douglas was named "Eagle's Nest Road." Without prior public notice to the Community, Sacramento County renamed it Zinfandel Drive. We request Sacramento County reinstate the name to "Eagle's Nest Road."

We believe that reinstating the name of Eagles Nest Road supports the goal of the preserve mitigation package to enhance efforts to preserve and protect the preserve and its wildlife by increasing the consciousness of drivers of the reality that they are passing through or are adjacent to sensitive preserve land: a wildlife protection zone that require slower speeds and higher alertness.

Recommendation:
The name of the "preserve paseo" (the road through the preserve), which is currently shown on the Mather South master plan maps as Zinfandel Drive, should be restored to its original name: Eagles Nest Road. We propose that when drivers traveling on Zinfandel Drive cross Douglas Road, the road signs should change to Eagles Nest Road (as it was previously). This road name change and prominent signage will signal the transition from a fully urban setting to a zone of vernal pool preserves, which will continue to extend further south as other near-term developments come on line.

By introducing a road name change with prominent signage at the northern boundary of the preserve (at Douglas Road), it would demarcate the point at which drivers need to reduce speed to 35 mph* (and associated vibration and road noise) to potentially reduce collisions between vehicles and animals migrating through and beyond the preserve. Again, to reinforce that travelers are entering a sensitive preserve, the mitigation efforts should include prominent signage (funded as part of the mitigation for this development) that announces entrance into a preserve and defines the rules of the road through the preserve.

*The posted speed limit of 35 mph aligns with the Zinfandel Drive traffic calming measures as described in the Mather South Community Master Plan Transportation section.

Again, we wish to express our gratitude for the opportunity to offer input in the development of and comment on the Mather South DEIR and Community Master Plan.

Respectfully yours,

The Mather Alliance Core Group:

Nate Manley
Vanessa Emerzian
Lisa Infusino
Ken Pawlowski
David and Joy Nahigian

www.swainsonshawk.org
swainsonshawk@sbcglobal.net

February 22, 2019

Via email CEQA@saccounty.net
Sacramento County, Office of Planning and Environmental Review,
Attention: Environmental Coordinator,
827 7th Street, Room 225, Sacramento, CA 95814

Send all notices & correspondence to:
Friends of the Swainson's Hawk
8867 Bluff Lane
Fair Oaks, CA 95628
email: swainsonshawk@sbcglobal.net
phone: 916-769-2857

Comments of the Friends of the Swainson's Hawk. on the proposed Mather South Community Master Plan Project (State Clearinghouse No. #2014062087, County Control Number PLNP2013-00065).

Friends of the Swainson's Hawk is a citizen advocacy group concerned with implementation and enforcement of protections for the state listed species, Swainson's Hawk. We have reviewed Chapter 6, pp. 51-54 and page ES-13 regarding impacts of the MSCMPP on Swainson's Hawks (nesting and foraging) and mitigation for the impacts.

We have the following comments and questions.

1. It is unclear why the narrative on page 6-53 refers to a 1,381 acre Swainson's Hawk foraging habitat permanent preserve (Mather Preserve), because this mitigation measure is not included in the MMRP. It is not and cannot be credited as mitigation for loss of Swainson's Hawk foraging habitat. In 2004 the County conceptually endorsed the creation of a "Wetlands Preserve" within Mather Field in compliance with a 1999 USFWS Biological Opinion relating to water service contracts that deliver water from the Sacramento River for use with Sacramento County Water Agency's Zone 40 Service Area, which includes Mather Field. (DEIR p. 6-1). The Mather Field Wetland Preserve was established according to a 2012 USFWS Biological Opinion for Disposal of Mather Air Force Space for the purpose of protecting high value vernal pool habitat and associated species. (Sacramento County Regional Parks, "Mather Regional Park Vernal Pools") to

offset impacts of loss of vernal pool habitat from possible future Mather development. It was NOT established as Swainson's Hawk Mitigation, and it is managed by Center For Natural Lands Management exclusively for benefits to vernal pool habitat and associated species. To also credit the vernal pool preserve as mitigation for Swainson's Hawk would be illegal double-counting.

If County seriously intends to claim the Mather Vernal Pool Reserve as mitigation for Swainson's Hawk habitat loss, it should be stated as a mitigation measure for loss of foraging habitat and the DEIR recirculated so that it can be reviewed by the public, and after adoption, monitored and enforced.

On Page 6-54, the DEIR discusses BR 12 as if it were a mitigation measure for reducing impacts to loss of foraging habitat. (p. 6-53, BR-12. Avoid Swainson's Hawk Nests). In fact, nothing in BR 12, or anywhere else in the DEIR, addresses foraging habitat mitigation.

2. On page ES-13, the DEIR describes the impact of loss of Swainson's Hawk nesting and foraging habitat as follows.

> "There are numerous trees in the Plan Area that provide potential nest sites for Swainson's hawk. Project implementation would result in removal of these trees and removal of approximately 592 acres of annual grassland foraging habitat, which could result in mortality of individuals and nest abandonment. A pair of Swainson's hawks were observed visiting a nest and defending territory in the Plan Area from April 29 to June 13, 2014 (Mather Stewardship Network 2014). Although eggs and young were not confirmed at the nest, nesting is probable in the Plan Area and has been documented nearby along White Rock Road. The CNDDB (2018) contains 14 nesting records between 1 and 5 miles of the Plan Area and 27 nesting records between 5 and 10 miles of the Plan Area.
>
> According to the Sacramento County methodology for determining impacts to foraging areas, development of the Plan Area would result in a total loss of habitat suitable for Swainson's Hawk." (DEIR pg. ES-13.)

Failure to mitigate for loss of foraging habitat suitable for Swainson's Hawk is a clear violation of CEQA.

The Plan area is described as 848-acres of vernal pool grassland. The DEIR should include a mitigation measure providing for the permanent protection and management of 848 acres of vernal pool grassland.

3. The analysis concludes that impacts to Swainson's Hawk would be significant and unavoidable, but the DEIR has not included all reasonably available mitigation

measures to avoid and to mitigate for impacts. We recommend consultation with the California Department of Fish and Wildlife to determine what the CDFW would recommend to lessen impacts, increase avoidance efforts, and enhance mitigation values in the Mather Preserve. We recommend including all CDFW guidance in the FEIR to ensure that County includes all reasonable mitigation measures. Typically CDFW recommends permanent protection of one acre of SWH foraging habitat for each acre eliminated by urban development in south Sacramento County.

4. Swainson's Hawks are loyal to their nesting territories and more could be done to preserve existing nesting territories if threatened with removal by development. Many Swainson's Hawks nest in urban areas and forage in nearby open space so preservation of existing nesting trees can help mitigate for impacts of development on nesting habitat. Nest sites in Davis, Sacramento, Stockton and Elk Grove are well documented. BR 12 should be expanded to include identification of nesting territories in the Plan area in advance of entitlements so that an effort can be made to preserve in perpetuity any such trees in the Plan area.

4. The Plan requires removal of many mature trees. (P. ES-18 A comprehensive tree inventory was conducted in the Plan Area in 2014 and identified 455 native trees with a DBH of 4 inches or greater (assumed to be 6 inches or greater now) of which 453 are Fremont cottonwood and two are Pacific willow. The Plan Area also contains 22 nonnative trees with a DBH of 6 inches or greater.). BR 21 and BR 22 address mitigation for these impacts. However, BR 21 and BR 22 do not specify how many trees will be retained in the Plan area, how many will be mitigated in the Plan area (replaced there), and how many will be planted in the Mather Preserve. Please consider that Fremont cottonwood is a preferred nesting tree for Swainson's Hawk and identify areas to retain mature trees. Please evaluate the potential for tree replacement in the Mather Preserve and include a reasonable mandatory number of trees to be planted and stewarded (for at least three years) in the Preserve.

Please notify us of the availability of the FEIR and any public hearings and comment periods available for us to provide further comment on the project impacts and mitigation for impacts to Swainson's Hawks.

Sincerely,

James P. Pachl

Judith L. Lamare

C: Jennifer Norris, Field Supervisor USFWS
Dylan Wood and Jeff Drogensen, CDFW
Co Chairs, Habitat 2020

Eva S. Butler
1940 Markham Way
Sacramento, CA 95818

February 22, 2019

Sacramento County
Office of Planning and environmental Review
Attn: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814
Via email: CEQA@saccounty.net

RE: **Mather South Community Master Plan Project, Draft Environmental Impact Report**
State Clearinghouse No. #2014062087
County Control Number PLNP2013-00065

To Whom It May Concern:

Thank you for providing the public with a chance to review and provide comments on the Mather South Community Master Plan Project (Project), Draft Environmental Impact Report (DEIR).

GENERAL COMMENTS

First, I wish to express my appreciation for the time and energy expended by Lewis Planned Communities (Proponent) and Sacramento County (County) for investing in the process of collaborative, community-based problem solving that led to many improvements evident in the Project. As a result of this investment the Project contributes substantively to the protection of the natural resources of the site by: Setting aside additional vernal pools (the Critter Pool and the Spadefood Pool); Maintaining and enhancing surface water resources through innovative stormwater management technology; Designing roads to decrease human and wildlife impacts; and creatively visioning opportunities for job creation, innovation, and education through an Environmental Campus. This project will be a better neighbor to the adjacent preserve and the wildlife we seek to protect than a less visionary proponent might have conjured. For all of this I join many others in gratitude.

The drainage plan seems to lack a name or identifying for the creek corridor in the southern half of the project area, making it difficult to reference that feature. With respect to that main channel, I recommend that the EIR include a mitigation measure that requires habitat restoration of this Morrison Creek tributary, consistent with site-specific characteristics of the corridor, to maximize natural resource values, aesthetic and passive recreation values, while managing low-flow and high-flow drainage events.

This DEIR lacks specificity in mitigation measures. While alternatives are discussed and minimums are proposed, there are no analyses and recommendations of preferred methods. Most of the mitigation measures rely on preparation of future documents, which will not be subject to public disclosure and comment. This inappropriately defers mitigation and prevents interested citizens from participating in the process. As evidenced by the many improvements to the Project through public participation, the public has the ability to improve design and mitigation implementation.

The mitigation measures for potentially significant impacts to biological resources are unnecessarily vague at this point in the approval process. By putting this off to another time in the future, the DEIR review process essentially asks the public to trust that these yet-to-be-developed plans will provide sufficient mitigation to achieve the proposed less than significant impacts. These plans should be drafted by the County and made public to allow the

public to review whether they are indeed sufficient to achieve the promised outcome. In this respect, and for reasons outlined in more detail below, the DEIR is deficient.

Over the past few years the public has commonly seen that the mitigation plans and/or their implementation in Sacramento County fall far short of protecting the public interest in natural resources and species. After the environmental review documents are deemed complete, the process to identify and implement specific mitigation processes referenced in the DEIR take place outside the public purview. This black box, government-to-government consultation, often produce plans that fall short of effective resource protection. With respect to Mather Field specifically, the concerned public has seen the USFWS set low expectations and maintain minimal oversight to ascertain whether the proposed environmental benefits and mitigation goals are attained.

This has been abundantly evident in the creation of the Mather Preserve Management Plan development and implementation. The public comments during the plan development process declared that the funding was insufficient to complete the necessary actions to achieve the desired outcomes. Moreover, the plan lacked specificity and performance metrics. It is abundantly clear to anyone willing to look, that too little is being done to manage the burgeoning problem with invasive plants within the preserve that is supposed to mitigate for the loss of resources on the site of the Project. Actual wetted acreage of vernal pools and habitat for listed species has already substantially diminished, which could result in the County being short of the acreage required to mitigate for projects at Mather Field, including this Project.

Given that both the County and the regulatory agencies are already failing to prevent degradation of the resources intended to mitigate for the Project, the public has no reason to trust that future plans and their implementation will be successful. For these reasons the DEIR cannot simply defer discussion and disclosure of the environmental consequences of the mitigation portion of the project to some future plan. I urge the County to become more proactive in ensuring that the natural resources of the Mather Preserve are being well preserved and managed.

SPECIFIC COMMENTS

Mitigation for increased traffic impacts on wildlife – I recommend that the fairly recently adopted new name for Eagle's Nest Road (Zinfandel Drive) be dropped and replaced with the original name. Better than the name of a wine grape, Eagle's Nest Road captures the essence of the nature preserve landscape. By re-establishing the original name north of the preserve, the Project can mitigate the future impacts of more traffic on adjacent wildlife in the preserve by giving motorists a trigger to increase awareness of natural areas through which they are traveling. A commitment by the County to execute this name change, together with roadside signage that alerts motorists to a lower speed limit and risk of wildlife crossings, should be included as a mitigation measure.

Mitigation Measure BR-2. (pages 6-40 through 6-41): This mitigation measure is simply a plan to make a plan that satisfies the regulatory agencies. It fails to disclose the environmental impacts of the mitigation itself. This circumvents public disclosure and the public's ability to comment upon the mitigation.

Additionally, any restoration or creation within the Mather Preserve for the purposes of compensatory mitigation must include monitoring of adjacent natural vernal pool habitat and appropriate remediation should these activities result in degradation of the adjacent natural vernal pool habitats. I recommend that the restoration plan elements be modified to include monitoring and potential remediation of adjacent natural vernal pool habitat.

Mitigation Measure BR-9. (page 6-47). The DEIR acknowledges that both direct and indirect impacts to Western Spadefoot will occur. It goes on to highlight all of the potential indirect impacts including water quality, domestic animals, litter, traffic, noise, etc. Then this mitigation measure goes on to say that the salvage of adults, larvae and eggs, if encountered within the project construction footprint, constitutes mitigation which would render impacts to less than significant. More specificity regarding monitoring and measurable outcomes needs to be made for Western Spadefoot mitigation.

Mitigation Measure BR-15. (page 6-38). The DEIR states on page 6-56 that Western Burrowing Owls (WBO) have

not been documented in the plan area. However, WBO have been regularly observed for years, immediately west of the westernmost fence between the Weapons Storage Area and the preserve, in and around ground squirrel burrows. The most recent siting was on 2-21-19.

The Mather Airport has historically been home to many breeding pairs of WBO, which coexisted well with airport operations for decades. Over the last several years breeding pairs of WBO have decreased at Mather Field and throughout the County. An opportunity exists to provide more safe space for WBO within the airport fences. It is recommended that the County review and adopt a plan like the Burrowing Owl Management Plan used at San Jose Airport, which was found to be compatible with safe operation of the airport and improving outcomes for this severely at-risk species.

Storm Drainage Master Plan Appendix **HY-1**

The plan details related to Hydromodification (Section Page 39 of 51) and Stormwater Quality (Page 40 of 51) reveal an attempt to go above and beyond the measures typically required to attenuate flood and stormwater pollution. As explained in Section 4.2, the project's ten (10) multi-purpose detention basins will be designed to attenuate peak flow and hydromodification flow duration control storage as well as provide stormwater quality treatment as permanent pool wet basins. The hydromodification strategy that will be employed for the Project includes plans to utilize flow duration control structures in each of the detention basins to accomplish flow matching in the downstream creek systems.

While the project proponent acknowledges that "*the future HMP standards [might] differ from the assumptions built into this master plan*," which could obviate the proponent's ability to implement this superior approach, the County should accept and acknowledge in the final EIR that the proponent may implement the approach that best preserves the quantity and quality of surface waters within the project area, regardless of its alignment with any future County HMP that might be completed. Given the location of this project and the high priority to protect aquatic resources on site, the plan proposed in this DEIR should be the one adopted for implementation, subject to approval by the regulatory agencies.

Truly yours,



Eva S. Butler

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

February 25, 2019

Sent Via Email Only

Mr. Todd Smith
Sacramento County Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814
smithtodd@saccounty.net

Subject: Mather South Community Master Plan Draft Environmental Impact Report

Dear Mr. Smith:

Thank you for providing the Sac Metro Air District with the opportunity to comment on the Mather South Community Master Plan Draft Environmental Impact Report (DEIR). The Sac Metro Air District reviews projects and provides comments through the lead agency planning, environmental and entitlement processes with the goal of reducing adverse air quality impacts and ensuring compliance with the California Environmental Quality Act. We offer the following comments on the DEIR.

Measure AQ-1, Construction Mitigation: Consistent with our CEQA Guide, the construction mitigation fee should be calculated and disclosed based on the DEIR analysis[1]. The mitigation fee should be included in the Final EIR's Executive Summary and Air Quality Chapter, as well as the Mitigation Monitoring and Reporting Plan.

Sacramento Rendering Company (SRC): Since the year 2000, the Sac Metro Air District has responded to 60 complaints per year (on average) from residents located in nearby development projects regarding SRC odors. To provide additional disclosure to new residents, we recommend the FEIR include the attached statement regarding our role in regulating the SRC. Additionally, we request that the County consider including funds in the project's financing plan to reimburse the Sac Metro Air District for increased complaint response anticipated by locating additional sensitive receptors in close proximity to the SRC. Sac Metro Air District staff is available to work with County staff on complaint response funding needs.

Mather South Community Master Plan Air Quality Mitigation Plan (AQMP): We find that the operational AQMP (January 2019) is technically adequate for CEQA purposes. I have attached a copy of our Letter of

[1] Page 3-10, Sacramento Metropolitan Air Quality Management District, *Guide to Air Quality Assessment in Sacramento County* (CEQA Guide). May 2017.

Technical Adequacy (January 25, 2019). However, we have two concerns with measure SDT-3, Implement NEV Network.

- The measure effectiveness would increase if the network has direct access to Mather Regional Park, including Mather Golf Course. Currently NEVs cannot travel on Zinfandel Drive due to the speed limit, so another pathway is needed to allow the NEV connection to Mather Regional Park. Consider requiring a separate NEV connection in the Master Plan.
- The NEV network as currently planned would share the class II bike lane. Most bicyclists would be discouraged from using the bike lane if NEVs are in the bike lane traveling 35 miles per hour. Consider providing class IV bike lanes to separate NEVs from bikes.

Greenhouse Gas Offsets: We recommend the County remove reference to the CAPCOA GHG Rx on page 7-26 since it is not a functioning offset program. Existing CARB-accredited offset registries provide both regulatory- and non-regulatory-grade carbon offsets, the latter of which may be more suitable to project needs.

Greenhouse Gas Mitigation Measures: Mitigation Measure CC-2 – Building Energy (page 7-24) discusses the implementation of Tier 1 or 2 of the California Green Building Standards, which includes all-electric space and water heating. We encourage this measure as feasible mitigation and provide the attached technical memorandum discussing the available technologies, costs, and feasibility.

I have also attached a copy of our Rules and Regulations, and a standard notice regarding toxic air contaminants.

Thank you again for providing the opportunity to review and comment on the Mather South Community Master Plan DEIR. You may contact me at (916) 874-4876 or rdubose@airquality.org if you have questions about this letter.

Sincerely,

RDuBose

Rachel DuBose
Air Quality Planner

C: Paul Philley

Attachments:

Regulatory Authority of the Sacramento Metropolitan Air Quality Management District over the Sacramento Rendering Company

AQMP Determination of Technical Adequacy

Technical Memorandum – Cost Analysis of Space Heating and Water Heating Systems

Rules and Regulations Statement

Notice Regarding Toxic Air Contaminants

REGULATORY AUTHORITY

OF THE

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

OVER

THE SACRAMENTO RENDERING COMPANY

Sacramento Rendering Company (SRC) is a business that has operated in Sacramento County since 1913. It has been at its current location on Kiefer Boulevard since the 1950s. SRC receives restaurant grease and animal waste materials and renders them into products used in the manufacturing of many everyday items such as soaps, cosmetics, candles, and animal feed.

Given the nature of the operations at SRC, the facility is regulated by a number of agencies, including the Sacramento Metropolitan Air Quality Management District (SMAQMD). The SMAQMD's role in regulating SRC is to ensure that SRC follows federal, state, and local air pollution control regulations designed to protect the public health.

The principal method by which the SMAQMD regulates SRC is through a permit to operate. This permit requires SRC to operate in accordance with specific conditions. These conditions are enforced by regular compliance inspections. Due to the number of odor complaints the SMAQMD receives regarding SRC, the facility is inspected frequently to ensure that it is operating in full compliance with permit conditions.

The surrounding land uses have changed considerably since SRC began operating at its current location. More recently, the County of Sacramento approved a large residential project in the Sunrise/Douglas area. When that development was approved by the Sacramento County Board of Supervisors, an agreement was reached between the developer, Sacramento County, and SRC to install an enhanced odor control system prior to the issuance of any building permits for structures located downwind of the plant. This particular odor control system was not required by any air pollution control regulations – it was a voluntary effort by the developer and SRC to reduce odors already known to exist around the plant. Even though this equipment was voluntarily installed, it is still subject to SMAQMD permitting requirements to ensure that it meets local, state, and federal emission requirements.

SRC has indicated that the odor control equipment it installed is a state-of-the-art system that takes air from the rendering process through a combination of chemical and thermal treatments to reduce pollutants and odors. The primary air pollutants emitted from rendering operations are Volatile Organic Compounds (VOCs). There are many different types of VOCs which may be emitted, including organic sulfides, disulfides and aromatic compounds. Given the low odor detection threshold for some compounds and varying sensitivities among individuals who may detect odor downwind of the plant, it is possible to detect odors from SRC even though the odor control equipment is being operated within design specifications and in full compliance with SMAQMD permit conditions.

In addition to its authority to establish permit conditions to limit the discharge of air pollutants from facilities, the SMAQMD has a nuisance rule (Rule 402) that, under most scenarios, would apply when a facility operating in compliance with permit conditions is still causing a public odor nuisance. However, California Civil Code Section 3482.6, "The Right to Farm Act", specifically

(i) includes rendering plants in the definition of agricultural activity, and (ii) exempts agricultural processing facilities and rendering plants from nuisance rules if the nuisance is due to changed conditions that occur after an agricultural activity has been in continuous operation for more than three years (so long as it was not a nuisance at the time it began operation).

SRC predates most of the other development in the surrounding area. Consequently, as to the newer developments, if SRC is operating within the limits of its SMAQMD permit and the SMAQMD receives odor complaints, the SMAQMD has no authority to take an enforcement action against the facility.

However, the SMAQMD has worked with SRC in an effort to lessen odor impacts on the community, and SRC is interested in hearing from surrounding residents, businesses, and the general public with comments and/or concerns about their operations. To this end, SRC has established a 24-Hour Hotline 1-800-339-6493 for reporting concerns. The hotline is staffed during business hours and voice mail after hours. You can email SRC at airyourthoughts@SRCCompanies.com or contact them by mail at 11350 Kiefer Boulevard, Mather, CA 95830. Additional information on SRC may also be found on the County of Sacramento's website.

In summary, to ensure SRC properly operates its odor control equipment, the SMAQMD conducts regular inspections of the plant. Under certain conditions, odors may be detected even when this equipment is operated properly. Given the limitations of the SMAQMD's authority as it relates to rendering plants, odors alone do not constitute a violation of existing SMAQMD regulations.

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

January 25, 2019

Sent Via Email Only

Todd Smith
Sacramento County Planning and Environmental Review
827 7th Street
Room 225
Sacramento, CA 95814
smithtodd@saccounty.net

Subject: Mather South Community Master Plan Air Quality Mitigation Plan (AQMP)

Thank you for the opportunity to review the January 2019 operational air quality mitigation plan (AQMP) for the Mather South Community Master Plan. The Sac Metro Air District finds it technically adequate for CEQA purposes. The mitigation will achieve a 15% reduction in operational criteria pollutants.

Thank you again for the opportunity to review. You may contact me at (916) 874-4876 or rdubose@airquality.org if you have questions about this determination.

Sincerely,

RDuBose

Rachel DuBose
Air Quality Planner

C: Paul Philley

Attachments:

January 2019 Mather South Community Master Plan Air Quality Mitigation Plan

June 22, 2016

TECHNICAL MEMORANDUM

To: Paul Philley, Rachel Dubose and Tim Taylor, Sacramento Metropolitan Air Quality Management District

From: Ron Friesen, Tasko Olevski, and Lit Chan
Subject: Cost Analysis of Space Heating and Water Heating Systems

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Introduction

Ramboll Environ was tasked by the Sacramento Metropolitan Air Quality Management District (SMAQMD) to conduct an analysis of the price differential for conventional and no/low Oxides of Nitrogen (NOx) space heating and water heating systems for new construction single family homes in the Sacramento metropolitan area. This technical memorandum provides a summary of our analysis of the cost of installing and operating low- or no-NOx space and water heating system, as compared to traditional systems available from the primary vendors of equipment in new residences. The technical memorandum also includes description of our methodology, results and findings of the analysis.

Based on the discussion with the SMAQMD, our investigation included the cost of the following space heating technologies:

- Traditional Natural Gas Furnaces;
- Central split ducted heat pumps;
- Ductless mini-split heat pumps;
- Geothermal heat pumps (horizontal, vertical, pond/Lake and hybrid closed loop systems);
- Central split heat pumps plus traditional furnaces; and
- Central split heat pumps plus resistance heaters.

A comparison of the installation and operational costs of the low- and no-NOx systems with conventional Title 24 compliant natural gas furnace heating systems currently being used in new construction of single family homes is described in this Technical Memorandum. The analysis is based on a typical or average size residence located in the Sacramento metropolitan area. The methodology used to evaluate the average size residence and associated energy consumption is also described.

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Our investigation of conventional natural gas fired space heating systems included review of data provided by the California Energy Commission (CEC) for compliance with Title 24 standards, the National Renewable Energy Laboratory (NREL) research and publications database, the Department of Energy (DOE) and finally direct contacts with vendors and contractors. Operating costs included the life expectancy of the technologies. Conventional space heating vendors investigated for cost information included Carrier, Robur, Friedrich, Lennox, Ruud, Tempstar, Trane, Rheem, York, Goodman, Geocool and Climate Master.

Our investigation of low-and no-NOx water heating systems, includes the following systems:

- Traditional Natural Gas Furnaces;
- Solar water heaters (with electric backup);
- Tankless or demand water heaters;
- Traditional Electric Heaters; and
- Hybrid electric water heaters with heat pumps.

As with space heating systems, our investigation included review of data provided by the CEC for compliance with Title 24 standards, the NREL research and publications database, the DOE and finally, vendor quotes for both conventional and new technologies. Conventional water heater vendors that were investigated included A.O. Smith, Rheem, Whirlpool, General Electric, and Bradford White. Electric, tankless, solar and other low-and no-NOx vendors included A.O.Smith, Rheem, Rinnai and Navien.

Similar to the analysis for low-and no-NOx space heating systems, our investigation included a comparison of the installation and operational costs of the low- and no-NOx systems with conventional Title 24 compliant natural gas water heating systems currently being used in the construction of new single family homes.

Methodology

The California Building Energy Code Compliance (CBECC-Res) software[1] was used for the purposes of estimating electricity and/or natural gas consumption for the different types of space and water heating technologies investigated. The software includes a pre-built 1-story 2100 ft^2 Sacramento home with all the building properties such as insulation, types of windows, solar radiation, etc. already specified or calculated by the model. Therefore, this provided a consistent baseline for comparing the different types of space or water heaters.

[1] http://www.bwilcox.com/BEES/cbecc2016.html

Conventional Space and Water Heating Systems

The heating load for a conventional system was based on the size of heat pumps that the pre-built CBECC-Res model came with, which was 36,000 btu/hr, as well as research and discussions with HVAC contractors in the Sacramento area. All space heating equipment was selected so that as a minimum it has the 36,000 btu/hr heating output.

The hot water requirements for a 3-person home were developed from the document that was also used by the CBECC software to estimate domestic hot water loads[2]. Taking the estimates from the following hot water demand model into account, the hot water load was set at 40-50 gal/day and, as such, a hot water tank with a similar capacity was selected. In terms of the energy input, the standard 40 gal natural gas water heater is rated at 40,000 btu/hr and an electric water heater with the same capacity has an input rating of 9,000 W.

Solar water heaters were sized with guidance from the energy department website[3]. The solar collector area required was 54 ft^2 and the storage capacity was anywhere from 60-130 gal, including any storage capacity from a backup water heater. Several specific models of solar water heaters were examined, and estimates from manufacturers were obtained. The exact specifications and performance of these water heaters were obtained from the OG-300 Solar Rating & Certification Corp. program[4] which provides performance data of solar energy appliances under specific conditions. This website was particularly useful as it provides information on how a certain solar water system will perform in a certain climate zone. Therefore, the performance data obtained from the website were applicable to this analysis.

Electric and Natural Gas Rates

Electric and natural gas rates were obtained from the Sacramento Metropolitan Utility District (SMUD) and Pacific Gas & Electric Company (PG&E) respectively. The electrical rates are based on the latest time-of-use rates[5] that were averaged according to the amount of time in the year that the rates apply. This aggregation was performed so that the rates can be used with the total annual energy consumption provided by the CBECC-Res model. The aggregation for space and water heating was performed differently and the main reason for this is that the Summer Super Peak rate is not included in the aggregated space heating rate as space heating is unlikely to be required in the Sacramento area during the summer months when the Super Peak rate applies.

[2] http://www.bwilcox.com/BEES/docs/Kruis%20-%20Dhw%20Analysis%205.docx
[3] http://energy.gov/energysaver/sizing-new-water-heater
[4] https://secure.solar-rating.org/Certification/Ratings/RatingsSummaryPage.aspx?type=2
[5] https://www.smud.org/en/residential/customer-service/rate-information/time-of-use-rate-information.htm

Natural gas rates were obtained from the PG&E website[6]. Monthly historical rates were available and an arithmetic average of the monthly data for the last 5 years was used. Also, similarly to the electricity rate aggregation, two different rates were developed assuming that space heating is required only in the winter months of November to March, and water heating is required throughout the year. Details on the different rates developed and used in the calculations can be found in Table 1.

Table 1. Energy Rates in the Sacramento Metropolitan Area.

	Water Heating	Space Heating	Unit
Electricity	0.1130	0.1070	$/kWh
Natural Gas	1.1409	1.1335	$/therm

Oxides of Nitrogen Emissions

The NOx emission rates were calculated using the SMAQMD rule 414 for residential gas water heaters which limits NOx emissions to 10 ng/J[7]. The emissions factor for furnaces was taken from the 40 ng/J limit of SCAQMD rule 1111[8].

Net Present Value Calculation

The net present value calculations were performed over a 20 year period assuming a 7% interest based on SMUD's energy upgrades lending program[9]. There is certain equipment such as tank water heaters with a 10 year lifetime and in this case it was assumed that a new water heater of the same capacity, cost and ratings is purchased at the beginning of year 11.

Summary Results of Analysis

Water Heaters –Summary Result Tables

The capacity and types of water heaters examined is presented below. The efficiency of the water heaters is expressed as either energy factor or solar factor for the solar water heaters. For the calculation of the combined solar water heater with an electric or gas tank backup, it was assumed that, due to the lower usage rate of the conventional heater, the lifetime is extended to 20 years rather than the standard 10 year lifetime when it is the single source of hot water in a home. Table 2 below summarizes the water heater capacities and efficiency for the systems analysed and Table 3 provides a summary of the energy consumption, annual costs and average annual NOx emissions.

[6] http://www.pge.com/tariffs/GRF.SHTML#RESGAS
[7] http://www.airquality.org/rules/rule414.pdf
[8] http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1111.pdf?sfvrsn=4
[9] https://www.smud.org/assets/documents/pdf/Residential%20Financing%20Fact%20Sheet.pdf

Table 2. Water Heater Capacities and Efficiencies.

Technology	Capacity	Model	Efficiency
Traditional System			
Gas Tankless	120 kbtu/hr	Average	0.82 EF
Gas Tankless	120 kbtu/hr	Average	0.91 EF
Gas Tank	40 gal, 40 kbtu/hr	Average	0.62 EF
Gas Tank	40 gal, 40 kbtu/hr	Average	0.70 EF
Low / No NOx			
Solar	54.1 sqft, 80 gal	VITOSOL 200F COMBI-PACKAGE 2-200F-300B-G	0.85 SF
Solar	54.1 sqft, 80 gal	HPAK 016 2 406 G 80 ACS Heliopak	0.75 SF
Solar	55.7 sqft, 135.7 gal	Sol-Reliant SR 56/80 E PVDB X	0.72 SF
Solar	54.1 sqft, 75 gal	HPAK 016 2 406 G 75PD AC S Z HELIOPAK	0.65 SF
Solar	54.8 sqft, 131 gal	SOLKIT-2N-ETK SOLAR HOT WATER PACKAGE Stiebel Eltron	0.62 SF
Electric Heat Pump	50 gal	AO Smith SHPT-50	2.75 EF
Electric Tank	40 gal, 9000 W	Average	0.95 EF

Table 3. Water Heater Energy Consumptions, Annual Costs and NOx Emissions.

Technology	Efficiency	Gas consumption (Therms)	Electricity consumption (kWh)	Annual cost ($)		Annual NOx Emissions (g)
				Gas	Electricity	
Traditional Systems						
Gas Tankless	0.82 EF	121.2	0	138	0	128
Gas Tankless	0.91 EF	109.2	0	125	0	115
Gas Tank	0.62 EF	167.2	0	191	0	176
Gas Tank	0.70 EF	145.1	0	166	0	153
Low NOx						
Solar w/ gas backup	0.85 SF	72.2	0	82	0	76
Solar w/ gas backup	0.75 SF	81.5	0	93	0	86
Solar w/ gas backup	0.72 SF	84.4	0	96	0	89
Solar w/ gas backup	0.65 SF	90.6	0	103	0	96
Solar w/ gas backup	0.62 SF	93.3	0	106	0	98
No NOx						
Solar w/ electric backup	0.85 SF	0	1145	0	129	0
Solar w/ electric backup	0.75 SF	0	1362	0	154	0
Solar w/ electric backup	0.72 SF	0	1426	0	161	0
Solar w/ electric backup	0.65 SF	0	1575	0	178	0
Solar w/ electric backup	0.62 SF	0	1639	0	185	0
Electric Heat Pump	2.75 EF	0	1008	0	114	0
Electric Tank	0.95 EF	0	2918	0	330	0

Rebates to the equipment and installation cost in the form of tax credits were applied based on information from the Energy Star program website[10]. Rebates from SMUD are applicable only for replacing old equipment and were therefore not considered in this case for a new single family home. The 30% rebate for solar water heaters significantly reduces the cost of installation and purchase, bringing the otherwise high initial cost within range of more conventional water heating technologies. An interesting new technology is the electric heat pump water heater, which comes very close to traditional water heaters in terms of cost and virtually eliminates NOx emissions.

To provide a comparison of the different technologies, we have calculated the net present value (NPV) of each system considering the annual energy cost, the equipment and installation costs. The NPV results, along with annual NOx emissions, are shown in Table 4. Note that the installation cost is included in the equipment cost unless it is specifically shown in the table. The NPV considers the lifetime of the system and is calculated at 7% discount rate which is based on the SMUD home energy program where you can borrow money to do home energy improvements at 6.99%.

Table 4. Water Heater Net Present Value (NPV).

Technology	Efficiency	Total annual energy cost ($)	Equipment Cost ($)	Installation cost ($)	Federal Tax Credit Rebates	Lifetime (years)	Annual NOx Emissions (g)	Net Present Value
Traditional System								
Gas Tankless	0.82 EF	138	$3,090		$300	20	128	($4,072)
Gas Tankless	0.91 EF	125	$3,390		$300	20	115	($4,208)
Gas Tank	0.62 EF	191	$1,440			10	176	($4,051)
Gas Tank	0.70 EF	166	$2,140			10	153	($4,770)
Low NOx								
Solar w/ gas backup	0.85 SF	82	$6,176	$3,300	$2,843	20	76	($7,072)
Solar w/ gas backup	0.75 SF	93	$5,800	$3,300	$2,730	20	86	($6,938)
Solar w/ gas backup	0.72 SF	96	$5,700	$3,300	$2,700	20	89	($6,907)
Solar w/ gas backup	0.65 SF	103	$4,800	$3,300	$2,430	20	96	($6,394)
Solar w/ gas backup	0.62 SF	106	$4,300	$3,300	$2,280	20	98	($6,100)
No NOx								
Solar w/ electric backup	0.85 SF	129	$6,176	$3,300	$2,843	20	0	($7,570)
Solar w/ electric backup	0.75 SF	154	$5,800	$3,300	$2,730	20	0	($7,584)

[10] https://www.energystar.gov/about/federal_tax_credits

Solar w/ electric backup	0.72 SF	161	$5,700	$3,300	$2,700	20	0	($7,595)
Solar w/ electric backup	0.65 SF	178	$4,800	$3,300	$2,430	20	0	($7,184)
Solar w/ electric backup	0.62 SF	185	$4,300	$3,300	$2,280	20	0	($6,934)
Electric Heat Pump	2.75 EF	114	$2,500		$300	10	0	($4,308)
Electric Tank	0.95 EF	330	$1,400		$300	10	0	($5,044)

Space Heaters –Summary Result Tables

The utility costs and specifications for the different space heaters examined are shown in Table 5 below. The last three rows of the table show the costs of running a heat pump or a central air conditioner and a furnace as it is the norm in many homes in California.

Table 5. Space Heater Energy Consumption and Costs.

Technology	Efficiency	Gas consumption (Therms)	Electricity consumption (kWh)	Total annual utility cost		
				Gas ($)	Electricity ($)	Gas + Electricity ($)
Traditional System						
Gas Furnace	0.80 EF	203.3	179	230	19	250
Central AC + Furnace	3 RT + 0.8 EF	203.3	179	230	19	250
Low NOx						
Gas Furnace	0.90 EF	180.7	179	205	19	224
Central Split HP Ducted + Furnace	3 RT + 0.8 EF	81.32	1109	92	119	211
No NOx						
Mini Split HP Ductless	9.85 HSPF, 5 RT	0	2119	0	227	227
Central Split HP Ducted	8.80 HSPF, 5RT	0	1922	0	206	206
Geothermal ground loop, horizontal, air	3.4 COP	0	2119	0	227	227
Geothermal ground loop, horizontal, radiant	3.3 COP	0	2119	0	227	227
Geothermal ground loop, vertical, air	3.4 COP	0	2119	0	227	227
Central Split HP Ducted + Resistance Heater	3 RT	0	3136	0	335	335

The energy consumption and cost calculations in the Table 5 and net present value calculations in Table 6 below include only the energy consumed for heating for the year. The net present value is based on a 20 year average lifetime of the equipment and utility costs with a 7% discount rate. The calculations for the systems in Table 5 and 6 which include a combination of a heat pump with either resistance heater or gas furnace assume that the heat pump is used to heat the home to its full capacity and the furnace or electric heater is used to supplement the heating load. This is because a heat pump sized only for cooling is generally smaller than one sized for both heating and cooling by itself. This is evident in the capacities of the heat pump selected, as the mini split and central heat pump are both sized at approximately 5 tons of refrigeration (RT) and the heat pumps used in conjunction with a furnace or electric heater have a capacity of 3 tons of refrigeration. When this is used as a basis of comparison with new technologies such as a large heat pump that is sized to heat and cool the home without supplemental gas or electricity heating, the low-NOx heat pump alternatives are comparable in terms of the cost and net present value.

Table 6. Space Heater Net Present Value (NPV).

Technology	Efficiency	Total annual utility cost	Equipment cost[5]	Installation cost	Federal Tax Credit Rebates	Annual NOx emissions (g)	Net present value
Traditional System							
Gas Furnace	0.80 EF	$250	$1,000	$2,755		858	($6,153)
Central AC + Furnace	3 RT + 0.8 EF	$250	$8,305		$300	858	($10,125)
Low NOx							
Gas Furnace	0.90 EF	$224	$1,400	$4,755		762	($8,125)
Central Split HP Ducted + Furnace	3 RT + 0.8 EF	$211	$8,305		$300	343	($9,714)
No NOx							
Mini Split HP Ductless	9.85 HSPF, 5 RT	$227	$3,300	$1,500	$300	0	($6,607)
Central Split HP Ducted	8.80 HSPF, 5RT	$206	$1,767	$4,695	$300	0	($7,937)
Geothermal ground loop, horizontal, air	3.4 COP	$227	$34,000		$10,200	0	($24,644)
Geothermal ground loop, horizontal, radiant	3.3 COP	$227	$29,500		$8,850	0	($21,700)
Geothermal ground loop, vertical, air	3.4 COP	$227	$26,000		$7,800	0	($19,411)
Central Split HP Ducted + Resistance Heater	3 RT	$335	$5,555		$300	0	($8,465)

Conclusions

The results from this brief study indicate that heat pumps are a viable alternative to conventional space and water heating technologies. Taking rebates and higher efficiency into consideration the air-source water and space heaters have similar costs to the traditional methods while eliminating NOx emissions. This study can be further expanded by including the costs of cooling a home in Sacramento which is as significant, if not more significant as heating and also because heat pumps as an alternative have the potential to provide both heating and cooling.

The findings presented in this memorandum are strongly dependent on the utility prices which fluctuate and can change the affordability of some water and space heaters. For example based on annual historical averages of electricity prices from the CEC[11] in the period from 1977 to 2012 SMUD has had the lowest or second lowest residential rate out of all utility districts in California, with prices of other utility districts being anywhere from more than double to 30% higher. An increase in electricity prices with all else being equal would make natural gas options more attractive and decrease further the net present value of heat pump systems.

In addition to the information presented in this report the maintenance and reliability costs can affect the results and decision to purchase different water and space heating systems. These were not examined in this analysis but can be included in future work. Future work can also include different air pollutants or issues such as noise of the equipment as many low or no NOx technologies such as heat pumps include pumps and compressors which are usually noisier than a traditional gas furnace.

Alternative heating technologies that can also be included with further research and consideration are larger geothermal heat pumps that can be shared between a group of housing or a whole housing development. This should reduce the impact of the high installation cost of geothermal heat pumps and also eliminate NOx emissions from furnaces. For example Ball State University in in Muncie, IN installed a large geothermal heat pump in 2012 that cools and heats 47 campus buildings, replacing gas fired boilers and providing $2 million in annual savings[12].

A combined summary table of all alternatives, as well as the energy rate calculations and raw equipment data are shown in the attachments.

ATTACHMENTS

Combined Summary Tables of All Alternatives

[11] http://energyalmanac.ca.gov/electricity/Utility-Wide_Average.xls
[12] http://cms.bsu.edu/about/geothermal

SACRAMENTO METROPOLITAN
AIR QUALITY
MANAGEMENT DISTRICT

Sac Metro Air District Rules & Regulations Statement (revised 6/2018)

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District):*

All projects are subject to Sac Metro Air District rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916-874-4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from Sac Metro Air District prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the Sac Metro Air District early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a permit include, but are not limited to, dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower is required to have a Sac Metro Air District permit or a California Air Resources Board portable equipment registration (PERP) (see Other Regulations below).

Rule 402: Nuisance. The developer or contractor is required to prevent dust or any emissions from onsite activities from causing injury, nuisance, or annoyance to the public.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour. The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

Rule 417: Wood Burning Appliances. This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 453: Cutback and Emulsified Asphalt Paving Materials. This rule prohibits the use of certain types of cut back or emulsified asphalt for paving, road construction or road maintenance activities.

Rule 460: Adhesives and Sealants. The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify the Sac Metro Air District of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

Other Regulations (California Code of Regulations (CCR))

17 CCR, Division 3, Chapter 1, Subchapter 7.5, §93105 Naturally Occurring Asbestos: The developer or contractor is required to notify the Sac Metro Air District of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. The developer or contractor is required to comply with specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

13 CCR, Division 3, Chapter 9, Article 5, Portable Equipment Registration Program: The developer or contractor is required to comply with all registration and operational requirements of the portable equipment registration program such as recordkeeping and notification.

13 CCR, Division 3, Chapter 9, Article 4.8, §2449(d)(2) and 13 CCR, Division 3, Chapter 10, Article 1, §2485 regarding Anti-Idling: Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes. These apply to diesel powered off-road equipment and on-road vehicles, respectively.

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

Notice: Permitted and Unpermitted Sources of Toxic Air Contaminants

Lead Agencies should make a concerted effort to disclose potential TAC-related health impacts from:

- locating sources of TAC emissions in close proximity to existing or future planned receptors (e.g., gasoline dispensing facilities subject to District permits and non-permitted sources of TACs such as high traffic volume roadways), and,
- locating receptors in close proximity to an existing or future planned source of TAC emissions.

Permitted sources can be identified using SMAQMD's Permitted Locations online tool, and the EPA's Toxics Release Inventory Explorer search tools.

For more information, refer to Chapter 5 of our CEQA Guide.

JMBM Jeffer Mangels Butler & Mitchell LLP

jmbm.com

Kerry Shapiro
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Ref: 63786-0001

February 22, 2019

BY EMAIL
moffittl@saccounty.net
CEQA@saccounty.net

Leighann Moffitt
Sacramento County, Office of
Planning and Environmental Review
827 7th Street, Room 230
Sacramento, CA 95814

Re: Mather South Community Master Plan Project (State Clearinghouse #2014062087, County Control Number PLNP2013-00065) -- Draft Environmental Impact Report

Dear Ms. Moffitt:

This firm represents Tsakopoulos Investments, the majority landowner and applicant of the Jackson Township Specific Plan. Set forth below are our comments regarding the Draft Environmental Impact Report (DEIR) for the Mather South Community Master Plan Project (Project). Please place a copy of this letter in the administrative file for the Project.

Traffic and Transportation

As discussed below, the DEIR traffic analysis proposes to implement the "Jackson Corridor Transportation Mitigation Strategy" (Mitigation Strategy) as mitigation for the Project's significant traffic impacts, even though the Mitigation Strategy is still in draft form.

Throughout the DEIR, the County discusses the significant cumulative traffic and transportation impacts that will result from the four Jackson Corridor Projects.[1] In order to mitigate those impacts, including the Project's individual impacts, the County proposes the implementation of the "Jackson Corridor Transportation Mitigation Strategy". The Mitigation Strategy serves as the basis for mitigation measures TR-1, TR-2, TR-3, and TR-4, all of which are interrelated and dependent upon one another. For example, TR-3 implements the substance of TR-1.[2]

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[1] *See, e.g.*, DEIR, p. 19-99.
[2] DEIR, p. 17-72.

Absent from the DEIR is a specific discussion of how the Mitigation Strategy will work. Nor does the DEIR attach a copy of the Mitigation Strategy. Presumably, the reason for this critical omission is the fact that the Mitigation Strategy is still in draft form.[3] In fact, the operative draft of the Mitigation Strategy—version 5—was not circulated until after the DEIR was released. Until the Mitigation Strategy is final, the substance of mitigation measures TR-1, TR-2, TR-3, and TR-4 is mere speculation.

It was poor practice for the County to have released the DEIR, which relies upon the Mitigation Strategy as mitigation for the Project's significant and unavoidable traffic and transportation impacts, without having first finalized the Mitigation Strategy. This suggests the County is trying to cut corners to expedite the processing of its own DEIR and make sure its project is the first of the four Jackson Corridor projects approved.

However, until the Mitigation Strategy is final, the DEIR's traffic and transportation analysis is incomplete and speculative. Once the Mitigation Strategy is final, the DEIR's traffic and transportation analysis should be updated to reflect the final terms of the Mitigation Strategy and recirculated.

Sacramento Rendering Plant

As discussed below, the DEIR: (1) improperly concludes that compliance with Mather Field Special Planning Area Ordinance (Ordinance) Policy 603-19 will reduce the Sacramento Rendering Plant's (Plant) significant odor impacts on future Project residents to a level less than significant; (2) improperly concludes that compliance with Ordinance Policy 603-19 will reduce the land use incompatibility impacts caused by the Plant to a level less than significant; and (3) fails to adequately consider the Project Alternatives that would remove or reduce the development of residential uses within the southern area of the Project.

The DEIR recognizes that the Plant generates odors that many residents of the Project will find objectionable, even at great distances.[4] The Plant's emission of objectionable odors has been a problem for decades. Nevertheless, the County asserts in the DEIR that the imposition of Policy 603-19 of the Ordinance will mitigate the Plant's significant odor impacts on future residents of the Project.[5]

Ordinance Policy 603-19 requires that all future sales or lease agreements for homes or apartments in the Project include a notice provision regarding the Plant's odor impacts. The provision will also include a "hold harmless" clause that will preclude legal action against the Plant by the future residents. Ordinance Policy 603-19 is a measure intended to provide future

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[3] A copy of the operative draft Mitigation Strategy (version 5) is attached as Exhibit A.
[4] DEIR, p. 4-39.
[5] DEIR, p. 4-39.

residents with notice of the Plant's objectionable odor impacts, not a measure intended to reduce those impacts. Accordingly, the County's conclusion that compliance with Ordinance Policy 603-19 would somehow mitigate the Plant's significant odor impacts on future residents to a level less than significant lacks merit. The County should acknowledge the Plant's odor impacts will be significant and unavoidable, notwithstanding the inclusion of a notice provision in the sales and lease agreements.

Furthermore, as discussed in the DEIR, the Plant is statutorily exempt from regulation by the Sacramento Metropolitan Air Quality Management District because the Plant predates any nearby urban uses, such as those proposed through the Project.[6] The DEIR also states the Plant will cause noise, traffic, and aesthetics impacts that would affect residents of the Project on a 24/7 basis, seven days per week.[7] The significant impacts caused by the Plant emphasize the reality that the use of the Project area, or at least the southern portion thereof, for residential purposes, would cause an obvious land use conflict. Nevertheless, the DEIR again concludes that compliance with Ordinance Policy 603-19 would somehow reduce significant land use incompatibility impacts to a level less than significant.[8] This conclusion also lacks merit.

There is no mitigation that would protect future residents of the Project from the odor, noise, traffic, and aesthetics impacts that would occur on a 24/7 basis, 365 days per year. Accordingly, the siting of new homes downwind[9] of a longstanding rendering facility that causes objectionable odors, even at great distances, cannot be justified, until there is a confirmed date for the Plant's closure. This is not a situation in which the overriding of significant and unavoidable impacts would be appropriate. Rather, this is a situation where the County should avoid placing its residents in the path of harm that would be caused by the Plant's known impacts, which are detrimental to human health and well-being.

It is for these reasons why the County must give more serious consideration to the Project Alternatives that would remove or reduce the development of residential uses within the southern area of the Project. As discussed in the DEIR, several of the Alternatives would reduce the Plant's impacts on future Project residents, including the 24/7 impacts related to objectionable odors, traffic, noise, and aesthetics.[10] However, the County concludes that these Alternatives would not satisfy the goals of the 2016 amendment to the Mather Field Specific Plan. But the County must remember that the EIR prepared for the Mather Field Specific Plan assumed that

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[6] DEIR, p. 4-39.
[7] DEIR, p. 13-18. This page of the DEIR also notes that an active mining operation is located to the southwest of the Project. However, the DEIR does not explain why the impacts caused by that operation have been excluded from discussion in the DEIR.
[8] DEIR, p. 13-18.
[9] DEIR, p. 4-38 [stating "that the prevailing wind direction is from the south"].
[10] *See, e.g.*, DEIR, pp. 2-13, 2-17, and 2-22.

the southern portion would be zoned commercial-recreation, not residential, a fact acknowledged in the DEIR.[11]

It is deeply concerning that the County would consider developing residential uses on County-owned property located downwind of the Plant, given the history of complaints and litigation related to the development of other areas downwind of the Plant. If the County intends to develop the Project as presently designed, then the County must wait until after the Plant is closed.

Thank you for this opportunity to comment on the DEIR. We may have additional comments depending on how the County addresses the issues discussed herein.

Very truly yours,

KERRY SHAPIRO of
Jeffer Mangels Butler & Mitchell LLP

Attachment—Draft Mitigation Strategy (version 5)
cc: Angelo G. Tsakopoulos, Esq.
Navdeep Gill (rogersdl@saccounty.net)
Mike Penrose (PenroseM@saccounty.net)
Todd Smith (smithtodd@saccounty.net)

[11] DEIR, p. 13-18.

JMBM Jeffer Mangels Butler & Mitchell LLP
jmbm.com

EXHIBIT A

EXHIBIT A

Stratte, Martin

Subject: FW: Jackson Corridor Transportation Mitigation Strategy
Attachments: Jackson Corridor mitigation strategy Jan 2019 Rev 5.pdf

From: Shoeman. Dan [mailto:shoemand@SacCounty.NET]
Sent: Wednesday, January 23, 2019 10:38 AM
To: Phil Rodriguez (phil.rodriguez@lewismc.com) <phil.rodriguez@lewismc.com>; Kris Steward <ksteward@phillipslandlaw.com>; George Phillips <gphillips@phillipslandlaw.com>; Angelo G. Tsakopoulos <agtesq@tsakvest.com>; Stephen AuClair (sauclair@auclairinc.com) <sauclair@auclairinc.com>; Jim Wiley (jwiley@taylor-wiley.com) <jwiley@taylor-wiley.com>; Yasha Saber (ysaber@compassland.net) <ysaber@compassland.net>; Mike Isle (misle@teichert.com) <misle@teichert.com>; 'Mike.McKernan@gcinc.com' <Mike.McKernan@gcinc.com>; Martha Lofgren (mlofgren@brewerlofgren.com) <mlofgren@brewerlofgren.com>; Holger Fuerst <hfuerst@msce.com>; Smith. Todd <smithtodd@saccounty.net>; Davison. Bob <davisonb@SacCounty.NET>; Goetz. Susan <goetzs@SacCounty.NET>; Atwal. Kamal <atwalk@SacCounty.NET>
Cc: Vicari. Ron <vicarir@SacCounty.NET>; Carter. Rick <CarterR@saccounty.net>; Penrose. Michael <penrosem@SacCounty.NET>; Darrow. Matthew <DarrowM@SacCounty.NET>
Subject: Jackson Corridor Transportation Mitigation Strategy

Good Morning:

Attached for your review and comment is an updated Jackson Corridor Transportation Mitigation Strategy ("Rev. 5"). The attached version includes revisions based on input received on the prior version ("Rev. 4") sent on November 27. Attached is a clean pdf copy and a Word version that can be viewed in Markup mode.

Please provide me with any comments by January 23, 2019. Feel free to contact me if you have any questions.

Thank you.

Dan Shoeman
Chief, Engineering and Planning
Sacramento County
Department of Transportation
Tel: (916) 874-6222
Cell (916) 531-1540
FAX: (916) 874-7831
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DRAFT

Jackson Corridor Development Projects
Transportation Mitigation Strategy
January 2019 – Rev 5

This Transportation Mitigation Strategy shall apply to all development projects within the following Jackson Highway Corridor plan areas:

a. West Jackson Highway Master Plan
b. Jackson Township Specific Plan
c. Newbridge Specific Plan
d. Mather South Community Master Plan

Development projects within the plan areas shall be responsible for implementing roadway segment and intersection improvements (hereafter, **"Improvements"**) that are required to mitigate the Existing plus Project (E+P) and CEQA Cumulative plus Project impacts to the transportation network, as set forth in the approved environmental document and conditions of approval. It is the intent of Sacramento County that impacts to the transportation network are mitigated concurrent with the implementation of development. This Mitigation Strategy will guide the identification, delivery and construction of the Improvements that will be required to be built with each incremental development project implemented within the above plan areas (hereafter, **"Development Increment"**).

Financing of Improvements to Mitigate Transportation Impacts:

1. Improvements will be funded through revenue generated from roadway fee programs established with plan area financing plans. The fee programs shall include the following:

    a. For Improvements that are included in the Sacramento County Transportation Development Fee Program (SCTDF) the plan area fee program shall fund the plan area's fair share of the cost of the Improvements. Such fair share shall be based on the proportion of the plan area's vehicle trips as it relates to all future growth in Sacramento County, as set forth in the SCTDF.
    b. For Improvements not included in the SCTDF (internal roadways, functional improvements, interim improvements, enhanced intersections, etc.) the plan area fee program shall fund the full cost of the Improvement or the plan area's fair share based on the four Jackson Highway Corridor plan areas.

2. Cost estimates for Improvements shall be as set forth in the plan area financing plan and periodically updated in accordance with the financing plan. The cost estimates shall fully fund implementation of the Improvements and shall include, but not be limited to, preliminary and final engineering, construction plans, specifications and cost estimates, environmental document preparation and certification, right-of-way documents and

acquisition, environmental mitigation, utility relocation, construction management, and construction.

3. A plan area's financing plan and fee program may also generate revenue to mitigate impacts located entirely within another jurisdiction. Fee revenues for roadway improvements located within another jurisdiction shall be accounted for separately from those generated for improvements within the unincorporated area including those described in paragraph 1 above.

4. Other transportation infrastructure funding, such as Measure A Sales Tax revenues and State and Federal funding programs, may become available to help offset the costs for certain Improvements. Expenditure of these funds shall be subject to the requirements of the specific funding program from which they are received. These other funding sources cannot be used to reimburse the costs of Improvements already constructed by a development project, but may supplement the project's funding obligation for Improvements it is required to fund and/or construct. The SCTDF and plan area fee programs have recognized other funding sources that are currently programmed and the adopted fees are based on the availability of these funds.

Determining a Development Increment's Improvements to Mitigate Transportation Impacts:

5. The Improvements that a Development Increment will be required to fund and/or construct to mitigate its E+P impacts (hereafter, **"Build Improvements"**) shall be determined based on the revenue that the Development Increment will generate through payment of its plan area roadway fees and application of the Dynamic Implementation Tool (see Appendix for detailed description). This determination shall be completed prior to submission of a final subdivision map for residential developments or initiation of a building permit for non-residential developments. A conceptual set of Build Improvements ("snapshot") may also be identified prior to granting initial approval of the Development Increment to inform and assist the project proponents and the Board of Supervisors during the entitlement process. However, because considerable time may elapse between entitlement approvals and implementation of the Development Increment, the Build Improvements identified in the snapshot may be subject to change due to changes to the transportation network and/or progress of development.

6. The total revenue generated by the Development Increment through payment of the plan area roadway fees shall be determined by multiplying the number of Dwelling Unit Equivalents (DUEs) that make up the Development Increment by the fee rates per DUE set forth in the fee program, as described in paragraph 1 above. This amount establishes the Development Increment's **"financial obligation"** to be directed toward the mitigation of transportation impacts as follows:

a. Eighty percent (80%) of the financial obligation shall be applied to the Build Improvements that the Development Increment will be required to fund and/or construct.
b. The remaining 20% will be utilized by Sacramento County to address unforeseen issues and needed improvements that result from the implementation of the Jackson Highway Corridor development projects, as identified by this Transportation Mitigation Strategy and the Director of the Department of Transportation (hereafter, **"Director"**).

7. In consultation with the project proponent, Sacramento County will utilize the Dynamic Implementation Tool to identify the Improvements resulting from the Development Increment's impacts to the transportation network. The Build Improvements to be constructed will be the highest priority Improvements identified by the Tool that can be completed with the Development Increment's financial obligation described above.

8. This Transportation Mitigation Strategy shall be based on a minimum Development Increment size of 300 DUEs. If a proposed Development Increment is less than 300 DUEs, the financial obligation and required Build Improvements shall be based on 300 DUEs and the Development Increment shall be responsible for funding the difference between the fee revenues generated by their actual number of DUEs and the cost of the Improvements. The additional costs incurred by the Development Increment to construct the Build Improvements may be eligible for reimbursement and/or credit from the plan area fee program and the SCTDF (for Improvements included in the SCTDF). At the discretion of the Director, exceptions to the requirements of this paragraph may be granted to Development Increments with less than 300 DUEs that are independent development projects and not a subset of a larger project or Development Increment. The Director shall determine how such Development Increments will satisfy their obligation to mitigate transportation impacts including, but not limited to, the following:

    a. Constructing Build Improvements identified by the Dynamic Implementation Tool using a financial obligation that is based on the Development Increment's actual number of DUEs.
    b. Payment of the Development Increment's financial obligation upfront.
    c. Payment of the plan area roadway fees at time of building permit issuance.

Implementing a Development Increment's Build Improvements:

9. Project proponents shall have the following options to complete the Development Increment's Build Improvements:

    a. Construct the Build Improvements.
    b. Fully fund the Build Improvements in advance through the creation of a Community Facilities District (CFD) or similar public finance mechanism.

If the project proponent chooses to advance fund the Build Improvements through public finance mechanism, an advanced funding agreement for CFD establishment costs shall be executed by the County and the project proponent prior to the recordation of any final map or issuance of any building permit. The Director may also require payment of the Development Increment's financial obligation upfront, in lieu of constructing the Build Improvements, if it is determined that the Build Improvements will be constructed by the County or another party.

10. The delivery and construction of the Build Improvements shall proceed as follows to ensure that they are completed in a timely manner:

    a. The improvement plans for the Build Improvements shall be approved and construction bonds shall be posted prior to the recordation of any final map or issuance of any building permit for the Development Increment.
    b. Construction of the Build Improvements shall commence prior to fifty percent (50%) build-out of the Development Increment (as measured by building permit issuances) for Development Increments of less than 400 DUEs, and twenty-five percent (25%) build-out for Development Increments of 400 DUEs and higher. Build-out of the Development Increment may proceed beyond these percentages if the project proponent demonstrates to the satisfaction of the Director that construction has been delayed due to circumstances beyond their control and will commence in an acceptable timeframe.
    c. For Development Increments that are to be developed in multiple phases, a future phase shall not proceed beyond twenty-five percent (25%) build-out, as measured by building permit issuances, until construction of the Build Improvements has been substantially completed, as defined in the most recent version of the Sacramento County Standard Construction Specifications, or the project proponent demonstrates to the satisfaction of the Director that construction of the Build Improvements has been progressed at an acceptable "industry standard" rate.

    For large Development Increments with multiple Build Improvements, at the discretion of the Director, the County and project proponent may enter into an implementation agreement specifying the terms for the delivery and construction of the Build Improvements.

Administration and Update of the Transportation Mitigation Strategy

11. The Sacramento County Department of Transportation will manage this Transportation Mitigation Strategy and the Dynamic Implementation Tool. The costs for the services of County staff and consultants to manage, maintain, update, and conduct Tool analysis, and all other related and necessary work tasks shall be funded by the Jackson Highway Corridor plan area development projects. Funding to support the above efforts could be in the form of application fees or through a development agreement between the County and the project proponents.

12. This Transportation Mitigation Strategy and its components, including the Dynamic Implementation Tool, shall be reviewed and updated as needed approximately every five years and at key events including, but not limited to, General Plan updates, updates to the Jackson Highway Corridor plan area master plans or specific plans, and updates to financing plans and fee programs. The review and update of the Mitigation Strategy shall include, but not necessarily be limited to, any land use changes, revisions to the proposed and completed transportation network, changes in the costs of the Improvements, changes in the escalation values due to inflation, and the securing of new funding to supplement the costs of Improvements.

Appendix

The Dynamic Implementation Tool:

Sacramento County has strived to ensure that the investments in transportation infrastructure keep up with the growth in land use development. In past years, Sacramento County has instituted improvement triggers associated with a specific number of dwelling units. While this has been effective on smaller scale developments, it does not always dictate the appropriate timing and location of improvements to be constructed on large specific plans. Sacramento County staff has developed a new approach for identifying the necessary improvements that will be much more attuned to the actual location of the development. This will help to assure an efficient use of transportation funds on the improvements to support the development potential in an area as large area as the Jackson Corridor.

This new approach has led to what is currently referred to as the Dynamic Implementation Tool (Tool). For any amount of development that might be implemented in the Jackson Corridor, the Tool is capable of estimating the vehicle trips that would be generated, where those new vehicle trips would go, and if the addition of those new vehicle trips causes any roadway segments or intersections to operate at an unacceptable Level Of Service. The Tool enables Sacramento County and project proponents to monitor and manage the transportation network proactively, and to more effectively identify and assign improvements to roadways and intersections in support of where the growth occurs in the Jackson Corridor.

The Tool is based on and consistent with the traffic modelling conducted for the Jackson Corridor joint traffic study. While the traffic study determines the transportation impacts of full build out of the proposed land uses, a process that would likely occur over many decades, the Tool provides for an understanding of the impacts incremental development would have on the transportation network. To accomplish this level of understanding, the proposed land uses for the Jackson Corridor development projects have been subdivided into a network of smaller districts. Each district's size and location is such that the trip generating land uses within each district have the same trip distribution. In all, there are 64 districts in the Jackson Corridor development projects, each with varying mixes of residential, employment and commercial land uses. The traffic modelling for the joint traffic study tracked the trip generation and trip distribution associated with each district. With this information, the specific transportation impacts of any amount of interim land use development can be determined.

Letter 15

a fresh take.
RANCHO CORDOVA
CALIFORNIA

PLANNING DEPARTMENT
2729 Prospect Park Drive | Rancho Cordova, CA 95670
Phone: (916) 851-8750 | Fax: (916) 851-8762

February 22, 2019

Mr. Todd Smith, Principal Planner
Sacramento County
Office of Planning and Environmental Review
827 7th Street
Sacramento, CA 95814

Subject: Mather South Draft EIR

Dear Mr. Smith:

The City of Rancho Cordova appreciates the opportunity to provide comments on the draft Environmental Impact Report for the Mather South Community Master Plan.

The City believes that there are many benefits to providing adequate parks and recreational facilities for residents within a community. The Mather South Community Master Plan includes various parks, as well as open space areas that provide an opportunity for pedestrian and bike pathways. Upon review of the Mather South Community Master Plan Public Facilities Financing Plan, park construction cost estimates were determined by utilizing the Cordova Recreation and Park District (CRPD) Impact Fee Nexus Study and funding for the park improvements will be through the payment of the CRPD impact fee. Adopting the CRPD Park Impact fee will ensure that a similar level of park and recreational facilities enjoyed by the residents for the City of Rancho Cordova will also be constructed for the residents of the Mather South community.

If you have any questions regarding this letter, please give me a call at 916-851-8784.

Sincerely,

Darcy Goulart
Planning Manager
City of Rancho Cordova

Cc: Jessica Lynch, Senior Planner

State of California— Transportation Agency GAVIN NEWSOM, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
South Sacramento Area
6 Massie Court
Sacramento, CA 95823
(916) 681-2300
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

February 26, 2019

File No.: 252.14597.14337

County of Sacramento
Office of Planning and Environmental Review
827 7th Street, Room 225
101 Second Street
Sacramento, CA 95814

To whom it may concern:

The California Highway Patrol (CHP) South Sacramento Area office recently received a "Notice of Completion," Environmental Impact Report for the proposed Mather South Community Masterplan Project, State Clearing House #2014062087. After our review, we have concerns with the potential impact this project may have on traffic congestion

Our concerns relate to the proposed construction of a master planned community to include up to 3,522 residential dwelling units, an environmental education campus with 200 multi-family units, a 21-acre research and development park, two elementary schools, 21 acres of commercial retail with up to 225,000 square feet of retail space, 26 acres of neighborhood parks and a 17 acre community park, along with multi-use pedestrian and bicycle trails. This project is located along the Jackson Road corridor in Sacramento County. There are several major roadways that will be impacted by the increased traffic congestion this development will create. Jackson Highway, State Route 16 (SR-16), is a two-lane undivided highway with minimal shoulders, surrounded by agricultural fields and vacant land. SR-16 already experiences significant traffic delays/congestion during commute hours and heavy commercial traffic due to the commercial businesses within the area and the County Landfill. All unincorporated roadways south of SR-16 are the responsibility of the South Sacramento Area and are significant ingress and egress routes that will be used to access the proposed community from both US Highway 50 and State Route 99.

The aforementioned roadways already experience traffic congestion during commute hours, and without adequate traffic management engineering and improvement prior to the development of the proposed community, traffic congestion will significantly increase. This project could have a negative impact on our operations due to the increased traffic congestion, which could lead to a

potential increase in traffic collisions, calls for service, and traffic related incidents as well as our bordering CHP East Sacramento Area.

If you have any further questions or additional concerns, please contact Lieutenant Brad Hofflander at 916-681-2300.

Sincerely,

E. L. ROBINSON, Captain
Commander
South Sacramento Area

cc: State Clearing House
Valley Division
Special Projects Section

Carol W. Witham
1141 37th Street, Sacramento CA 95816
(916) 452-5440, (916) 761-7886
carolwwitham@gmail.com

February 21, 2019

Sacramento County
Office of Planning and environmental Review
Attn: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814
CEQA@saccounty.net VIA EMAIL

RE: **Mather South Community Master Plan Project, Draft Environmental Impact Report**
State Clearinghouse No. #2014062087
County Control Number PLNP2013-00065

To Whom It May Concern,

Thank you for the opportunity to review and provide comments on the Mather South Community Master Plan Project, Draft Environmental Impact Report (DEIR).

GENERAL COMMENTS

I applaud the project proponent and the County for engaging the Mather Alliance and others to revise the project in a fashion that is more cognizant and protective of the natural resources of the site. Increasing the preserve acreage, realigning roads for traffic calming, and an environmental education center will be beneficial for both the human and wildlife residents of the area.

I also concur with comments from the Mather Alliance and others regarding the name of the primary road which will abut the Mather Preserve. Eagle's Nest Road has been the name of this road for many decades. The change in 2013 to Zinfandel Drive was made while the County envisioned major development along its north-south transportation corridor. Following the changes related to road alignment and traffic calming in the proposed Mather South project, it is more appropriate that the road retain its original name. Eagle's Nest Road captures the essence of the nature preserve landscape. The name will also give motorists a heightened awareness of natural areas through which they are traversing. Appropriate roadside signage should also be required as part of this project's mitigation package.

There is general concern within the Sacramento environmental community that the Mather Preserve is not being properly managed and funded. In particular, the site continues to degrade as a result of weed invasions and human trespass. I urge the County to become more proactive in ensuring that the natural resources of the Mather Preserve are being preserved and managed. This requires development of a comprehensive Weed Management Plan and a Public Access Plan. While spelled out in the Wetlands Management Plan approved by the agencies in 2014 and adopted by the County Board of Supervisors in 2015, these additional plans have yet to be developed but are urgently needed.

DOCUMENT COMMENTS

I believe that the administrative record for this proposed action is incomplete. There was a Notice of Preparation (NOP) issued on June 27, 2014 for Control Number PLNP2013-00065. No copy of that NOP and resulting comment letters have been incorporated into the DEIR. Only the comment letters received

from the revised NOP issued on January 5, 2017 have been included as an appendix to the DEIR. I have attached a comment letter from the California Native Plant Society (CNPS) dated July 28, 2014 written in response to the original NOP. That letter gives CNPS standing in this environmental review process. The letter and attachment are hereby incorporated.

Most of the mitigation measures for potentially significant impacts to biological resources are pretty vague. They rely on yet-to-be-developed plans or actions. The DEIR then assumes that a regulatory approved plan constitutes adequate mitigation and will result in less than significant impacts. The project cannot simply defer discussion and disclosure of the environmental consequences of the mitigation portion of the project to some future plan. Exactly what are the environmental impacts of creating or restoring >14 acres of vernal pool invertebrate habitat? Given the Record of Decision on the Sunridge Projects, where within the Mather Core Recovery Area will this mitigation occur? And, will use of these lands preclude the South Sacramento Habitat Conservation Plan from achieving its conservation strategy?

SPECIFIC COMMENTS

Mitigation Measure BR-2. (pages 6-40 through 6-41): This mitigation measure is simply a plan to make a plan that satisfies the regulatory agencies. It fails to disclose the environmental impacts of the mitigation itself. This circumvents public disclosure and the public's ability to comment upon the mitigation.

Additionally, any restoration or creation within the Mather Preserve for the purposes of compensatory mitigation must include monitoring of adjacent natural vernal pool habitat and appropriate remediation should these activities result in degradation of the adjacent natural vernal pool habitats. I recommend that the restoration plan elements be modified to include monitoring and potential remediation of adjacent natural vernal pool habitat.

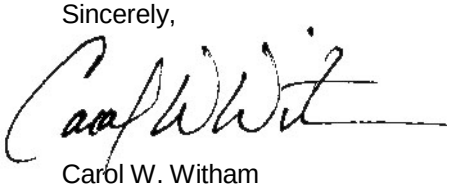
Mitigation Measure BR-7. (pages 6-44 through 6-46): Again this mitigation measure is simply a plan to make a plan that satisfies the regulatory agencies. On one hand, using reference populations for determining success of re-established populations is appropriate. On the other, where have any analyses of the feasibility of transplantation or other measures been provided? What remediation will be required if the transplantation is unsuccessful?

Mitigation Measure BR-9. (page 6-47). The DEIR acknowledges that both direct and indirect impacts to Western Spadefoot will occur. It goes on to highlight all of the potential indirect impacts including water quality, domestic animals, litter, traffic, noise, etc. Then this mitigation measure concludes that the salvage of adults, larvae and eggs, if encountered within the project construction footprint, constitutes mitigation which would render impacts to less than significant. More detailed mitigation requirements regarding monitoring and measurable outcomes needs to be made for Western Spadefoot mitigation.

SUMMARY

This DEIR lacks specificity in mitigation measures. While alternatives are discussed and minimums are proposed, there are no analyses and recommendations of preferred methods. Most of the mitigation measures rely on preparation of future documents which will not be subject to public disclosure and comment. This inappropriately defers mitigation and prevents interested citizens from participating in the process. This is unfortunate because public participation can and often does improve design and mitigation implementation.

Sincerely,



Carol W. Witham

California Native Plant Society

July 28, 2014

Catherine Hack, Environmental Coordinator
Department of Community Development
Planning and Environmental Review Division
827 7th Street, Room 220
Sacramento, CA 95814
DERA@saccounty.net

VIA EMAIL

Subject: Mather South Community Master Plan,
Notice or Preparation of a Draft Environmental Impact Report
PLNP2013-00065

Dear Ms. Hack,

The California Native Plant Society (CNPS) is a statewide non-profit organization of some 10,000 scientists, educators, and laypeople dedicated to the conservation and understanding of the California native flora. As a science-based conservation organization, we believe that good land use decisions must be accompanied by a thorough assessment of the environmental impacts as required by the state and federal Endangered Species Acts, the Clean Water Act, the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), and other resource protection laws. CNPS commented on the Draft Environmental Impact Statement prepared under NEPA for the Mather Specific Plan on August 12, 2012. Since several of those comments are germane to this subset of that project, we have attached a copy of that comment letter and hereby incorporate it by reference.

General Comments:

We note that the permit application specifically states that "*additional permitting requirements of the project include:*

1. *Approval of a Water Supply Assessment by the Sacramento County Water Agency.*
2. *Federal Clean Water Act Section 404 Permit (U.S. Army Corps of Engineers and U.S. Environmental Protection Agency).*
3. *Federal Endangered Species Act Section 7 Consultation (U.S. Fish and Wildlife Service).*
4. *Section 401 Water Quality Certification (Regional Water Quality Control Board – Central Valley Region).*
5. *Section 402 Natural Pollutants Discharge Permit (Regional Water Quality Control Board – Central Valley Region).*"

And we understand from past experience that the 404 Permit required under Item 2 and the Section 7 Consultation under Item 3 will require some type of compensatory wetland and endangered species mitigation. In order to inform the public of the entirety of the project and its environmental effects, the project description must include information about the mitigation that will be included as part of the project. Additionally, disclosure of the environmental effects associated with performing that mitigation must be included.

The project cannot simply defer discussion and disclosure of the environmental consequences of the mitigation portion of the project by stating that a Mitigation Plan will be developed and approved by the agencies. This circumvents public disclosure and the public's ability to comment upon the mitigation which is the spirit of CEQA. This is unfortunate because public

participation can and often does have beneficial impacts on project design and mitigation implementation. Even if the exact mitigation site is unknown at the time of preparation of the Draft Environmental Impact Report, it is the responsibility of the lead agency to provide a general summary of the environmental impacts of the mitigation and establish measurable mitigation measures for both the development project proposed by the applicant and any measures needed to minimize the impact of that mitigation.

And finally, please provide analysis of how the County plans to conform to the Sunridge Projects ROD: The U.S. Army Corps of Engineers' (Corps) Record of Decision (dated 25 January 2011) related to the Sunridge Projects in the City of Rancho Cordova states the following:

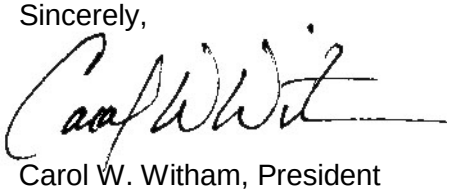
> "e. The Corps recognizes the significant cumulative loss of vernal pool wetlands within the Mather Core Recovery Area. For future unavoidable impacts to vernal pools within the Mather Core Recovery Area… compensatory mitigation shall be:
>
> 1) based on a method for assessing the functions of all waters of the U.S. on the project site;
>
> 2) accomplished at a ratio of greater than 1:1, after considering direct and indirect impacts, temporal loss and difficulties creating vernal pool wetlands; and
>
> 3) located in the Mather Core Recovery Area, unless determined impracticable or inappropriate by the Corps."

Specifically, where within the Mather Core Recovery Area is there sufficient disturbed land in which to construct >20 wetted acres of compensatory vernal pools? And will use of these lands preclude the final development of the South Sacramento Habitat Conservation Plan or any of the other development projects the County is moving forward on?

Summary:

On behalf of CNPS, I appreciate the opportunity to provide comments on the Mather South Community Master Plan NOP. Please keep me informed of further developments related to this project and any others that may impact vernal pools.

Sincerely,



Carol W. Witham, President
CNPS Sacramento Valley Chapter
1141 37th Street
Sacramento CA 95816
cwitham@ncal.net

California Native Plant Society

August 12, 2012

Kathleen A. Dadey
U.S. Army Corps of Engineers
Sacramento District
1325 J Street, Room 1350
Sacramento, CA, 95814-2922
Kathleen.a.dadey@usace.army.mil VIA EMAIL

Subject: Mather Specific Plan Project, Draft Environmental Impact Statement
Permit File SPK-2002-00561

Dear Ms. Dadey,

The California Native Plant Society (CNPS) is a statewide non-profit organization of some 10,000 scientists, educators, and laypeople dedicated to the conservation and understanding of the California native flora. As a science-based conservation organization, we believe that good land use decisions must be accompanied by a thorough assessment of the environmental impacts as required by the state and federal Endangered Species Acts, the Clean Water Act, the National Environmental Policy Act (NEPA), the California Environmental Quality Act, and other resource protection laws. CNPS commented on the initial Public Notice for this project on March 15, 2010. We hereby incorporate that letter by reference.

Below are CNPS's procedural, general and specific comments related to the Draft Environmental Impact Statement (DEIS) for the Mather Specific Plan Project:

Procedural Comments:

CNPS requests that the Final Environmental Impact Statement (FEIS) be produced in such a fashion that reviewers can see exactly what changes have been made to the document. This is usually done in strikeout (for deletions) and underline (for insertions). Although not required by law, providing the FEIS in this fashion is more to the spirit of transparent public disclosure.

General Comments:

Incomplete environmental setting and impact analysis: The Mather Specific Plan DEIS calls for mitigation of loss of endangered species habitat and wetlands. This mitigation may include construction of nearly 32 acres of vernal pool habitat. The environmental impacts of performing the required mitigation are not disclosed in the document.

Inappropriate deferral of mitigation: The Mather Specific Plan DEIS calls for mitigation measures that are deferred to a future date. It states that the mitigation will occur and provides options for how it might occur, but defers actual determination of exactly what measures in what proportions to some future date.

Feasibility of proposed wetland mitigation: The Mather Specific Plan DEIS does not identify either a mitigation bank at which credits might be purchased, or a parcel that might be used to develop nearly 32 acres of compensatory mitigation. The option of on-site restoration or enhancement is not going to provide the 32 acres needed.

Mitigation measures lack measurable outcomes: The mitigation measures need measurable outcomes to determine if they are successful. Simply stating that implementing a mitigation measure will result in less than significant impacts does not make it so. The measures need to be more rigorous, include measurable outcomes and include monitoring to ensure that the outcomes are being met.

Please provide analysis of conformity with the Sunridge Projects ROD: The U.S. Army Corps of Engineers' (Corps) Record of Decision (dated 25 January 2011) related to the Sunridge Projects in the City of Rancho Cordova states the following:

> "e. The Corps recognizes the significant cumulative loss of vernal pool wetlands within the Mather Core Recovery Area. For future unavoidable impacts to vernal pools within the Mather Core Recovery Area… compensatory mitigation shall be:
>
> 1) based on a method for assessing the functions of all waters of the U.S. on the project site;
> 2) accomplished at a ratio of greater than 1:1, after considering direct and indirect impacts, temporal loss and difficulties creating vernal pool wetlands; and
> 3) located in the Mather Core Recovery Area, unless determined impracticable or inappropriate by the Corps."

Specific Comments:

Mitigation Measure 5.1a, pages 4.5-5 and 4.5-6: This measure requires compensation for habitat loss for the vernal pool species. One option in this measure is to enhance or restore wetlands within the proposed Preserve. This action would necessarily have indirect effects on nearby wetlands and direct temporal effects on any feature being enhanced or restored. Analysis of and compensation for these impacts is not addressed.

Mitigation Measure 5.5, page 4.5-11: Exactly how does digging up an occasional adult spadefoot and relocating it, provided one can actually be found using the methods described, reduce impacts to less than significant? Breeding pools are being directly impacted by the Project. More specific mitigation, including measurable outcomes and monitoring needs to be included for Western Spadefoot.

Mitigation Measures 5.9a and 5.9b, page 4.5-14: Preparation of a plan to relocate plant species is not mitigation per se. A mitigation measure for special-status plant species needs to have goals, measurable results and monitoring. Again, how do these measures, as stated without any specificity, reduce impacts to less than significant?

Alternative B, pages 4.5-15 through 4.5-23: Comments above apply to the mitigation measures for this alternative. Additionally, the Western Spadefoot mitigation measure on page 4.5-22 is incorrectly cites as Mitigation Measure 5.5a.

Alternative C, pages 4.5-23 through 4.5-31: Comments above apply to the mitigation measures for this alternative. Again the Western Spadefoot mitigation measure on page 4.5-30 is incorrectly cited.

Mitigation Measure 6.1, page 4.6-6: Creation or restoration of 40+ acres of Waters of the US will have environmental consequences that are not discussed in the DEIS. What are the environmental impacts of implementing this mitigation measure?

Alternative B and Alternative C: The comments above apply to the analysis of these impacts as well.

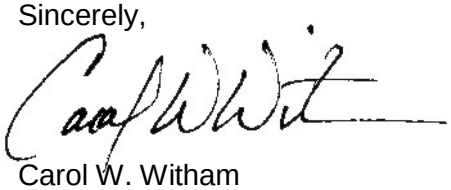
Summary:

On behalf of CNPS, I appreciate the opportunity to provide comments on the Mather Specific Plan Draft Environmental Impact Statement.

While CNPS understands that this DEIS is project level for the proposed infrastructure components and program level for the remaining development, the lack of specificity in mitigation measures is troubling. Most rely on preparation of future documents which will not be subject to public disclosure and comment. This inappropriately defers mitigation and prevents interested citizens from participating in the process.

If project-level Environmental Assessments are prepared in the future relying on this EIS, the public will have no further opportunity to comment on the appropriateness and feasibility of project specific mitigation measures. This is unfortunate because public participation can and often does have beneficial impacts of project design and mitigation implementation.

Sincerely,



Carol W. Witham
1141 37th Street
Sacramento CA 95816
cwitham@ncal.net

From: Smith. Todd
To: Lynch. Jessica
Subject: Fwd: Mather South DEIR comment - Regional Parks
Date: Friday, February 22, 2019 1:50:55 PM
Attachments: image001.gif
image002.jpg

Begin forwarded message:

From: PER-CEQA <CEQA@saccounty.net>
Date: February 22, 2019 at 1:13:14 PM PST
To: "Smith. Todd" <smithtodd@saccounty.net>
Subject: FW: Mather South DEIR comment - Regional Parks

Andrea Guerra, Senior Office Assistant
Office of Planning and Environmental Review
827 7th Street, Room 225A, Sacramento, CA 95814 | (916) 874-2862
www.saccounty.net

From: McDaniel. Mikki <mcdanielm@saccounty.net>
Sent: Friday, February 22, 2019 1:06 PM
To: PER-CEQA <CEQA@saccounty.net>
Subject: Mather South DEIR comment - Regional Parks

I am submitting one comment below on the Mather South DEIR on behalf of the Department of Regional Parks.

Plate PD-12: Existing and Proposed Bikeway Master Plan – The regional trail on the north end of the project area along the golf course is missing from the proposed bikeway master plan.

Thank you for the opportunity to comment.

Mikki McDaniel

Mikki McDaniel
Associate Planner
Department of Regional Parks

County of Sacramento
(916) 875-0283
McDanielM@saccounty.net

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

March 14, 2019

Todd Smith
Sacramento County Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814

Subject: MATHER SOUTH COMMUNITY MASTER PLAN PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT SCH# 2014062087

Dear Mr. Smith:

The California Department of Fish and Wildlife (CDFW) received and reviewed the draft Environmental Impact Report from Sacramento County for the Mather South Community Master Plan Project (Project) in Sacramento County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).). CDFW in its trustee capacity has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent

1 CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

implementation of the Project as proposed may result in Take[2] as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related Take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project is approximately 848-acres located on the northeast corner of Kiefer Boulevard and Zinfandel Drive, located in the Cordova community of unincorporated Sacramento County. It is approximately 10 miles east of downtown Sacramento via Highway 50 and is generally situated within the central portion of Sacramento County.

The Project includes a master plan community with up to 3,522 residential dwelling units of various densities (multi-family, detached, and attached single-family), a 28-acre environmental education campus including 200 multi-family dwelling units, a 21-acre research and development park, two elementary schools, a 6-acre community center, 21 acres of commercial-retail with up to 225,000 square feet of retail space, 44 acres of parkland including 26 acres of neighborhood parks and a 17-acre community park, 210 acres of open space areas that include a 53-acre portion of the Mather Preserve west of Zinfandel Drive, as well as other natural preserves and drainage corridors, stormwater quality and detention basins, landscape buffers, and public utility corridors all connected by multi-use pedestrian and bicycle trails.

COMMENTS AND RECOMMENDATIONS

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e. biological resources). CDFW offers the comments and recommendations presented below to assist Sacramento County in adequately identifying and/or mitigating the Project's significant or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the final EIR address the following:

Regulatory Setting

Biological Resources (Section 6, Page 23) defines the Regulatory Setting under the California Fish and Game Code for animals and plants. This paragraph should reference Section 4150 of the Fish and Game Code, which defines nongame mammals

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2 Section 86 of the Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill

and identifies that a nongame mammal may not be Taken or possessed except as provided elsewhere in the Fish and Game Code.

Project Scoping

The Biological Resources Report for the draft EIR states that only the Folsom USGS quad was searched in CNDDB. It is common practice to do a 9-quad search when compiling the species list for this type of report. Thus, CDFW recommends using the 9-quad search results to determine which special-status species have the potential to be impacted by the Project. A 9-quad search from CDFW's BIOS online tool identifies at least 17 additional special-status species not analyzed under Table BR-3 and subsequent sections:

Table 1. Additional Species from a 9-quad Search

Common Name	Scientific Name
double-crested cormorant	*Phalacrocorax auritus*
dwarf downingia	*Downingia pusilla*
ferruginous hawk	*Buteo regalis*
great blue heron	*Ardea herodias*
great egret	*Ardea alba*
Heckard's pepper-grass	*Lepidium latipes var. heckardii*
merlin	*Falco columbarius*
Northern California black walnut	*Juglans hindsii*
pallid bat	*Antrozous pallidus*
Peruvian dodder	*Cuscuta obtusiflora var. glandulosa*
pincushion navarretia	*Navarretia myersii ssp. myersii*
purple martin	*Progne subis*
saline clover	*Trifolium hydrophilum*
song sparrow	*Melospiza melodia*
western yellow-billed cuckoo	*Coccyzus americanus occidentalis*
woolly rose-mallow	*Hibiscus lasiocarpos var. occidentalis*
yellow-headed blackbird	*Xanthocephalus xanthocephalus*

The list in Table 1 should be reviewed and analyzed. CDFW recommends Sacramento County perform its own to 9-quad search to further strengthen the impact analysis of the final EIR. If additional species are identified with the potential to be impacted by the proposed Project, then the draft EIR should be revised to include this analysis as well. CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the final EIR should include appropriate mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite preservation, habitat restoration, and/or enhancement

should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed in the final EIR.

Assessment of Biological Resources

Species such as bats are included in the definition of nongame mammals referenced above, but not assessed through the draft EIR. The riparian habitat within the Plan Area may contain suitable roosting habitat and the grassland may contain suitable foraging habitat for bat species that may be adversely affected by the Project. Since the Project covers considerable area, other mammalian species may also be impacted. CDFW recommends analysis such as bat habitat assessment or a mammal study to identify impacts.

The draft EIR is not clear about the methodology used, for determining whether a species was present. The list of reports on pages 6-2 and 6-3 does not describe the methodology of Project-specific surveys, if conducted, or when surveys were conducted. CDFW recommends including clear descriptions of the surveys completed and the survey results for species present or with the potential to be present. Species such as Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*)(VELB), Bogg's Lake Hedge-hyssop (*Gratiola heterosepala*), etc. are discussed but need further survey detail.

Plant Survey

The draft EIR only references surveys by WRA (2004) and for focused species in 2006-2008 by Carol Whitham. Plant survey methodology was not described, and it is unknown whether the Project biologists conducted rare plant surveys according to established protocol before determining that certain species were not present. Due to the high number of potential special-status plants within the Project area, CDFW recommends conducting a new set of surveys that are more recent and that demonstrate use of the *Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html) to identify rare plants that may occur on the Project site or otherwise be impacted by Project activities. Failure to locate a plant during the floristic surveys of one field season does not constitute evidence that the plant is absent from the surveyed location. The timing and number of visits necessary to conduct a floristic survey should be determined by geographic location, the natural communities present and the weather patterns of the year, with the understanding that more than one field visit, or field season may be necessary to accurately survey the floristic diversity of a site and detect the presence of special-status plant taxa. To conduct a new survey or reach compliance for an existing survey. CDFW recommends:

- Botanical surveys be floristic (every plant taxon that occurs on a site is identified to the taxonomic level necessary to determine rarity and listing status)
- Surveys be conducted in the field at the time of year when target plant taxa are both evident and identifiable (usually during flowering or fruiting), and multiple visits to a site be made (e.g. in early, mid, and late-season) to accurately survey the floristic diversity of the site and detect the presence of all special-status plant taxa that are evident and identifiable
- Nearby reference populations be visited whenever possible to determine if known special status plant populations are evident and identifiable this year, and to obtain a visual image of the target species, associated habitat, and associated natural community. Reference populations may be particularly important to ensure that the timing of surveys is appropriate and to help substantiate negative findings in adverse conditions

Again, additional field seasons of surveys may be necessary to accurately survey the floristic diversity of a site and substantiate negative findings. This may be particularly true because of the high diversity of plants in the vicinity and high potential for annual or short-lived perennial plant taxa.

The draft EIR suggests that some surveys are to be completed immediately prior to groundbreaking. Phasing of the projects in the Project area could change the hydrology of the system which could irrevocably and adversely affect vernal pool/swale ecosystems that are hydrologically connected. Changing the hydrology of the area could affect special-status species that may be present in subsequent phasing areas or within the onsite/offsite preserves that will not be surveyed according to the draft EIR. Further discussion of potentially significant impacts is provided in the California Endangered Species Act section below, but CDFW recommends completion of comprehensive surveys prior to circulation of the final EIR. The final EIR should provide the results along with a clear explanation of where, when, and how many surveys were conducted along with a rationale for this determination.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

Upland habitat adjacent to streams and wetlands, provide critical habitat to semi-aquatic reptiles and amphibians, in addition to their importance to aquatic habitat function. A summary of 65 wetland-dependent amphibian and reptile species shows their core upland habitats ranged more than 100 meters (328 feet) from wetlands.[3] Amphibians, which are dependent on wetlands for reproduction and juvenile life stages, are demonstrated to depend upon and range widely in adjacent uplands as adults.[4] Wetland

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3 Semlitsch, R.D. and Bodie, J.R. (2003) Biological criteria for buffer zones around wetlands and riparian habitats for amphibians and reptiles. Conservation Biology, 17, 1219-1228.

4 Rittenhouse, T.A.G. and Semlitsch, R.D. (2007) Distribution of Amphibians in Terrestrial Habitat Surrounding

buffers of 15 to 30 meters (~50 to 100-feet) wide have been shown to provide inadequate habitat protection for amphibians and reptiles.[3] Buffers help maintain important microclimate characteristics such as air temperature, relative humidity, and wind speed in adjacent wetlands and riparian forest habitats. Many amphibians and reptiles, for example, rely on a certain microclimate range for all or some of their habitat needs[5] [6] as do bird species[7] and mammals.[8] It has been concluded that at a minimum, a 45-meter (~147 foot) buffer (as measured along each side of a stream) is necessary to maintain a natural microclimate along streams.[9]

The draft EIR does not analyze the viability of the open space drainage preserves. Although the draft EIR protects watercourses, narrow open space drains are surrounded by development. The exact size of the open space drains and the reason why that size was determined should be identified in the final EIR. Likewise, CDFW questions which species would still benefit from these narrow open space drainages. Narrow natural habitats are often indicative of habitat fragmentation that reduces the ecological function of the current drainage regime. Through development, high density human influence increases in these drainage corridors, where there is currently little to no human impact. Risk of trash and chemical pollution, domestic pets, and habitat obstruction all decrease the functionality of the habitat. CDFW recommends an analysis of these impacts and how design changes or mitigation measures can be enacted to reduce impacts.

Residential and commercial development within areas identified for their high value as habitat for fish and wildlife can result in significant cumulative impacts due to habitat fragmentation. Adverse effects of roads and structures placed in or near preserve/natural areas include increased wildlife road-kill, increased garbage and roadside dumping, light and noise disturbances, the introduction of invasive species, harassment and killing of wildlife by domestic animals, and an increase in predator fauna such as corvids (jays, crows, and ravens). These affect the long-term

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Wetlands. Wetlands, 27, 153-161.

5 Petranka, J.W., Eldridge, M.E., Haley K.E.(1993) Effects of Timber Harvesting on Southern Appalachian Salamanders. Conservation Biology, 7, 363-369.

6 Machtans, C.S., Villard, M.A., Hannon, S.J., 1996. Use of riparian buffer strips as movement corridors by forest birds. Conservation Biology, 10, 1366–1379.

7 Feldhamer, G.A. and Rochelle (1982) Mountain beaver (*Aplodontia rufa)*. Wild mammals of North America, 167-175.

8 Raedeke, K.J, Taber, R.D., Paige, D.K. (1988) Ecology of large mammals in riparian systems of Pacific Northwest forests. Streamside management: riparian and forestry interactions, 113-132.

9 Brosofske, K.D, Chen, J. Naiman, R.J., Franklin, J.F. (1997) Harvesting Effects on Microclimate Gradients from Small Streams to Uplands in Western Washington. Ecological Applications, 7, 1188-1200.

sustainability of wildlife populations in wetland and vernal pool resources within areas known for their high value as ecologically diverse ecosystems. Likewise, there is potential for impact to sensitive plant communities and the integrity of woodlands as habitat for diverse species of reptiles, mammals and migratory and non-migratory birds including raptors. Furthermore, the placement of residential developments in natural areas typically leads to human conflict with wildlife.

As with the open space drainages, onsite open space preserves are also subject to a drastic increase in human influence. The draft EIR states there will be two open space areas. CDFW is concerned with the integrity of the 53-acre extension of the Mather Preserve area within the Project footprint. The rerouting of Zinfandel Drive will border this area where it previously has not, and development of the site will bring thousands of new residences and commuters through the roadway. In addition, the onsite preserve will be largely isolated. Habitat islands such as this serve ecological benefit, but functionality may decrease. These factors should be considered when evaluating alternatives and choosing mitigation.

When a habitat is fragmented, the amount of edge habitat - the zone along the boundary of a habitat - increases while the amount of interior core habitat decreases. Species dependent on interior habitat suffer, while edge dependent species, including invasive species and predators, thrive. The increase of edge habitat impacts the habitat's microclimate, including light, soil, temperature, moisture, and wind conditions, which, in turn, alters the composition of plant communities.[10] For birds, predators such as crows and raccoons, and nest parasites, find target nests more easily in edge habitats.[11] Because different plant communities support different collections of wildlife and rare plant species, changes in habitat also shift and displace wildlife. These changes disrupt the pollination mechanisms plants depend upon, and without animal pollinators or seed dispersers, plant communities slowly lose species.[12] Peripheral plant populations in edge habitats also tend to exhibit unique traits from the core populations: they tend to be smaller, have more variable densities, restricted gene flow, less genetic variation, greater extirpation risk and be morphologically similar.[13]

CDFW therefore recommends the final EIR specifically evaluate the potential for indirect and cumulative impacts due to fragmentation of sensitive plant community and wildlife

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10 Lerner, Jeff. On-line Paper: *Habitat Fragmentation*, Biodiversity Partnership, Washington DC, see http://www.biodiversitypartners.org/habconser/sprawl/01b.shtml.

11 Askins, R. A. Restoring North America's birds. Yale University Press, New Haven, Connecticut. 2000.

12 Buchmann, Stephen L. and Gary Paul Nabhan. The Forgotten Pollinators. Washington DC: Island Press. 1997.

13 Leppig, G. and J.W. White (2006) Conservation of peripheral plant populations in California. Madrono 53:264-274.

habitat areas that will result from the Project. The final EIR should examine options for effective mitigation for such effects, which could include avoidance by prudent refinement of Project design that tends to preserve contiguous habitats and limit fragmentation. The final EIR's alternative analysis must also evaluate alternatives that would serve to decrease impacts due to habitat fragmentation.

Impacts to hydrology and physical habitat are magnified in sensitive ecotypes such as vernal pools. The Project footprint lies between two existing and extensive vernal pool complexes, the Mather Preserve and the Sunrise Douglas (Anatolia) Mitigation Bank. The draft EIR does not analyze potentially significant effects to surrounding these two preserves. Due to the nature of the Project, the hydrologic character of the site will change drastically, which can decrease the habitat value of the preserve sites. As mentioned above, use of Zinfandel Drive will also increase which will bring many new travelers directly through the Mather Preserve. Critical conservation in the local region is already tied to these two sites, so further steps should be taken to ensure that impacts to these sites are reduced.

CDFW suggests more detail be included on fencing for any preserves or designated habitat areas. Perimeter fencing should be restricted to 3-4 strand wire with a bottom strand a minimum of 16 inches above ground and not to exceed 48 inches in total height. The bottom strand should be barbless wire. Other fence designs that allow for unobstructed animal movement are also acceptable.

CDFW recognizes the draft EIR discusses the need for and significance level of offsite improvements; however, there is a distinction between Project impacts on surrounding environment and offsite improvement impacts on the environment. CDFW recommends Sacramento County provide complete plans for offsite improvements and perform a complete study on both impacts for the final EIR, as highly sensitive ecotypes will be impacted in both cases.

Mitigation Approach

The draft EIR often references the Mather Preserve as a location for where mitigation for both special-status species and aquatic resources will occur. The Mather Preserve has already been designated for conservation purposes in the U.S. Fish and Wildlife Service Biological Opinion for the Disposal of the Former Mather Air Force Base (81420-2008-F-1567-3) provided to Sacramento County in 2012. Project mitigation is not available at the Mather Preserve; therefore, CDFW recommends a new mitigation proposal to offset impacts to fish and wildlife resources at the Project site. The new proposal should address its feasibility with varying mitigation standards for regulatory approval, should specifically discuss each species and habitat type, and address potential adverse effects to the South Sacramento Habitat Conservation Plan.

Fully Protected Species

The classification of Fully Protected was the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians and reptiles, birds and mammals. Fully Protected species may not be Taken or possessed at any time and no licenses or permits may be issued for their Take except for collecting these species for necessary scientific research, through a Natural Community Conservation Plan, and relocation of the bird species for the protection of livestock.

The draft EIR, CNDDB records, and a search on CDFW BIOS indicate that one Fully Protected Species, white-tailed kite (*Elanus leucurus*), is present within the Project area. The draft EIR does not include any discussion of specific impacts to white-tailed kite. Because of the species' status, any impact could be considered significant under CEQA. CDFW is concerned that the project, as designed, could result in Take of white-tailed kite and thus, would not be compliant with State regulations regarding Fully Protected Species.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in Take[2] of State-listed CESA species or rare plants either through construction or over the life of the Project.

The Project area as shown in the draft EIR includes habitat for State-listed species. Environmental analysis should determine whether the project may have the potential to result in Take of a State-listed species. If there is potential for Take, CDFW recommends the final EIR disclose that an ITP or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) be obtained prior to starting construction activities. To receive authorization for Take, the final EIR must include all avoidance and minimization measures to fully mitigate the Take (Cal. Code Regs., tit. 14, § 783.2, subd.(a)(8)). CDFW encourages early consultation with staff to determine appropriate measures to fully mitigate impacts of the Taking. Project modifications may be needed to demonstrate compliance with CESA.

Tricolored blackbird (*Agelaius tricolor*): The draft EIR suggests that the surrounding area is sufficient for foraging, but further evidence is needed to support this claim. Tricolored blackbird may rely solely on or heavily depend on the foraging habitat present in the Project area. More than 10 active breeding colonies are known to exist within 3 miles (average maximum foraging distance) of the Project site. CDFW recommends the draft EIR provide a survey and analysis of tricolored blackbird foraging behavior on the Project site and any proposed mitigation locations.

Furthermore, protecting actively used-foraging habitat during the nesting season will help to enable the tricolored blackbird nesting colony to complete its nesting cycle, as loss of valuable foraging habitat could cause the nesting colony to fail. Loss or alteration of breeding habitat or nest site disturbance may ultimately result in the Take (killing) of nestling or fledgling tricolored blackbirds incidental to otherwise lawful activities through: 1) nest abandonment; 2) loss of young; or 3) reduced health and vigor of eggs and/or nestlings (resulting in reduced survival rates). Hazing (predator calls, light reflecting objects, falconry, etc.) could be considered Take depending on the method used and when it is employed. Tricolored blackbirds rely heavily on an insect prey base when breeding. Tricolored blackbirds may rely heavily on using productive foraging habitat to obtain enough food to feed their young during the nesting season.

Swainson's hawk (*Buteo swainsoni*): There are numerous occurrence records within a 10-mile radius of the Project (CDFW 2019, CNDDB layer in BIOS). The loss of nesting habitat due to agricultural and urban expansion has greatly reduced the breeding range and abundance of Swainson's Hawk in California (CDFW 1993; 5-year Status Review: Swainson's Hawk). Mitigation Measure BR-12 does fully address the loss of a nest or nest tree, or discontinuation of use of the nest tree during Project implementation, which could be considered Take. CDFW recommends providing a full tree removal inventory along with Swainson's hawk nest survey results for said trees. Surveys should be conducted prior to the circulation of the final EIR and in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). With survey results, the final EIR should evaluate the potential for Take and mitigation options for Swainson's hawk.

The draft EIR also lacks sufficient analysis on impacts to Swainson's hawk foraging habitat. CDFW recommends including a discussion of Swainson's hawk foraging behaviors within the Project area and functionality information on the quality of impacted habitat. As stated above, mitigation for lost habitat does not appear to be available at the Mather Preserve. CDFW recommends proposing a revised mitigation strategy to adequately reduce impacts to foraging habitat to a less than significant level.

Bogg's Lake Hedge-Hyssop, Slender Orcutt Grass, and Sacramento Orcutt Grass: CDFW recommends revising the draft EIR to specifically discuss these three State-listed plants that have documented CNDDB occurrences on or adjacent to the Project site. Surveys should be conducted prior to circulation of the final EIR and in accordance with the above-referenced protocol so a more complete analysis can be performed. Due to the proximity of species occurrences, the discussion should evaluate potential for Take either in Project implementation or offsite improvements. Currently, CDFW does not have enough information to fully vet the significance of impact to these species.

The Project as described may cause Take of CESA-listed species, so CDFW recommends obtaining a multi-species ITP; however, these sections are not exhaustive,

and recommendations may be influenced by Project modifications, updated surveys, and/or the revised 9-quard search.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) (Fish & G. Code §1900 *et seq.*) prohibits the Take or possession of state-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW in certain limited circumstances. Take of state-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP.

The CNDDB contains records of several plants that fall under the NPPA. Other special-status plant species may also be present. Subsequently, the draft EIR should identify how the Project is compliant with NPPA and any species specifically related to NPPA.

Other Special-Status Species

CDFW 2012 guidelines state that "the survey methods used and results including the information described in the Summary Report and to include the reports within the CEQA documentation." As such, CDFW recommends following survey methodology below to determine burrowing owl (*Athene cunicularia*) use of the Project area prior to circulation of the final EIR. Activities (e.g. relocation) described in the draft EIR are a potentially significant impact and can be more properly evaluated with survey results.

The draft EIR states that suitable habitat for burrowing owl is present on and adjacent to the Project site. CDFW recommends a qualified biologist complete surveys for burrowing owl in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). The survey includes: 1) at least one site visit between 15 February and 15 April, and 2) a minimum of three survey visits, at least three weeks apart, between 15 April and 15 July, with at least one visit after 15 June. Surveys will be conducted on the Project site and within 150 meters of areas that will be directly or indirectly impacted by the Project, where feasible. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible. If burrowing owls or evidence of burrowing owls (e.g. whitewash or pellets) are not observed during any surveys, no additional mitigation is necessary. If the birds are present, Take could occur. If any new burrowing owl colonizes the Project site after the CEQA document has been adopted, it may constitute changed circumstances that should be addressed in a re-circulated CEQA document (CDFG 2012) if those potential impacts have not been disclosed.

Passive relocation is considered an impact to the species unless there is adjacent natural habitat nearby. CDFW recommends that Burrowing Owl sections, including BR-14 and BR-15 are amended so they are consistent with the *Staff Report on Burrowing Owl Mitigation*. Namely, the Project proponent should develop a Burrowing Owl Exclusion Plan approved by the CDFW. In addition, the impact analysis does not include compensatory mitigation for the loss of occupied burrowing owl habitat. CDFW recommends that temporary and permanent loss of habitat is mitigated as outlined in

the CDFW's staff report to include permanent protection of mitigation land, a management plan, and endowment.

Mitigation Measures for Project Impacts to Biological Resources

BR-1 discusses preservation of open space drainages as a part of the Mather Preserve. CDFW recommends including our department in the conservation easement (third-party beneficiary) discussion and subsequent management plans. Without doing so, using the open space drainages as mitigation for CDFW permits may not be feasible. Subsequent measures or impact analysis should include communication, approval, etc. with CDFW.

BR-1a mitigation measure does not cite the scientific viability or effectiveness. The hardpan restoration plan does not state any performance measure that must be met or if there is any monitoring after the plan is implemented to ensure the functionality. CDFW is concerned that alterations to the hardpan may have regional impacts to the preserved onsite features, the Mather Preserve, and/or the Sunrise Douglas (Anatolia) Mitigation Bank. Additional mitigation may be needed if hardpan restoration is unsuccessful or if hardpan alterations have impacts on non-impacted vernal pools

BR-2 states that mitigation may occur at the existing Mather Preserve, please see above for why this cannot occur. It also stated that the applicant can mitigate for the loss of vernal pool habitat by creating habitat within designated preserve areas. Doing so can have its own adverse impacts that are not analyzed in this document. In addition, it is not stated that CDFW would be involved in the approval process. In the likely event that these features are connected to the stream system, a Lake or Streambed Alteration Notification would be required and CDFW should be included in the approval process.

Impact analysis for Loss of Venal Pool Invertebrates suggests the standard ratio would either be 1:1 or the total preservation required for indirect impacts should be 8.86 acres for a 2:1 ratio. Given the presence of special-status species, stressors on vernal pool systems in south Sacramento, and its proximity to critical habitat areas, the final EIR should disclose how the mitigation will reduce impacts to a less than significant level.

CDFW recommends revising BR-4 and subsequent measures to include agency approvals for qualified biologist(s). CDFW also recommends specifying that work handouts will include images of sensitive plants and animals that may be encountered.

CDFW recommends that biological monitors ensure that no Take of sensitive resources occur (not just listed species). For instance, several rare plants have the potential to be present and be impacted but are not necessarily "listed" under an Endangered Species Act.

BR-7 is not sufficient given the potential number and diversity of special-status plants in the Project area and impact of Project activities. As stated above, a full suite of surveys should be conducted prior to circulation of the final EIR. Following the completion of the

surveys, more detail should be provided on species, mitigation, and monitoring, so that CDFW can assess impacts more effectively. Mitigation should be focused to species and provide more specifics on mitigation approaches. CDFW recommends that evaluation of mitigation sites and/or transplanting be supported by adequate scientific evidence. Gathering seeds may also be an option for this section if transplantation is not scientifically viable. Regardless, CDFW recommends specifying that all activities will be carried out by a qualified botanist with adequate scientific collecting permit(s). "Comparable habitat" should be revised to "same quality or better habitat".

BR-9 lacks information needed to effectively minimize Take. Further minimization measures such as exclusion fencing, Project phasing, etc. should be included. As with BR-7, scientific evidence for relocation should be provided as the basis for choosing this approach. Survey method choice and relocation coordination with CDFW should be described in more detail, given the reasonable probability that Western Spadefoot Toad (*Spea hammondii*) toad may utilize the Project area habitat beyond the single vernal pool identified. The final EIR should discuss the potential for transfer of diseases, common in situations where amphibian populations are mixed. BR-9 currently reads that relocations could happen during the breeding season when egg masses are present. CDFW is concerned that this timing may substantially compromise the breeding season at impacted habitat. Breeding behavior and egg masses could be disrupted if this occurs. CDFW recommends more specifics on relocation timing and more concrete measures on impact avoidance methods.

The removal of VELB habitat in the Project area may result in significant impacts even if Mitigation Measure BR-10 is followed. The document does not analyze the effect of the loss of the habitat in the regional context. Since "all, or nearly all" of the shrubs would be removed, this is especially relevant. CDFW is concerned that the Project site connects two populations. As a metapopulation, removal of the habitat may prevent the species from migrating to adjacent areas and result in significant impacts to VELB.

BR-11 states that surveys will be conducted within 1650 feet of Mather Lake. There is no biological reason given for the 1,650-foot buffer survey distance. Western pond turtle (*Actinemys marmorata*) is terrestrial and can be found in the surrounding upland habitats as well as the surrounding swales, wetlands, and streams. Turtles may bask on land or near water on logs, branches or boulders and terrestrial habitat may be just as important as aquatic habitat for this turtle. In some populations, turtles can be found on land 10-12 months of the year.[14] CDFW recommends that this measure be refined to more adequately address and reduce impacts.

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14 Thomson, R.C., Wright, A.N., and Shaffer, H.B. California Amphibian and Reptile Species of Special Concern. Oakland California: California Department of Fish and Wildlife and University of California Press. 2016.

BR-13 CDFW recommends using the 15-day lapse in construction activities described in Bullet 3 throughout the draft EIR.

BR-14, Bullet 5 suggests a 150-1500-foot buffer for active burrows. CDFW recommends providing information on how buffer sizes will be determined and the justification for those buffer sizes. Starting with a larger buffer, monitoring, and then reducing buffer size would reduce impacts but also allow flexibility in construction.

BR-16 states that two American Badger (*Taxidea taxus*) dens are within the Project area. Since this has been identified, more descriptive mitigation measures are needed. The final EIR should identify where the dens are located and how the Project will avoid (or impact) existing dens. CDFW also questions how large the exclusion zones will be, timing for den monitoring, and how the loss of a den would be mitigated. As with other measures above, CDFW cannot fully evaluate potential impacts given the information currently presented in the draft EIR.

BR-19 states that a "no net loss of functions and values" will be achieved through a 1:1 ratio. CDFW is concerned that no net loss strategy may not reduce impacts to a less than significant level because of the sensitivity and uniqueness of vernal pool habitats. CDFW recommends a higher standard of mitigation that considers the value of the impacted ecosystems.

BR-21 3. states that equipment will be used when necessary; however, 5. states that no equipment will used at any time. CDFW recommends revising these two bullets to allow sufficient equipment use while still protecting trees. 8. Suggests boring may be needed. For any boring project, CDFW recommends an associated frac-out plan.

Lake and Streambed Alteration Program

As stated in the draft EIR, Notification under section 1600 of the Fish and Game Code will be required. CDFW recommends that a complete list of crossings, bridges, culverts, etc. be provided and analyzed as it relates to substantial adverse effects to fish and wildlife resources. In addition, grading and infrastructure improvements that alter the hydrology of the site have both an effect on nearby resources as well on adjacent properties.

Further information is needed in the discussion of tree removal in respect to section 1600. Given the unique nature of the Project site's cottonwood woodland, CDFW recommends providing biological evidence for why these trees are not associated with the stream system. Activities that remove these trees may be subject to Notification.

CDFW also recommends discussion of the Folsom South Canal and the Project's potential impacts to the bed, bank, or channel.

Issuance of a Lake or Streambed Alteration Agreement (LSAA) is facilitated by comprehensive review through the CEQA process. CDFW must make a Notice of

Determination when executing the LSAA, and adequate mitigation measures are needed to reduce adverse impacts to Fish and Wildlife resources. CDFW is concerned that a Statement of Overring Considerations may be needed for Project impacts because mitigation measures may not reduce impacts to a less than significant level. CDFW recommends the final EIR address these concerns prior to final certification.

Consistency with Community Plans

The draft EIR outlines goals of existing community plans which are pertinent to discussion of fish and wildlife resources. The Sacramento County General Plan seeks to "encourage development that complements the aesthetic style and character of existing development nearby to help build a cohesive identity for the area." Vernal pool and wetland ecosystems are a significant part of the character of south Sacramento County, something that previous developments have incorporated into project design. Surrounding developments such as Independence at Mather, Anatolia Subdivision, and developments within of the SunCreek Specific Plan often balance significant onsite preserves within urbanized areas (e.g. Anatolia is split directly in two). Past developments have recognized the unique character of the natural features of the region and made it part of their own. The Cordova Community Plan "encourage[s] infill development and redevelopment to strengthen and improve the character of existing development as it means to avoid sprawl in other areas… and to complement and complete existing neighborhoods." Again, existing developments reflect this goal by dispersing houses within large sections of preserve. This serves to complement and complete other neighborhoods by moving with natural features and maintaining consistency. CDFW is concerned that, as designed, the Project does not provide large, contiguous preserve sections that balance natural corridors with development. Therefore, the Project can contribute to sprawl in the south county and diminish the strong character that previous projects have set out to achieve. CDFW encourages consideration of the "biological resources alternative" or project modifications that will more effectively synchronize with previous developments.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be submitted online or mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination

by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to:

California Department of Fish and Wildlife, North Central Region, Attn: Dylan Wood, 1701 Nimbus Road, Rancho Cordova, CA 95670

CDFW appreciates the opportunity to comment on the draft EIR for the Mather South Community Master Plan Project and recommends that Sacramento County address CDFW's comments and concerns in the forthcoming final EIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Dylan Wood, Environmental Scientist at 916-358-2384 or dylan.a.wood@wildlife.ca.gov.

Sincerely,

Kevin Thomas
Regional Manager

ec: Jennifer Nguyen, Senior Environmental Scientist (Supervisor)
Dylan Wood, Environmental Scientist
California Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

Powering forward. Together.

SMUD®

Sent Via E-Mail

February 21, 2019

Sacramento County
Office of Planning and Environmental Review
Attn: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814
ceqa@saccounty.net

Subject: Mather South Master Plan / DEIR/ 2014062087

Dear Environmental Coordinator:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Mather South Master Plan (Project, SCH 2014062087). SMUD is the primary energy provider for Sacramento County and the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

We have no comments to offer at this time, but would appreciate if Sacramento County would continue to keep SMUD facilities in mind as environmental review of the Project moves forward. Please reroute the Project analysis for SMUD's review if there are any changes to the scope of the Project.

If you have any questions regarding this letter, please contact SMUD's Environmental Management Specialist, Rob Ferrera, at rob.ferrera@smud.org or 916.732.6676.

Sincerely,

Nicole Goi

Nicole Goi
Regional & Local Government Affairs
Sacramento Municipal Utility District
6301 S Street, Mail Stop A313
Sacramento, CA 95817
entitlements@smud.org

Cc: Rob Ferrera

From:	Dana Mahaffey
To:	Smith, Todd
Cc:	Raymond Costantino
Subject:	FW: Sac County - Mather South Draft EIR Notice of Availability
Date:	Friday, February 8, 2019 10:17:57 AM

Hi Todd,

We don't have any comments on the NOA at this time. Can you put me on your notification list for upcoming hearings on the project please?

Thanks!

Dana Mahaffey, Senior Planner
City of Sacramento
Youth, Parks, and Community Enrichment Department
Park Planning and Development Services
915 I Street, 3rd Floor
Sacramento, CA 95814
(916) 808-2762

Sacramento County has issued notice that a draft environmental impact report (DEIR) has been prepared for the Mather South Community Master Plan Project (SCH#: 2014062087). The DEIR is available for public review during the comment period from January 8, 2019 to February 2019 and can be downloaded from the link below.

City comments can be provided to Cheryle Hodge, Principal Planner by February 15, 2019 at CHodge@cityofsacramento.org**.** Cheryle will then provide a consolidated set of City Comments to the County.

Below is the notice provided by the County with links to the document:

NOTICE OF AVAILABILITY OF A DRAFT EIR FOR PUBLIC REVIEW

NOTICE is hereby given that a Draft Environmental Impact Report (DEIR) has been prepared by the County of Sacramento, State of California, and is available for public review pursuant to State of California, California Environmental Quality Act (CEQA) Guidelines for the project listed below:

PROPOSED PROJECT: Mather South Community Master Plan Project (State Clearinghouse No. #2014062087, County Control Number PLNP2013-00065).

PUBLIC REVIEW AND COMMENT PERIOD: January 8, 2019 to February 22, 2019

PROJECT LOCATION: The project is approximately 848-acres located on the northeast corner of Kiefer Boulevard and Zinfandel Drive, located in the Cordova community of unincorporated Sacramento County. It is approximately 10 miles east of downtown Sacramento via Highway 50 and is generally situated within the central portion of Sacramento County.

PROJECT DESCRIPTION: The Mather South Project includes an 848-acre master plan community with up to 3,522 residential dwelling units of various densities (multi-family, detached, and attached single-family), a 28-acre environmental education campus including 200 multi-family dwelling units, a 21-acre research and development park, two elementary schools, a 6-acre community center, 21 acres of commercial-retail with up to 225,000 square feet of retail space, 44 acres of parkland including 26 acres of neighborhood parks and a 17-acre community park, and 210 acres of open space areas that include a 53-acre portion of the Mather Preserve west of Zinfandel Drive, as well as other natural preserves and drainage corridors, stormwater quality and detention basins, landscape buffers, and public utility corridors all connected by multi-use pedestrian and bicycle trails.

The Project will require amendments to the Sacramento County General Plan to include the proposed land uses, streets, and bikeways on the General Plan's Land Use Diagram, Transportation Plan, and Bicycle Master Plan, as well as amendments to the Mather Field Specific Plan and Special Planning Area Ordinance. The Project will also require Sacramento County Water Agency Board of Directors' approval of a Water Supply Assessment for the Mather South Community Master Plan.

SIGNIFICANT ENVIRONMENTAL EFFECTS:

Aesthetics
Air Quality
Airport Compatibility
Biological Resources
Greenhouse Gas Emissions and Climate Change
Cultural Resources
Geology and Soils
Hazards and Hazardous Materials
Hydrology and Water Quality
Land Use and Planning
Noise
Traffic and Transportation

PUBLIC HEARINGS: The County Planning Commission will conduct a public hearing will be held during the public review period to receive comments on the Draft EIR. The date, time, and place of the Planning Commission hearing are presently unknown. A second notice providing the date, time, and place of the Planning Commission hearing will be provided

once a date has been finalized.

WHERE DRAFT EIR MAY BE REVIEWED: The Draft EIR is available for review during normal business hours at the Central Library (828 I Street, Sacramento, 95814), the Rancho Cordova Library (9845 Folsom Blvd., Sacramento, CA 95827)., the Sacramento County Office of Planning and Environmental Review in Sacramento (827 7th Street, Room 225, Sacramento, CA 95814) and the County Clerk's Office (600 8th Street, Sacramento, CA 95814).

The Draft EIR is also available online at:

https://planningdocuments.saccounty.net/ViewProjectDetails.aspx?ControlNum=PLNP2013-00065

or

http://www.per.saccounty.net/PlansandProjectsIn-Progress/Pages/SouthMatherSpecificPlan.aspx

SEND COMMENTS TO: Sacramento County, Office of Planning and Environmental Review, Attention: Environmental Coordinator, 827 7th Street, Room 225, Sacramento, CA 95814; or emailed to CEQA@saccounty.net no later than 5:00 p.m. on February 22, 2019. Failure to comment will not preclude your right to testify at a future public hearing for the proposed project.

For more information on the project, please contact Principal Planner, Todd Smith, at (916) 874-6918.

Thank you,

Scott Johnson
City of Sacramento
Community Development Department
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
(916) 808-5842
srjohnson@cityofsacramento.org

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Gavin Newsom
Governor

Kate Gordon
Director

February 22, 2019

Todd Smith
Sacramento County
827 Seventh Street, Room 225
Sacramento, CA 95814

Subject: Mather South Community Master Plan
SCH#: 2014062087

Dear Todd Smith:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on February 21, 2019, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Document Details Report
State Clearinghouse Data Base

SCH# 2014062087
Project Title Mather South Community Master Plan
Lead Agency Sacramento County

Type EIR Draft EIR

Description The Mather South Project includes an 848-acre master plan community with up to 3,522 residential dwelling units of various densities (multi-family, detached, and attached single-family), a 28-acre environmental education campus including 200 multi-family dwelling units, a 21-acre research and development park, two elementary schools, a 6-acre community center, 21 acres of commercial-retail with up to 225,000 sf of retail space, 44 acres of parkland including 26 acres of neighborhood parks and a 17-acre community park, and 210 acres of open space areas that include a 53-acre portion of the Mather Preserve west of Zinfandel Drive, as well as other natural preserves and drainage corridors, stormwater quality and detention basins, landscape buffers, and public utility corridors all connected by multi-use pedestrian and bicycle trails.

Lead Agency Contact

Name Todd Smith
Agency Sacramento County
Phone 916 874 6918 **Fax**
email
Address 827 Seventh Street, Room 225
City Sacramento **State** CA **Zip** 95814

Project Location

County Sacramento
City Rancho Cordova
Region
Lat / Long 38° 32' 40.6" N / 121° 15' 38.8" W
Cross Streets Zinfandel Dr and Kiefer Blvd
Parcel No. various
Township 8N **Range** 7E **Section** 18, 19 **Base**

Proximity to:

Highways 16
Airports Mather
Railways
Waterways Folsom South Canal, Mather Lake
Schools Mather Heights ES
Land Use GP: Urban development area and natural preserve
Special planning area/urban development area-natural preserve

Project Issues Air Quality; Archaeologic-Historic; Drainage/Absorption; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Solid Waste; Soil Erosion/Compaction/Grading; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual; Agricultural Land; Biological Resources; Fiscal Impacts; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Toxic/Hazardous; Vegetation; Flood Plain/Flooding

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 3 N; California Department of Education; Department of Housing and Community Development; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Regional Water Quality Control Bd., Region 5 (Sacramento); State Water Resources Control Board, Division of Drinking Water; Air Resources Board, Transportation Projects

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 01/08/2019 ***Start of Review*** 01/08/2019 ***End of Review*** 02/21/2019

Note: Blanks in data fields result from insufficient information provided by lead agency.

Lynch. Jessica

Subject: RE: Groundwater Information

From: Carl L. Werder <carl.l.werder@gmail.com>
Sent: Wednesday, November 20, 2019 11:23 AM
To: Smith. Todd <smithtodd@saccounty.net>
Cc: Tom Nelson <tanelson@citlink.net>
Subject: Groundwater Information

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Todd,

You requested this information at the Vineyard meeting last Thursday. The point of my presentation was to alert everyone to the fact that there may not be water available for all of this development along Jackson Hwy. Sacramento Central Groundwater Agency (SCGA) is now tasked with developing a Groundwater Sustainability Plan (GSP) by January 2022. (See Draft Plan Schedule)

SCGA originally submitted an Alternative Plan to DWR that was shot down this year. The primary reason for the denial of the Alternative Plan is the reliance on the negotiated groundwater extraction amount of 273,000 AF/yr. There is no scientific bases for this amount of groundwater extraction. Therefore, SCGA has until January 2022 to develop a GSP that scientifically determines a groundwater sustainability amount to insure that the basin remains at historical groundwater levels.

As part of your office's documents in support of development along Jackson Hwy is the attached Water Supply Assessment dated January 9, 2018. (See attached File) If you look at page 18 of this document you will see the paragraph I marked that talks about the Central Basin GMP. SCGA must address trigger points from the plan, but they have yet to do so. I've included one page showing these trigger points from the 2006 GMP. (See GMP 2006 trigger Points)

As you can see by SCGA-6 monitoring well located on Eagles Nest Road between Florin and Grantline Roads the groundwater has dropped 50 feet in 15 years. (See attached SCGA-6 2019 and Monitoring Well Location Map) Note that the groundwater elevation has been below the WF low threshold for many years, a trigger point. This is just one example as a cone of depression exists under the Vineyard area. (See Fall 2018 GW Elevations) The red lines I've added are Jackson Hwy, Florin and Excelsior Roads. I've included an existing Supply Facilities map from 2014 so you can see the problem if additional wells are developed at the Excelsior Wellfield. Additional wells will only increase the problem we already have in this area.

As I stated on Thursday, the problem is that this area is not being recharged due to Aerojet's extraction wells to contain their contaminates. Any plans to use surface water at the Vineyard Treatment Plant are subject to USBR available quantities of water under contract. I understand that this water is third tear water subject to ups and downs of mother nature.

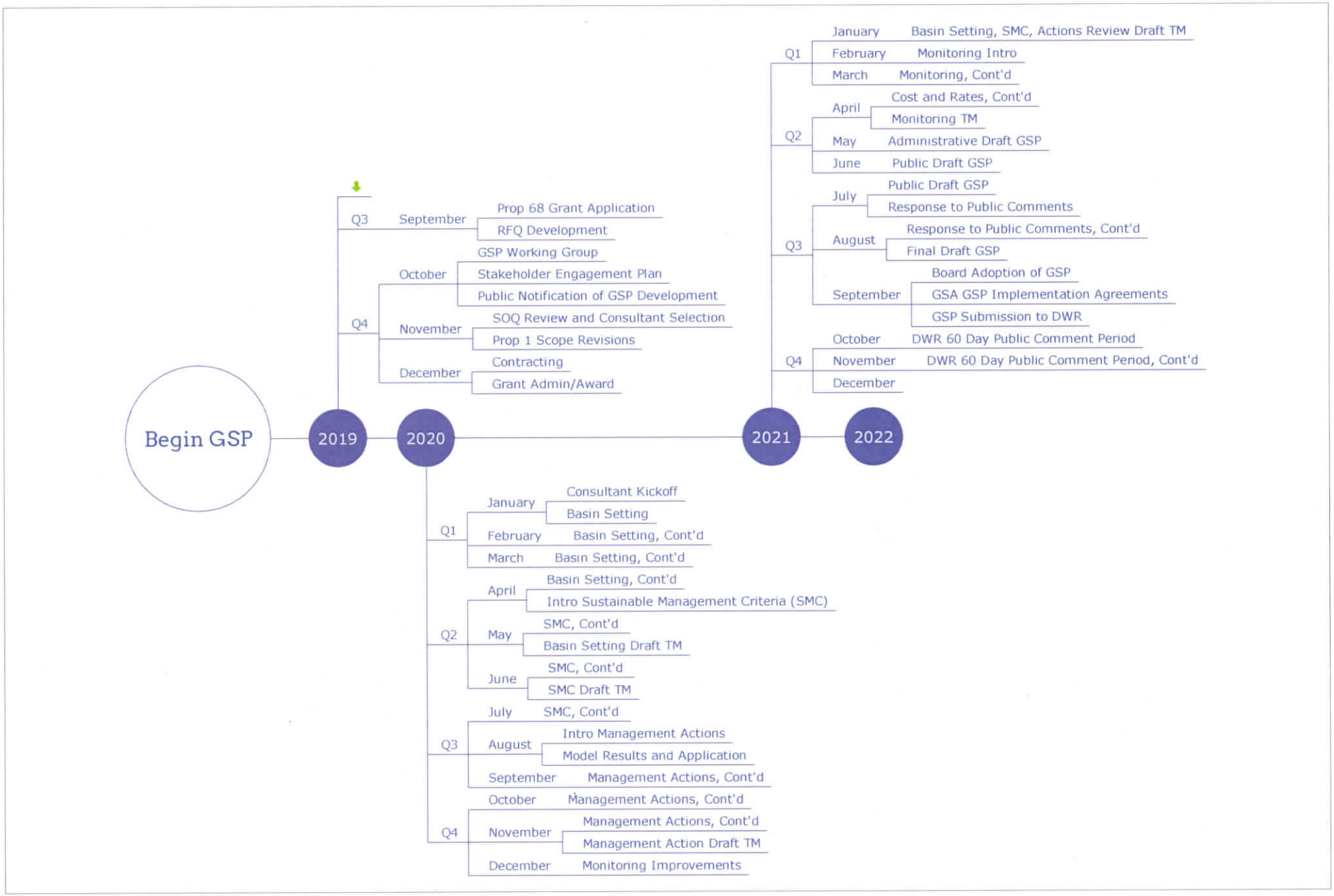
If you have any additional questions please respond to this email. Also, please accept this document and it's attachments as my comments to any and all environmental documents for these Jackson Hwy development projects.

Thank you,
Carl Werder, Ag-Res SCGA Director

Attachments to Letter 23

#7

Draft SCGA GSP Development Milestones for Discussion Purposes Only



August 10, 2019

SACRAMENTO COUNTY WATER AGENCY
CALIFORNIA

32

APPROVED
BOARD OF DIRECTORS
JAN 09 2018
By Florence Evans
Clerk of the Board

For the Agenda of:
January 9, 2018

To: Board of Directors
Sacramento County Water Agency

From: Department of Water Resources

Subject: Approval Of Water Supply Assessment For Mather South

Supervisorial District(s): Nottoli

Contact: Michael Grinstead, Senior Civil Engineer, 875-7276

Overview
In accordance with sections 10910-10915 of the California Water Code (Water Code), the County of Sacramento has requested that the Sacramento County Water Agency (SCWA) update the previously adopted Water Supply Assessment (WSA) for the Mather South project. The WSA for this project has been revised to reflect changes in land use which result in a significant decrease in water supply needed for the project. The Water Code requires that SCWA's Board of Directors approve the revised WSA at a regular or special meeting.

Recommendations
Approve the updated Mather South WSA.

Measures/Evaluation
Not applicable to this agenda item.

Fiscal Impact
Approval of this assessment will not result in any fiscal impact or obligation to SCWA.

BACKGROUND

The Water Code requires coordination between land use agencies and public water purveyors to ensure that water supplies are adequate to meet existing and planned future demands. Water Code sections 10910-10915 require that land use lead agencies:

1. Identify the public water system for any proposed development project subject to CEQA.

3. Groundwater resource protection; including well construction policies, well abandonment and destruction policies, wellhead protection measures, protection of recharge areas, control of the migration and remediation of contaminated groundwater, and control of saline water intrusion.
4. Groundwater sustainability; including demand reduction.
5. Planning integration; including existing integrated planning efforts, urban water management planning, Drinking Water Source Assessment and Protection (DWSAP) program, land use planning, and integrated groundwater and surface water modeling.

The Central Basin GMP also has an implementation plan that defines specific actions or trigger points and associated remedy activities linked with each of the BMOs. Once a trigger point has been reached, the Groundwater Authority must decide on a course of action.

Water quality analysis of the aquifers underling the Central Basin has shown that groundwater quality found in the upper aquifer system is of higher quality than that found in the lower aquifer system. This is principally because the lower aquifer system (specifically the Mehrten Formation) contains higher concentrations of iron and manganese and higher concentrations of total dissolved solids (TDS). Notwithstanding these findings, the lower aquifer typically meets water quality standards as a potable water source. Water from the upper aquifer (specifically the Laguna Formation) generally does not require treatment, unless high arsenic values are encountered, other than disinfection for public drinking water systems.

- **Sustainable Groundwater Management Act (SGMA)**

The Sustainable Groundwater Management Act (SGMA) was enacted by the legislature in 2014, with subsequent amendments in 2015. SGMA requires groundwater management in priority groundwater basins, which includes the formation of Groundwater Sustainability Agencies (GSAs) and the development of Groundwater Sustainability Plans (GSPs) for groundwater basins or subbasins that are designated by DWR as medium or high priority.

The designation of the priority of groundwater basins was done as part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program. CASGEM was developed in response to legislation enacted in California's 2009 Comprehensive Water package. The CASGEM Groundwater Basin Prioritization is a statewide ranking of groundwater basin importance that incorporates groundwater reliance and focuses on basins producing greater than 90 percent of California's annual groundwater. The CASGEM Program has ranked the South American Subbasin (5-21.65) as high priority.

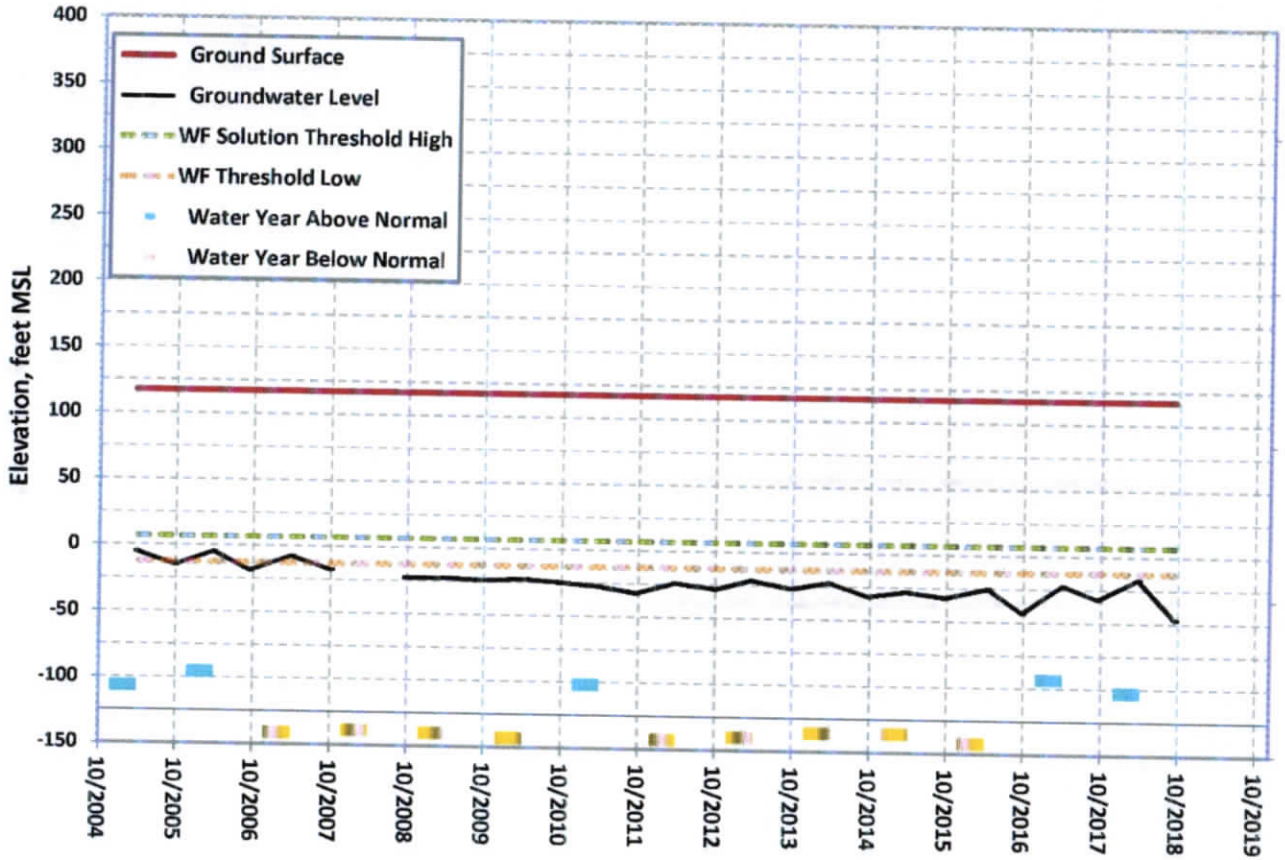
SGMA directs DWR to identify groundwater basins and subbasins in conditions of critical overdraft. DWR identified such basins in Bulletin-118, 1980 and Bulletin 118, Update 2003. DWR issued an updated draft list of critically over drafted basins in July 2015. Neither of the two subbasins that supply SCWA is on the list.

Groundwater basins designated as high or medium priority and identified as critically over-drafted must be managed under GSPs, adjudications, or alternatives by January 31, 2020. All

Table 4-1. Monitoring Actions and Trigger Points (continued)

Monitoring Action	Trigger Points	Recommended Action
BMO No. 2. Maintain specific groundwater elevations within all areas of the basin consistent with the Water Forum "solution."		
A monitoring methodology to meet specific objectives in managing groundwater levels requires a systematic, repeatable, and scientific approach. The objective of this monitoring program is to take measurements from selected monitoring wells that have sufficient construction and hydrogeologic data. Wells will be assigned to represent the polygon areas defined in **Appendix B**, and may be grouped within the basin in areas that are sufficiently distinct in the makeup of hydrogeology and land use. Monitored groundwater levels for a well will be compared with the designated upper and lower groundwater level threshold for each polygon that is assigned to the well. The upper and lower thresholds are termed the "bandwidth" of the polygon.	Trigger Point 1. A 25 to 50 percent encroachment into the designated bandwidth of a polygon.	Alert stage that informs the basin governance body and the overlying groundwater extractor(s) that a specific polygon area is being compromised. Activation of this trigger will take place only after the cause of the condition is thoroughly investigated.
	Trigger Point 2. A 50 to 75 percent encroachment into the designated bandwidth of a polygon.	In the event groundwater level measurements hit Trigger Point 2 without first initiating Trigger Point 1, the recommended actions of Trigger Point 1 still apply. Additionally, this stage initiates a requirement to collect a fee to secure supplemental water supplies or to reduce pumping in a predefined area(s).
	Trigger Point 3. A 75 to 100 percent encroachment into the designated bandwidth of a polygon. This indicates continuously declining groundwater levels in an area even during wet and normal hydrologic cycles, indicating that excessive pumping is the probable cause.	Well owners with operating wells in the affected area(s) will be identified and notified of the basin's condition in their area. An assessment will be levied against those owners who continue to pump at the higher level. Every attempt will be made by the governance body to ameliorate the impact assessments to private domestic groundwater pumpers.
	Trigger Point 4. Over 100 percent encroachment into the designated bandwidth of a polygon.	If the recommended actions from the first three trigger points do not result in an improvement to the affected area(s), the basin governance body will need to consider which of two actions it will take. The first is to consider whether a lower groundwater level in the area is acceptable. If so, the basin governance body has the ability to adapt to the actual monitoring data and change the model-based thresholds for management in the area. If lower groundwater levels are deemed unacceptable, the second action would require finding supplemental water supplies and construct infrastructure for the area(s) and reduce pumping to allow groundwater levels to recover to acceptable levels. Fees in addition to Trigger Point 3 fees will be assessed to cover costs associated with this action.

SCGA-6 / 384798N1212614W001



West
Eagles Nest Road
South of Florin

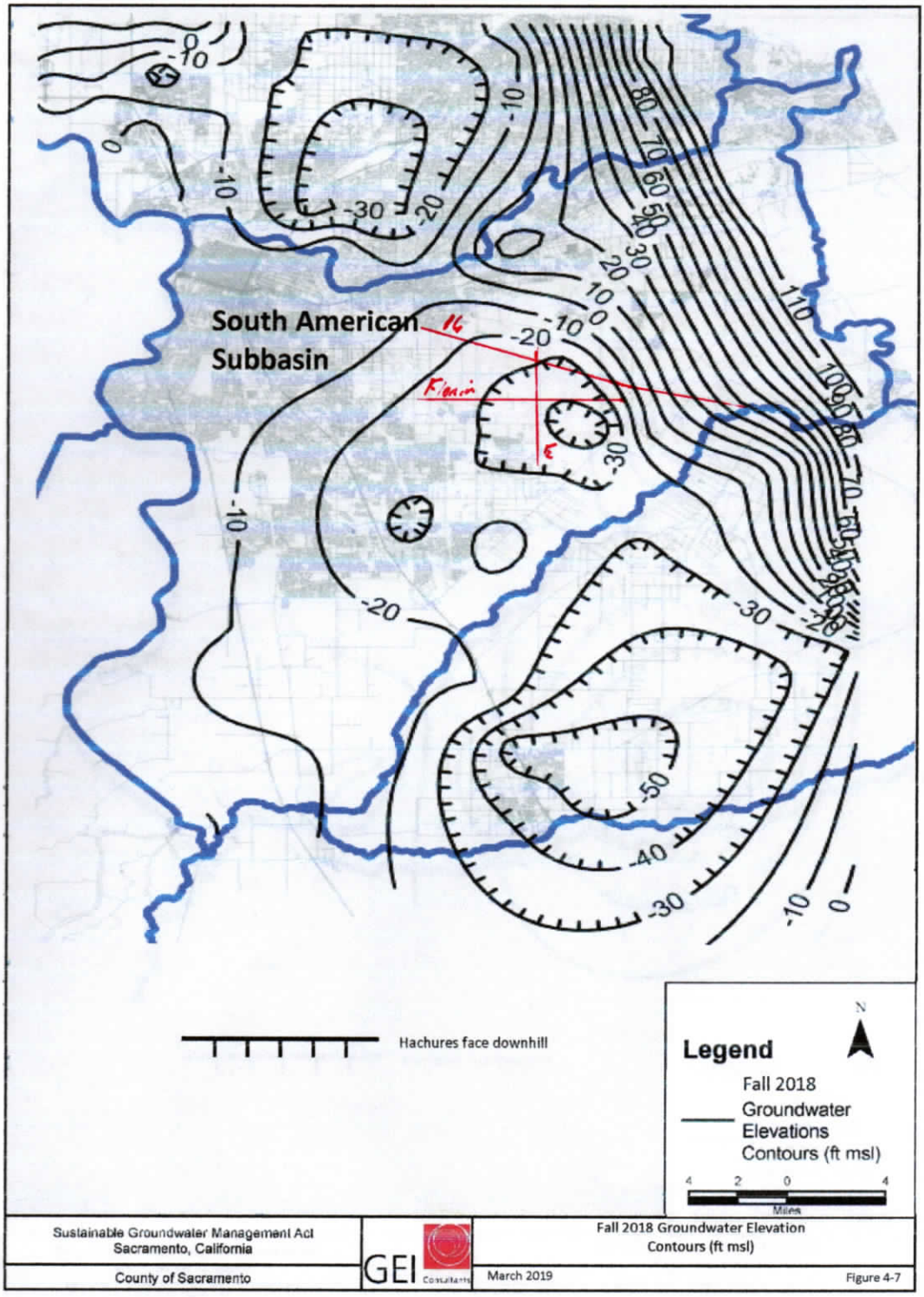
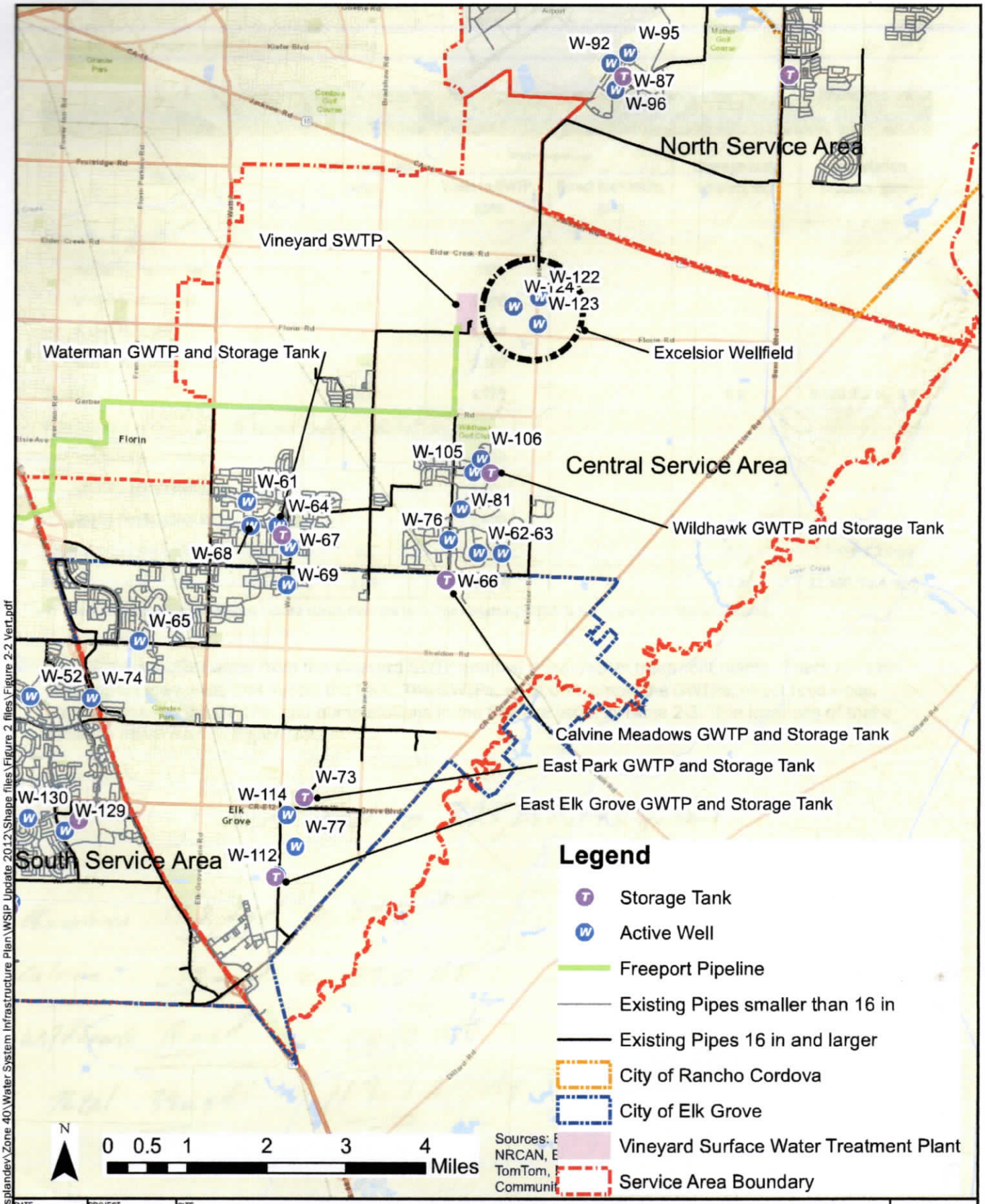


Figure 4-7. Fall 2018 Groundwater Elevations Contours with Monitoring Wells (ft msl)

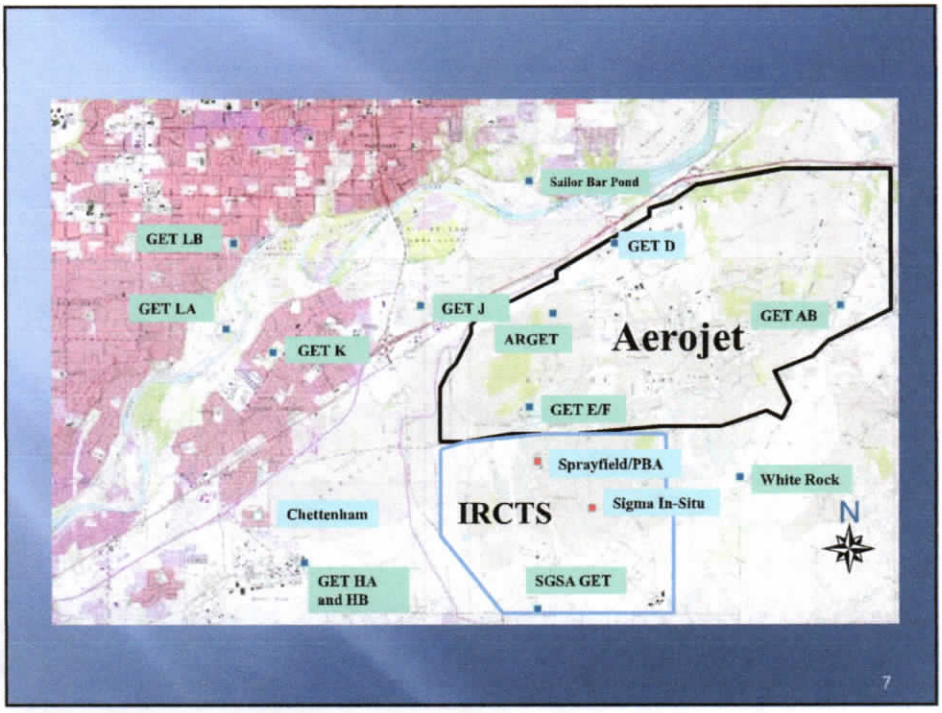
Slide 7

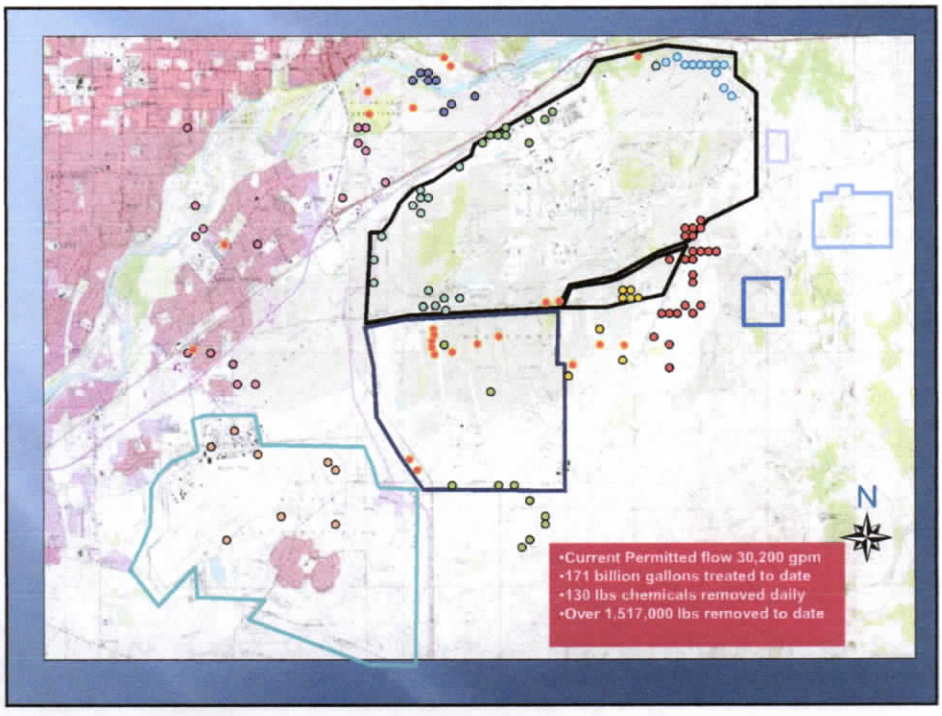


P:\Shared Folders\Wsplandev\Zone 40\Water System Infrastructure Plan\WSIP Update 2012\Shape files\Figure 2 files\Figure 2-2 Vert.pdf

DATE	PROJECT	SITE	
11/12/14	143542	**Water System Infrastructure Plan Update**	**Figure 2-2**
Brown AND Caldwell / DEPARTMENT OF WATER RESOURCES SACRAMENTO COUNTY WATER AGENCY		TITLE **Existing Supply Facilities - CSA**	

Zone 40 WSIP


Sailor Bar Pond
GET LB
GET D
GET LA
GET J
GET AB
ARGET
Aerojet
GET K
GET E/F
Sprayfield/PBA
White Rock
Chettenham
IRCTS
Sigma In-Situ
N
GET HA
and HB
SGSA GET
7


N
•Current Permitted flow 30,200 gpm
•171 billion gallons treated to date
•130 lbs chemicals removed daily
•Over 1,517,000 lbs removed to date

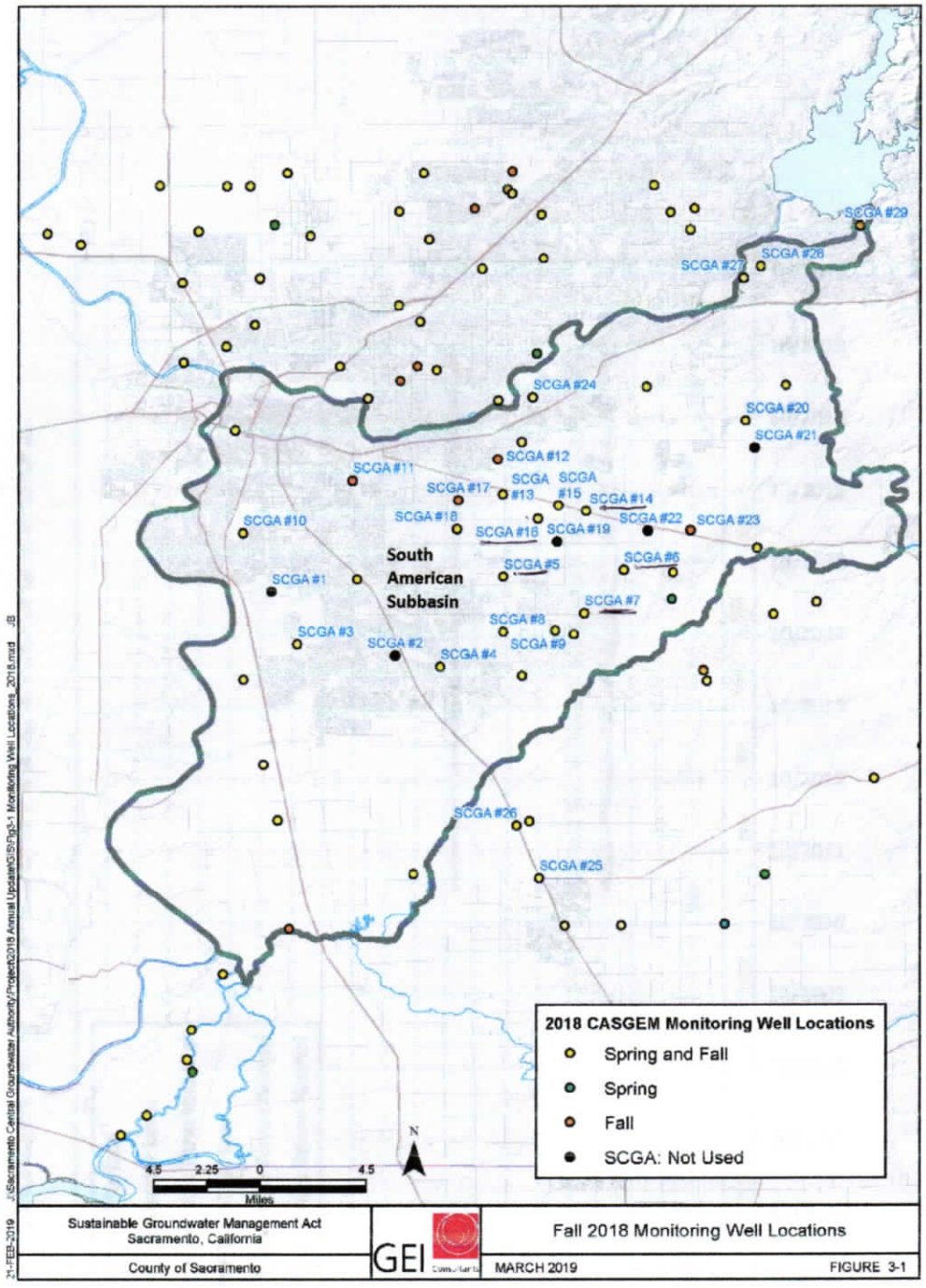


Figure 3-1 Spring and Fall 2018 Monitoring Well Locations

3.2.2 Frequency of monitoring

Monitoring frequencies for the groundwater elevation monitoring network vary from a minimum of bi-annual seasonal spring and fall measurements taken manually each year, to monthly measurements, often taken by private well owners and researchers for various

JMBM Jeffer Mangels Butler & Mitchell LLP

jmbm.com

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www.jmbm.com

Ref: 63786-0001

December 19, 2019

BY EMAIL
moffittl@saccounty.net
CEQA@saccounty.net

Leighann Moffitt
Sacramento County, Office of
Planning and Environmental Review
827 7th Street, Room 230
Sacramento, CA 95814

Re: Mather South Community Master Plan Project (State Clearinghouse #2014062087, County Control Number PLNP2013-00065) -- Draft Environmental Impact Report

Dear Ms. Moffitt:

This firm represents Tsakopoulos Investments, the majority landowner and applicant of the Jackson Township Specific Plan. Set forth below are our comments regarding the Draft Environmental Impact Report (DEIR) for the Mather South Community Master Plan Project (Mather South Project).

During October and November 2019, many organizations and individuals submitted comment letters regarding the Jackson Township Specific Plan DEIR. Those letters commented on a variety of subjects, including but not limited to the evaluation of environmental impacts associated with: air quality, biological/wetlands resources, climate change, lighting, transportation/traffic, and water supply. Copies of those letters are attached hereto as **Exhibits A-M** and hereby incorporated by this reference.

Many of the comments discussed in **Exhibits A-M** apply equally to the County's evaluation of environmental impacts associated with the Mather South Project, and the other projects being proposed for development along the Jackson Highway corridor. Accordingly, we request that the County (i) consider the comments set forth in **Exhibits A-M** during its

evaluation of environmental impacts associated with the Mather South Project, and (ii) respond to these comments in the Final EIR for that Project.[1]

Below are a few examples of comments that apply equally to the County's evaluation of environmental impacts associated with Mather South Project, and the other projects proposed for development along the Jackson Highway corridor. The examples below do not constitute an exhaustive list of all comments found in **Exhibits A-M** that are relevant to the other Jackson Highway corridor projects.

Air Quality

The letter from the Sacramento Metropolitan Air Quality Management District (District) discusses issues associated with the evaluation of environmental impacts to air quality. (See **Exhibit A**.) In particular, please consider the comments regarding (i) the preparation of an Operational Air Quality Mitigation Plan and Greenhouse Gas Reduction Plan; and (ii) the District's guidance for Enhanced On-Site Exhaust Controls.

Biological/Wetlands Resources

The letter from the Mather Alliance discusses issues associated with the evaluation of environmental impacts to biological resources/wetlands. (See **Exhibit B**.) In particular, please consider the comments regarding (i) the developmental impacts to vernal pools and species included therein; and (ii) environmental impacts associated with grading activities.[2]

Climate Change

The letter from ECOS discusses concepts associated with the evaluation of environmental impacts from greenhouse gas (GHG) emissions. (See **Exhibit D**, pages 4 - 22, entitled "Climate Change".) In particular, please consider the comments regarding (i) the Sacramento Climate Action Plan (CAP); (ii) how the County can demonstrate consistency with the CAP during its evaluation of GHG impacts; (iii) legal and regulatory standards associated with the evaluation of

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[1] Please note that we are concurrently submitting a similar letter with respect to the DEIR for the NewBridge Specific Plan Project (State Clearinghouse #2013012028, County Control Number PLNP2010-00081).

[2] With respect to the evaluation of impacts to biological resources/wetlands associated with the Mather South Project, please also consider the comments raised by: (i) California Department of Fish and Wildlife (**Ex. C**); (ii) ECOS (**Ex. D**); (iii) Roxanne Fuentez (**Ex. E**); and (iv) Nancy Hughett (**Ex. F**).

GHG impacts; and (iv) the benefits associated with a holistic evaluation of GHG impacts, in comparison to project-by-project analyses.[3]

Lighting

The letter from Jack Sales discusses issues associated with the evaluation of multiple different types of environmental impacts. (See **Exhibit G**.) In particular, please consider the comments regarding the impacts of light pollution and glare.[4]

Transportation/Traffic

The comments from residents of Rancho Murieta discuss issues associated with transportation and traffic and the evaluation of related environmental impacts. (See **Exhibit H**.) In particular, please consider the comments regarding the traffic impacts to Jackson Highway.[5]

Water Supply

The email from Carl Werder, Ag-Res SCGA Director, discusses issues associated with water supply. (See **Exhibit L**.) In particular, please consider the comments regarding (i) the Sacramento Central Groundwater Agency's preparation of a Groundwater Sustainability Plan and the associated timeline; and (ii) the evaluation of available groundwater for the Jackson Highway corridor projects.[6]

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[3] With respect to the evaluation of GHG emissions associated with the Mather South Project, please also consider the comments raised by Nancy Hughett (**Ex. F**).

[4] With respect to the evaluation of impacts from lighting associated with the Mather South Project, please also consider the comments raised by the Mather Alliance (**Ex. B**).

[5] With respect to the evaluation of transportation and traffic impacts associated with the Mather South Project, please also consider the comments raised by: (i) the Mather Alliance **(Ex. B)**; (ii) the California Highway Patrol (**Ex. I**); (iii) Lisa Infusino (**Ex. J**); and (iv) the City of Rancho Cordova (**Ex. K**).

[6] With respect to the evaluation of water supply impacts associated with the Mather South Project, please also consider the comments raised by the Sacramento County Water Agency (**Ex. M**).

Thank you for this opportunity to comment on the Mather South Community Master Plan Project DEIR. We ask that this letter and the attachments be made a part of the administrative record for that Project.

Very truly yours,

KERRY SHAPIRO of
Jeffer Mangels Butler & Mitchell LLP

Attachments—Jackson Township DEIR Comment Letters (Exhibits A-M)

cc: Angelo G. Tsakopoulos, Esq.
Navdeep Gill (rogersdl@saccounty.net)
Steve Hartwig (hartwigs@saccounty.net)
Todd Smith (smithtodd@saccounty.net)

Index of Exhibits to Comment Letter re:
Mather South Community Master Plan Project

(December 19, 2019)

Exhibit	Description
A.	October 30, 2019 email from Rachel DuBose attaching letter from the Sacramento Metropolitan Air Quality Management District.
B.	November 14, 2019 letter from the Mather Alliance.
C.	October 31, 2019 email from Dylan Wood of California Department of Fish and Wildlife.
D.	October 31, 2019 letter from ECOS (with attachments).
E.	October 17, 2019 and November 1, 2019 letters from Roxanne Fuentez.
F.	October 31, 2019 letter from Nancy Hughett.
G.	Undated letter from Jack Sales (with attachments).
H.	Various comments from residents of Rancho Murieta regarding traffic impacts.
I.	October 28, 2019 letter from California Highway Patrol.
J.	October 9, 2019 letter from Lisa Infusino.
K.	October 10, 2019 and October 31, 2019 letters from the City of Rancho Cordova (with attachments).
L.	November 20, 2019 email from Carl Werder, Ag-Res SCGA Director (with attachments).
M.	October 7, 2019 letter from the Sacramento County Water Agency.

EXHIBIT A

EXHIBIT A

From:	Rachel DuBose
To:	Hawkins. Tim
Cc:	Joanne Chan; Paul Philley; Smith. Todd; Lynch. Jessica
Subject:	SMAQMD comments on Jackson Township DEIR
Date:	Wednesday, October 30, 2019 2:42:03 PM
Attachments:	SMAQMD comment letter - Jackson Township DEIR.pdf

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Tim,

Attached is the SMAQMD's comment letter on the Jackson Township DEIR.

This comment letter supersedes our prior emails on the construction mitigation language in the DEIR, as the intent is more clearly captured in this letter.

There is a typo on page ES-4, Mitigation Measure AQ-1A, in the second bullet. Please replace "or" with "of".

- **cover or maintain at least two feet ~~or~~ of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered;**

Thank you for the opportunity to review the DEIR. You can contact me or Joanne if you have questions.

Sincerely,
Rachel DuBose

Rachel DuBose
Air Quality Planner
Sacramento Metropolitan Air Quality Management District
Direct: (916) 874-4876
Front desk: (916) 874-4800

SACRAMENTO METROPOLITAN
AIR QUALITY
MANAGEMENT DISTRICT

October 30, 2019

Sent Via Email Only

Mr. Tim Hawkins, Environmental Coordinator
County of Sacramento
Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, California, 95814

RE: Jackson Township Specific Plan Draft Environmental Impact Report (Control Number: PLNP2011-00095; State Clearinghouse No. 2013082017)

Dear Mr. Hawkins:

Thank you for providing the Sacramento Metropolitan Air Quality Management District (SMAQMD) with the opportunity to review the Jackson Township Specific Plan Draft Environmental Impact Report (DEIR).

The SMAQMD is required to represent the citizens within Sacramento County in influencing the decisions of other agencies whose actions may have an adverse impact on air quality.[1] We review and provide comments through the lead agency planning, environmental and entitlement processes with the goal of reducing adverse air quality impacts and ensuring compliance with the California Environmental Quality Act (CEQA). SMAQMD comments follow.

- We commend the County for working closely with SMAQMD on the Operational Air Quality Mitigation Plan and Greenhouse Gas Reduction Plan (AQMP/GHGRP) prior to the release of this DEIR.

- Mitigation Measure AQ-1B (in the Executive Summary and the Air Quality Chapter): We strongly recommend that the County use the language from our Enhanced On-Site Exhaust Controls guidance, including the footnote. See Attachment 1.

- Mitigation Measure AQ-2a (in the Executive Summary and the Air Quality Chapter): Clarify that this measure applies to the Proposed Project rather than the Alternative 2 Project Scenario (Alterative 2). An AQMP/GHGRP for Alternative 2 was verified for technical adequacy by SMAQMD on June 12, 2019.

[1] California Health and Safety Code §40961

- Mitigation Measure AQ-2b (in the Executive Summary and the Air Quality Chapter): Please note that SMAQMD has submitted comments on the draft Public Facilities Financing Plan (PFFP) and draft Urban Services Plan (USP) requesting that the PFFP & USP be revised to clearly outline the funding mechanism(s) and minimum services provided in the Transportation Management Association (TMA) membership portion of this mitigation measure.

- Mitigation Measures CC-1A and CC-1B (in the Executive Summary and the Climate Change Chapter) are labeled in an inconsistent order compared to mitigation measures AQ-1A and AQ-1B. To reduce confusion for the enforcement staff and construction companies that must implement these measures, we recommend re-labeling the Proposed Project mitigation measure as CC-1A and the Alternative 2 mitigation measure as CC-1B.
    - The mitigation measure currently identified in the DEIR as CC-1B: Clarify that this measure applies to the Proposed Project rather than Alternative 2. An AQMP/GHGRP for Alternative 2 was verified for technical adequacy by SMAQMD on June 12, 2019.

- Air Quality Chapter, Odors:
    - The Odor section of the Air Quality Chapter only states that the eastern boundary of the Plan Area could include sensitive land uses such as residences and is closer than SMAQMD-recommended 4-mile odor screening distance for siting sensitive land uses within the vicinity of the Sacramento Rendering Company (SRC). However, the *entire* Plan Area, no matter which alternative is chosen, is within this 4-mile odor screening distance. The Odor section should be revised to state that the entire Plan Area is within the 4-mile odor screening distance.

    - Since the year 2000, the SMAQMD has responded to 60 complaints per year (on average) from residents located in nearby development projects regarding SRC odors. To provide additional disclosure to new residents, we recommend the FEIR include the attached statement (Attachment 2) regarding our role in regulating the SRC. Should this project's sensitive land uses be constructed prior to the relocation of the SRC, we request that the County consider including funds in the PFFP/USP to reimburse the SMAQMD for increased complaint responses anticipated by locating additional sensitive receptors in close proximity to the SRC. SMAQMD staff is available to work with County staff on complaint response funding needs.

- Air Quality Chapter, Impacts and Analysis, Significance Criteria:
    - Please cite our white paper *Foundation for a Threshold: Justification for Air Quality Thresholds of Significance in the Sacramento Federal Nonattainment*

Area,[2] adopted by the SMAQMD Board of Directors in 2002, when citing our goal of reducing reactive organic gases (ROG) by 0.45 tons per year and oxides of nitrogen (NO_x) by 0.49 tons per year through our operational significance thresholds.

- Table AQ-6: For clarity, we recommend adding a footnote to each "NA" statement, that notes that SMAQMD has operational ROG and NOx thresholds on a pounds-per-day basis.

- Table AQ-8: For clarity, we recommend adding a footnote to each "NA" statement, that notes that SMAQMD has operational ROG and NOx thresholds on a pounds-per-day basis.

Thank you for your consideration of these comments. Please contact one of my staff listed below if you would like to discuss any topic areas further.

Sincerely,



Paul Philley, AICP
Program Supervisor – CEQA & Land Use Section, SMAQMD
(916) 874-4882, Philley@airquality.org

Cc: Joanne Chan – Air Quality Planner/Analyst, CEQA & Land Use Section, SMAQMD
Phone: (916) 874-6267 Email: JChan@airquality.org

Rachel DuBose – Air Quality Planner/Analyst, CEQA & Land Use Section, SMAQMD
Phone: (916) 874-4876 Email: Rdubose@airquality.org

Attachments:
1) Enhanced On-Site Exhaust Controls
2) SMAQMD Regulatory Authority of Sacramento Rendering Company

[2] El Dorado County Air Pollution Control District, Feather River Air Quality Management District, Placer County Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, Yolo-Solano Air Quality Management District. *Foundation for a Threshold: Justification for Air Quality Thresholds of Significance in the Sacramento Federal Nonattainment Area*. August 2001. SMAQMD-adopted March 2002.

--- Attachment 1 ---
(page 1 of 1)

ENHANCED ON-SITE EXHAUST CONTROLS

1. The project applicant, or its designee, shall provide a plan for approval by the Sac Metro Air District that demonstrates the heavy-duty off-road vehicles (50 horsepower or more) to be used 8 hours or more during the construction project will achieve a project wide fleet-average 10% NOX reduction[1] compared to the most recent California Air Resources Board (CARB) fleet average. The plan shall have two components: an initial report submitted before construction and a final report submitted at the completion.

    - Submit the initial report at least four (4) business days prior to construction activity using the Sac Metro Air District's Construction Mitigation Tool (http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation).

    - Provide project information and construction company information.

    - Include the equipment type, horsepower rating, engine model year, projected hours of use, and the CARB equipment identification number for each piece of equipment in the plan. Incorporate all owned, leased and subcontracted equipment to be used.

    - Submit the final report at the end of the job, phase, or calendar year, as pre-arranged with Sac Metro Air District staff and documented in the approval letter, to demonstrate continued project compliance.

2. The Sac Metro Air District may conduct periodic site inspections to determine compliance. Nothing in this mitigation shall supersede other air district, state or federal rules or regulations.

3. This mitigation will sunset on January 1, 2028, when full implementation of the CARB In-Use Off-Road Regulation is expected.

[1] Acceptable options for reducing emissions may include use of cleaner engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

--- Attachment 2 ---
(page 1 of 2)

REGULATORY AUTHORITY

OF THE

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

OVER

THE SACRAMENTO RENDERING COMPANY

Sacramento Rendering Company (SRC) is a business that has operated in Sacramento County since 1913. It has been at its current location on Kiefer Boulevard since the 1950s. SRC receives restaurant grease and animal waste materials and renders them into products used in the manufacturing of many everyday items such as soaps, cosmetics, candles, and animal feed.

Given the nature of the operations at SRC, the facility is regulated by a number of agencies, including the Sacramento Metropolitan Air Quality Management District (SMAQMD). The SMAQMD's role in regulating SRC is to ensure that SRC follows federal, state, and local air pollution control regulations designed to protect the public health.

The principal method by which the SMAQMD regulates SRC is through a permit to operate. This permit requires SRC to operate in accordance with specific conditions. These conditions are enforced by regular compliance inspections. Due to the number of odor complaints the SMAQMD receives regarding SRC, the facility is inspected frequently to ensure that it is operating in full compliance with permit conditions.

The surrounding land uses have changed considerably since SRC began operating at its current location. More recently, the County of Sacramento approved a large residential project in the Sunrise/Douglas area. When that development was approved by the Sacramento County Board of Supervisors, an agreement was reached between the developer, Sacramento County, and SRC to install an enhanced odor control system prior to the issuance of any building permits for structures located downwind of the plant. This particular odor control system was not required by any air pollution control regulations – it was a voluntary effort by the developer and SRC to reduce odors already known to exist around the plant. Even though this equipment was voluntarily installed, it is still subject to SMAQMD permitting requirements to ensure that it meets local, state, and federal emission requirements.

SRC has indicated that the odor control equipment it installed is a state-of-the-art system that takes air from the rendering process through a combination of chemical and thermal treatments to reduce pollutants and odors. The primary air pollutants emitted from rendering operations are Volatile Organic Compounds (VOCs). There are many different types of VOCs which may be emitted, including organic sulfides, disulfides and aromatic compounds. Given the low odor detection threshold for some compounds and varying sensitivities among individuals who may detect odor downwind of the plant, it is possible to detect odors from SRC even though the odor control equipment is being operated within design specifications and in full compliance with SMAQMD permit conditions.

In addition to its authority to establish permit conditions to limit the discharge of air pollutants from facilities, the SMAQMD has a nuisance rule (Rule 402) that, under most scenarios, would apply when a facility operating in compliance with permit conditions is still causing a public odor nuisance. However, California Civil Code Section 3482.6, "The Right to Farm Act", specifically

(i) includes rendering plants in the definition of agricultural activity, and (ii) exempts agricultural processing facilities and rendering plants from nuisance rules if the nuisance is due to changed conditions that occur after an agricultural activity has been in continuous operation for more than three years (so long as it was not a nuisance at the time it began operation).

SRC predates most of the other development in the surrounding area. Consequently, as to the newer developments, if SRC is operating within the limits of its SMAQMD permit and the SMAQMD receives odor complaints, the SMAQMD has no authority to take an enforcement action against the facility.

However, the SMAQMD has worked with SRC in an effort to lessen odor impacts on the community, and SRC is interested in hearing from surrounding residents, businesses, and the general public with comments and/or concerns about their operations. To this end, SRC has established a 24-Hour Hotline 1-800-339-6493 for reporting concerns. The hotline is staffed during business hours and voice mail after hours. You can email SRC at airyourthoughts@SRCCompanies.com or contact them by mail at 11350 Kiefer Boulevard, Mather, CA 95830. Additional information on SRC may also be found on the County of Sacramento's website.

In summary, to ensure SRC properly operates its odor control equipment, the SMAQMD conducts regular inspections of the plant. Under certain conditions, odors may be detected even when this equipment is operated properly. Given the limitations of the SMAQMD's authority as it relates to rendering plants, odors alone do not constitute a violation of existing SMAQMD regulations.

EXHIBIT B

EXHIBIT B



To work with stakeholders to advocate for responsible use and management of Mather Field resources.

November 14, 2019

Sacramento County, Office of Planning and Environmental Review
Attention: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814

Email to CEQA@saccounty.net and Todd Smith
Hand-delivered to Vineyard CPAC Chair

RE: Jackson Township Specific Plan
County Control Number: PLNP2011-00095

To Sacramento County Office of Planning and Environmental Review:

The Mather Alliance core group and its members wish to express sincere thanks to Sacramento County Supervisors and County staff for offering the opportunity to involve community members in shaping the new development proposed for Jackson Township Specific Plan. We feel grateful for the opportunity to advocate for the responsible use and management of this plan area's valuable resources.

Area residents and Mather wetlands supporters are particularly proud of the cultural, historical, and ecological significance of these lands of Sacramento County. Our culture is one of deep respect and appreciation for the plants and wildlife that live among and around us. Our local ecology includes world-class vernal pools filled with extremely rare species, some of which have not even officially been named yet by scientists. We are extremely interested in partnering with Sacramento County to protect this precious area.

We look forward to collaborating with the County to ensure that the planned development area's resources and values are preserved. Therefore, we respectfully submit the following comments in response to the Jackson Township Draft Environmental Impact Report (DEIR).

Area of Concern: Excelsior Road Traffic Impacts to Independence at Mather Community

Issue/Impact: Proposed site will increase traffic on Excelsior Road through the Independence at Mather community.

The northern/southern entrance into the plan area is via Excelsior Road or Sunrise Boulevard. Excelsior Road that runs through the Independence at Mather community is a two-lane narrow street with houses on both sides of the street and vehicle parking on one side of the street. The

current traffic during commute hours creates gridlock. Therefore, no emergency vehicles could possibly maneuver through the traffic to respond to an emergency in the area.

In addition, the traffic causes many adverse issues for Mather residents. As a result, Mather Alliance members and residents have repeatedly requested that Sacramento County Department of Transportation, Department of Airports, and Economic Development staff to develop a more detailed plan, including funding resources, prioritization, potential restraints, and timing of delivery for the Douglas Road extension project.

Recommendations:

We request that Sacramento County Planning Commission include a commitment to move forward with a proposed plan to provide an alternate route that bypasses non-residential traffic away from Independence at Mather. We request that the Commissioners make this bypass plan a priority issue before further planning continues on the Jackson Township project.

Area of Concern: Drainage Plan

Issue/Impact: Proposed drainage management and hydromodification mitigation plans for the planned development.

While we understand the need for hydromodification mitigation with respect to existing drainages, we are concerned that reliance on large basins presents a potential subsurface hydraulic impact to preserve areas located immediately to the west.

Recommendations:
We contend that drainage management and hydromodification mitigation plans can be better achieved through use of more and smaller detention basins/bioswales dispersed across the northern half of the development area. By adopting a more dispersed approach, the natural drainages already present on the site can be more effectively used to manage stormwater discharge. Furthermore, smaller basins and swales incorporated along the margins of developed parcels help to incorporate natural features within the community and help break up the visual impacts of development, both of which enhance the livability of the community as a whole.

We suggest that a good example of this more dispersed approach to drainage management exists in parts of Folsom where numerous small basins and marshes between neighborhoods serve to create a more natural and livable condition. Paired with walking/cycling paths, these natural buffers create a much more desirable community to live in and help mitigate the typical trappings of visually uninspiring landscaping and concrete block soundwalls. As discussed previously as an example, we believe a strategically placed small marsh filled detention would serve as an excellent way to manage stormwater flows.

Area of Concern: Fill Sourcing and Noxious/Invasive Weed Mitigation/Abatement

Issue/Impact: The source and quality of fill required for grading in some portions of Jackson Township is not clearly defined. The DEIR and community Master Plan do not contain specific

protections to prevent potentially contaminated soil disturbance and/or redistribution or noxious weed dispersal migration as applied to cut/fill materials sourced onsite or imported.

It is apparent that some portions of the Jackson Township development are slated to undergo a significant amount of grading and fill. It is unclear if sufficient material can be cut from higher elevations and regraded to infill lower lying areas. If adequate material for fill cannot be found onsite, we are concerned that imported fill materials could pose a risk to waterways and the nearby preserve if they are sourced from contaminated locations and/or areas with noxious/invasive weed problems.

Even if fill materials can be sourced onsite, the DEIR already notes that additional hazardous materials might be potentially uncovered during grading, notably in former USAF fuel storage, munitions disposal, and small arms firing range locations. However, there is ample reason to suspect that not all former USAF activities in the area were documented. Other decommissioned USAF sites (notably McClellan) have turned up some potentially serious contaminants in recent history, so the potential for unknown contaminants turning up in previously undocumented locations is not without precedent.

Although the DEIR specifies that a Contaminated Soil Contingency Plan must be submitted to the County prior to construction, there is no allowance for public review of this plan to ensure that adequate protections and monitoring procedures are in place to prevent disturbance and redistribution of potentially contaminated soils.

Furthermore, there are already well-documented and ongoing invasive weed problems occurring within and around the Mather preserve, especially toward the northern end. The DEIR does not appear to contain any language specifying mitigation procedures or best practices to ensure that grading activities for the Jackson Township development project do not inadvertently advance the spread of noxious weed species into the southern end of the Mather preserve, either through aerial dispersal or via existing waterways.

Recommendations:
We would like to see some additional clarification of planned excavation, grading, and imported fill plans, procedures and policies in the DEIR. Noxious/invasive weed management and dispersal mitigation plans should be a requisite component of the construction application process for this sensitive area. Such plans (including the Contaminated Soil Contingency Plan) should be made available for public review prior to approval and community input from stakeholders (especially those familiar with weed management and abatement best practices) should be solicited to ensure that environmental degradation to the area is not exacerbated.

Area of Concern: Preserve Management

Issue/Impact: The lack of coordination and cooperation between the current Preserve Manager and Mather stakeholders is of great concern to the Mather Alliance and other parties interested in preserving Mather's vernal pools. This concern applies to the Jackson Township planned development area, which borders on the Mather preserve.

Recommendation:
The Alliance would like to see a requirement that the Preserve Manager include the input of local vernal pool experts and stakeholders in management actions.

Issue/Impact: The current preserve management efforts are not sufficient to control invasive plant species.

There are a number of volunteers willing to pull weeds in the preserve. Though this method of weed control is not cost effective from a profit-driven model of preserve management, it can be the safer way to remove some invasive plants. Lower cost methods such as pesticide use, controlled burns, and grazing can cause unintended negative impacts to vernal pool species. When free labor is available for weed pulling, it benefits the preserve to use it. Local vernal pool experts have commented for the last several years, with increasing concern, that not enough is being done to control threatening invasive plant species that are encroaching upon Mather's vernal pools. This could be due to a lack of sufficient funding, or lack of a comprehensive strategy. In either case, the result is a lack of safe and effective action to protect the vernal pool species.

Recommendation:
Again, a number of volunteers are willing to give their time and expertise to help preserve the vernal pools of Mather. We believe Sacramento County would miss a great opportunity by not incorporating these volunteers into the preserve management. The Mather Alliance recommends that the County direct the current Preserve Manager to coordinate and cooperate with local Mather stakeholders. In addition, the Mather Alliance requests that the County adopt a "pay-for-performance" approach for the Mather preserve with specific measurable objectives that the Preserve Manager must meet in order to retain the management contract. There is too much at stake to risk a lack of progress.

Area of Concern: Artificial Lighting

Issue/Impact: Artificial lighting, especially outdoor lighting, will disrupt the ecosystems and/or safety of plant and animal life within the proposed Jackson Township Specific Plan development area and its vicinity.

According to The International Dark Sky Association (IDSA) statistical research,[1] "All life relies on Earth's predictable rhythm of day and night. It's encoded in the DNA of all plants and animals. Humans have radically disrupted this cycle by [artificially] lighting up the night. Plants and animals depend on Earth's daily cycle of light and dark rhythm to govern life-sustaining behaviors such as reproduction, nourishment, sleep and protection from predators.

Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants.

Artificial Lights Disrupt the World's Ecosystems. Nocturnal animals sleep during the day and are active at night. Light pollution radically alters their nighttime environment by turning night into day.

According to research scientist Christopher Kyba, for nocturnal animals, "The introduction of artificial light probably represents the most drastic change human beings have made to their environment. Predators use light to hunt, and prey species use darkness as cover near cities,

[1] International Dark Sky Association at https://www.darksky.org/light-pollution/wildlife/

cloudy skies are now hundreds or even thousands of times brighter than they were 200 years ago. We are only beginning to learn what a drastic effect this has had on nocturnal ecology.

Glare from artificial lights can also impact **wetland habitats** that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding ritual. Artificial lights disrupt this nocturnal activity, interfering with reproduction and reducing populations.

Artificial Lights have Devastating Effects on Many Bird Species. Birds that migrate or hunt at night navigate by moonlight and starlight. Artificial light can cause them to wander off course and toward the dangerous nighttime landscapes of cities. Every year millions of birds die colliding with needlessly illuminated buildings and towers. Migratory birds depend on cues from properly timed seasonal schedules. Artificial lights can cause them to migrate too early or too late and miss ideal climate conditions for nesting, foraging, and other behaviors.

Ecosystems: Everything is Connected. Many insects are drawn to light, but artificial lights can create a fatal attraction. Declining insect populations negatively impact all species that rely on insects for food or pollination. Some predators exploit this attraction to their advantage, affecting food webs in unanticipated ways."

Recommendations:
Request that Tsakopoulos Investments waive general developer's lighting standards; instead, adopt Model Lighting Ordinance [2](MLO) developed by the IDSA and the Illuminating Engineering Society of North America to address the need for strong, consistent outdoor lighting regulation in North America.

Developed jointly over a period of seven years, the MLO encourages communities to adopt comprehensive outdoor lighting ordinances without devoting extensive staff time and resources to their development.

Prohibit sports field lighting within the development. The excessive amount of light associated with sports fields creates a number of environmental impacts as outlined in the section above.

Area of Concern: Mitigation of Impacts to Existing Species

Issue/Impact: Mitigation measures listed for species are vague.

One of the core values of the Mather community is our concern for the welfare of wildlife in the planned development area. This planned development necessitates earth movement and deposition that will likely devastate and obliterate acres of existing habitat for all critters currently living there. The least we can do is ensure that earth movement is done with the greatest of care to minimize the number of animals killed or "taken" by either destroying the critters or their habitats and ecosystems.

[2] Model Lighting Ordinance: https://www.darksky.org/our-work/lighting/public-policy/mlo/

Recommendation:
Include specificity in the mitigation measures to inspect for wildlife pre-construction and to relocate individuals, including provisions for new homes (e.g., for burrowing owls, if present).

Respectfully yours,

The Mather Alliance Core Group:

Vanessa Emerzian
Lisa Infusino
David and Joy Nahigian
Ken Pawlowski

EXHIBIT C

EXHIBIT C

From: PER-CEQA
To: Lynch, Jessica
Subject: FW: Comments on the JACKSON TOWNSHIP SPECIFIC PLAN (SCH: 2013082017)
Date: Friday, November 1, 2019 9:11:42 AM
Attachments: image001.png

Andrea Guerra, Senior Office Assistant
Office of Planning and Environmental Review
827 7th Street, Room 225A, Sacramento, CA 95814 | (916) 874-2862
www.saccounty.net
SACRAMENTO COUNTY

Please consider the environment before printing this email

From: Wood, Dylan@Wildlife <Dylan.A.Wood@wildlife.ca.gov>
Sent: Thursday, October 31, 2019 5:44 PM
To: PER-CEQA <CEQA@saccounty.net>
Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: Comments on the JACKSON TOWNSHIP SPECIFIC PLAN (SCH: 2013082017)

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Attn: Jessica Lynch, Senior Planner

Dear Ms. Lynch,

The California Department of Fish and Wildlife (CDFW) received and reviewed the **Draft Environmental Impact Report** for the **Jackson Township Specific Plan** (Project) in Sacramento County pursuant the California Environmental Quality Act (CEQA).

CDFW offers the comments and recommendations below to assist Lead Agency in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

The South Sacramento Habitat Conservation Plan (SSHCP) is now in implementation. As a Plan Partner with a proposed project in the SSHCP area, CDFW recommends the Lead Agency's final Environmental Impact Report be consistent with the SSHCP and all associated avoidance and minimization measures. The draft EIR analyzes impacts for two alternatives, so for the purposes of these comments CDFW describes the original project as "Project" and the SSHCP-consistent project as "Alternative 2."

The draft EIR identifies three significant but unavoidable impacts to biological resources for the project. CDFW concurs with this analysis and expresses concern over the number of significant but unavoidable impacts and what these impacts may mean for sensitive biological resources within the Project area and for local ecosystems. With the adoption of the final SSHCP and issuance of final

SSHCP permits from the agencies, the SSHCP provides an appropriate pathway for the Lead Agency to mitigate several of these significant but unavoidable impacts to a less than significant level. Alternative 2 provides the Project with the necessary attributes to be consistent with the SSHCP and thus, potentially change all three significant but unavoidable impacts to less than significant. As such, CDFW highly recommends Alternative 2 and participation in the SSHCP.

The draft EIR also identifies several potentially significant impacts that would be reduced to less than significant with mitigation incorporated. Page 8-42 (Special-Status Plants) and Page 8-52 (Tricolored Blackbird) identify potential impacts to species listed under the California Endangered Species Act (CESA). The draft EIR and a review of CDFW BIOS, CNDBB, and CDFW records indicate several nesting colonies for tricolored blackbird (*Agelaius tricolor*) within or adjacent to the project area. One of these colonies shows in the project development area and would be lost with development of the site, while others are within close proximity to the impacted area. With this, the likelihood for "take" (CDFW defines "take" has hunt, pursue, catch, capture, or kill or attempt to do so) of tricolored blackbird is high, either from direct mortalities in the destruction of habitat or indirect mortalities due to noise and disturbance. Mitigation Measure BR-8 does not include how the Project would comply with CESA (e.g. disclosure of an incidental take permit) or associated measures to fully mitigate impacts to tricolored blackbird. CDFW is concerned that this impact may be significant due to the number of potentially impacted tricolored blackbirds (and habitat), high potential for take, and availability of sufficient full mitigation. CDFW strongly encourages consideration of Alternative 2 and participation in the SSHCP to facilitate an efficient permitting process and implementable mitigation strategy. CDFW has similar concerns in regards to special-status plants. The draft EIR and a review of CDFW BIOS and CNDBB indicates that there is potential for impact these plants. As such, Mitigation Measure BR-3 does not include how the Project would comply with CESA (e.g. disclosure of an incidental take permit) or associated measures to fully mitigate impacts to special-status plants. Due to the potential impacts to critical habitat for species such as Sacramento Orcutt Grass (*Orcuttia viscida*), full mitigation may be difficult to achieve. For this reason, CDFW again strongly encourages consideration of Alternative 2 and participation in the SSHCP to facilitate an efficient permitting process and implementable mitigation strategy.

Table BR-4 summarizes the regulatory status, suitable habitat, and potential for the Project to affect special-status species known or with potential to occur in the Plan Area. CDFW has identified several inconsistencies in this table:

- California Tiger Salamander (*Ambystoma californiense*) status: this species is *threatened* under CESA (CT), not CSC
- Greater sandhill crane status (*Grus canadensis Tabida*): this species is California Fully Protected (CFP)
- Use of SSHCP as a status: only three species' status are shown as "SSHCP"
- Ferruginous Hawk (*Buteo regalis*): this species is covered under the SSHCP but is not included in this table

CDFW recommends rechecking the listing status for species included in Table BR-4 and disclosing all 28 covered species under the SSHCP (with SSHCP status shown for each).

Page 8-26 describes CESA and the regulatory setting. The last sentence of the first paragraph states that "Section 2081 of CESA identifies the following criteria...". CDFW recommends revising this to

state that "Section 2081 of the Fish and Game Code identifies the following criteria...".

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the project that may affect California fish and wildlife. I am available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts, should the Lead Agency or Project proponent wish to contact me.

Sincerely,

Dylan Wood
California Department of Fish and Wildlife
Environmental Scientist
(916) 358-2384

CALIFORNIA DEPARTMENT OF FISH and WILDLIFE

EXHIBIT D

EXHIBIT D

October 31, 2019

Attention:
Environmental Coordinator
Sacramento County, Office of Planning and Environmental Review
827 7th Street, Room 225, Sacramento, CA 95814
Sent via email to: CEQA@saccounty.net

Re: Comments on Jackson Township Specific Plan Draft Environmental Impact Report (DEIR)

Dear Sacramento County,

The Environmental Council of Sacramento (ECOS a 501(c)(3) nonprofit organization, is a coalition dedicated to protecting the natural resources of the greater Sacramento region while building healthier, more equitable, economically thriving communities. ECOS member organizations include: 350 Sacramento, Breathe California Sacramento Region, Friends of Stone Lakes National Wildlife Refuge, International Dark-Sky Association, Physicians for Social Responsibility Sacramento Chapter, Sacramento Citizens' Climate Lobby, Sacramento Electric Vehicle Association, Environmental Democrats of Sacramento County, Sacramento Housing Alliance, Sacramento Natural Foods Coop, Sacramento Audubon Society, Sacramento Valley Chapter of the California Native Plant Society, Sacramento Vegetarian Society, Save Our Sandhill Cranes, Save the American River Association, Service Employees International Union (SEIU) Local 1000 and the Sierra Club Sacramento Group. Members of Habitat 2020, a committee of ECOS, include: Friends of Stone Lakes National Wildlife Refuge, Friends of Swainson's Hawk, International Dark-Sky Association Sacramento Chapter, Sacramento Area Creeks Council, Sacramento Audubon Society, Sacramento Valley Chapter California Native Plant Society, Save Our Sandhill Cranes, Save the American River Association, Sierra Club Sacramento Group and Sacramento Heron and Egret Rescue.

350 Sacramento is a local grassroots organization committed to equitable solutions that accelerate the transition to a sustainable future, with atmospheric carbon dioxide levels below 350 ppm. 350 Sacramento believes in a world with a safe climate, where nature is respected and protected, and our social, political, and economic systems work for all people and the planet.

The Sierra Club's mission is to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.

Agricultural Resources

There is insufficient mitigation for farmland lost in the Jackson Township Specific Plan DEIR. By converting all this farmland to urban/suburban uses, the GHG emissions will increase due to the increased number of motor vehicle trips (more vehicle miles traveled). Moreover, loss of agricultural resources will reduce the potential for carbon sequestration in the soil by application of compost or regenerative agriculture methods, in addition to the natural processes of plant growth and soil microbial action from farming. There needs to be better mitigation measures to ensure carbon soil sequestration occurs at least as much as it would if the agricultural resources were preserved.

Biological Resources

Use of the South Sacramento Habitat Conservation Plan (SSHCP) was offered as one of the options for dealing with California Endangered Species Act (CESA) and Federal Endangered Species Act (FESA) impacts, and it was clearly stated that the hardline preserves identified in the SSHCP conservation strategy would be provided. Since the SSHCP now has its permits and is in the implementation phase, we are assuming that the Jackson Township will be affected by and compliant with the SSHCP.

The Sacramento Chapter of the California Native Plant Society (CNPS), in coordination with State CNPS, ECOS and Habitat 2020, has embarked upon an ambitious regional campaign to promote the preferential use of California native plants in home and civic landscaping. It is called Homegrown Habitat, which contains a list of appropriate plants for our region. These nonprofits are currently building the capacity to ensure that these landscaping options are available locally. While utilizing these plants would not provide any avoidance or minimization or mitigation credits, it would go a long way to reducing water consumption and would provide carbon sequestration benefits (even during a drought when many non-local native plants and trees would perish), as well as resources for local insect and bird populations.

The use of these native California plants appropriate for our region in Jackson Township development will assist in creating pathways through the urban region in Sacramento between the agricultural, conservation lands and foothills on its eastern boarders to the farmlands and delta to the west. Wide use of these plants reduces the "edge" effects of development near existing wild pathways (e. g. the American River parkway) through the Sacramento region. We strongly urge Jackson Township to adopt the use of California native plants appropriate for this region that was prepared by CNPS and require it for all landscaping within the project.

Residential landscaping accounts for more than 50% of the average daily water usage per household (Regional Water Authority Waterwise data). Additionally, during the summer when landscaping water demands are at their highest, 30% of this water is lost to evaporation from turf lawns (Regional Water Authority Waterwise data). Unfortunately, in long periods of drought such as the Sacramento region experienced in 2012-15, homeowners, HOAs and developers can lose significant landscaping investments

because plant colonies and turf typically in use cannot withstand the valley's high temperatures coupled with reduced water availability. Both individual homeowners and the region are hit with a double impact in these situations: (1) homeowners lose landscaping functionality (shade and privacy) as well as beauty and health benefits; and (2) the cost of time and money to replace non-native California landscaping when milder weather returns.

As a result, the Sacramento region loses landscape habitat and carbon sequestration. In addition, abandoned, dead landscapes can pose fire protection issues and lead to further air quality degradation if they become part of local fires. Finally, the associated loss of local insects, including pollinators, local and migratory birds, and animal populations that depend on local native plants directly contribute to the region's loss of biodiversity. Unfortunately, climate change is promising more frequent and severe regional droughts, and this means the potential exists for a continuing cycle of boom and bust for residential landscaping. This cycle is broken when developers, HOAs, and homeowners landscape with local native plants found on the Homegrown Habitat plant list instead of turf lawns and non-local, higher water use plants.

A traditionally landscaped home can save up to 60% or more of its watering costs and a significant amount of landscape maintenance cost by converting to a landscape of Homegrown Habitat plants (Sacramento Valley Chapter, California Native Plant Society). These local native plants typically require low or very low amounts of water to thrive and have adapted to grow and thrive in the native soils and climate of the Sacramento region for thousands of years. Gardening and maintenance costs are significantly lower with these plants because they do not require fertilizer, pesticides or special soil amendments. Plant pallets can be selected for any shade or sun condition and can provide blooms and color throughout the year. Local insects, birds and animals thrive on these plants, so the uses of these plants contribute to the carbon sequestration and biodiversity in our region. The ability of local native plants to withstand climate change will contribute to homeowner shade, prosperity, and overall improved quality of life.

Carbon sequestration is achieved and maintained throughout the built environment in the Sacramento region through the broad use of the local native plants on the Homegrown Habitat plant list. Many of the trees and shrubs found on the list are long lived and woody which translates into sustained carbon sequestration. These plants are equipped to survive prolonged periods of low, very low or even no supplemental irrigation and, therefore, continue to sequester carbon when other non-drought tolerant plantings often perish, thus reducing the regional built environment's ability to sequester carbon.

The Homegrown Habitat plant list provides pallets of local native plants that achieve the above benefits. Experts in biology, entomology, conservation, education, and landscape design joined with the California Native Plant Society (CNPS), Sacramento Valley Chapter, to develop the list for the Sacramento region. The listed plants support hundreds of butterflies, moths, native bees, and other pollinators. They are homes for other beneficial insects, which in turn support local and migratory birds and animal populations. Year-round habitat for pollinators supports residential agricultural activity. These plants

already survive without human attention along the American river parkway and are celebrated for their beauty and resilience. They are equally at home in front and back yards, HOA and developer common spaces, commercial landscapes, public and institutional spaces, and medians and agricultural hedgerows. A copy of the list of plants in the above-mentioned Homegrown Habitat is attached. We are requesting that you participate in the Homegrown Habitat advocated by CNPS.

Climate Change

We appreciate the opportunity to comment on Chapter 9, "Climate Change", of the County's *Jackson Township Specific Plan Draft Environmental Impact Report* (DEIR). Our greenhouse gas (GHG)-related comments are presented in the following seven sections. We first discuss the County's past GHG-reduction commitments, because the DEIR:

I. does not accurately describe County climate planning;
II. uses inappropriate baseline data based on past planning;
III. applies inappropriate thresholds of significance; and
IV. is inconsistent with the County's 2011 General Plan Update, associated Final Environmental Report (GP/FEIR),[1] and Phase 1 CAP.[2]

We also present,

V. other DEIR-related concerns.

We conclude:

VI. the DEIR is legally insufficient
VII. the County's failure to provide promised mitigation is contrary to the General Plan.

I. THE DEIR DOES NOT ACCURATELY DESCRIBE COUNTY CLIMATE PLANNING

The DEIR does not properly report the County's multi-phase CAP Planning Process, the role of the first-phase CAP, the inconsistencies between the proposed project and the GP, and areas of controversy known to the County.

We discuss this topic below, explaining the nexus between the present DEIR and the County's previous GHG commitments and existing Climate Action Plan (Phase 1 CAP). We begin with a brief introductory overview of the regulatory significance of a CAP.

A. The Role of Climate Action Plans (CAPs)

California has determined that climate change is a serious and immediate threat. Climate-forcing GHG emissions are one type of impact that lead agencies must

[1] Sacramento County, Department of Environmental Review and Assessment. Final Environmental Impact Report, Sacramento County General Plan Update. April 2010, adopted November 9, 2011.

[2] Sacramento County. Department of Environmental Review and Assessment. Climate Action Plan, Strategy and Framework Document. October 2011, adopted November 9, 2011 (CAP).

consider under the California Environmental Quality Act (CEQA). An agency may do so either on a project-specific basis, or at a programmatic level via a "Climate Action Plan" (CAP).[3] CAPs themselves also require CEQA review.[4] If there is substantial evidence (i.e., a "fair argument") that approving a project or plan such as a CAP may have a significant impact, an Environmental Impact Report is prepared.[5]

Correctly done, CAPs can provide more comprehensive and detailed GHG-reduction than is practical on a project-specific basis; can ensure analysis of cumulative impacts; and allow consideration of broad policy and program-wide alternatives and mitigation not feasible during project-level review.[6] CAPs can also provide co-benefits such as better air quality and health outcomes, habitat protection, more livable communities, and economic savings through energy and mobility efficiencies.

CAP "Streamlining" Function. If a jurisdiction adopts a CAP compliant with CEQA, future projects consistent with the CAP's provisions may tier their GHG analysis from the CAP's environmental document and are relieved of further GHG mitigation. This "streamlining" is efficient for lead agencies and project proponents. However, a weak CAP can be more troublesome than none, because inadequate measures may be (incorrectly) asserted as sufficient mitigation for future projects. A fully CEQA-compliant CAP from which future GHG analysis may be legitimately tiered is commonly referred to as being "qualified".

CEQA's Enforceability Requirements. A fundamental prerequisite of CEQA mitigation is that it be certain, i.e., "*fully enforceable through permit conditions, agreements, or other legally binding instruments.*"[7] Enforceable and otherwise credible GHG-reduction mitigation is incumbent on lead agencies and project proponents, whether CEQA-compliance is tiered or project-specific, and lead agencies are prohibited from approving projects if feasible mitigation measures would reduce impacts.[8] If CAP measures are not fully enforceable, they must be made so at the project level, and if there is substantial evidence that the measures would be inadequate, GHG impacts must be analyzed in the project EIR.[9] A CAP proposing non-enforceable or ineffective measures thus fails its streamlining function. Arguably "non-qualified" CAPs create process uncertainty, ill-serving the lead agency, project proponents, and the general public.

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3 California Code of Regulations, Title 14 (14 CCR) §15183.5 (b). CEQA regulations use the term "greenhouse gas reduction plans"; "CAP" is the common designation.

4 Golden Door et al v. County of San Diego (2018), Cal. Ct. App., 4th.

5 14 CCR §15064

6 14 CCR §15168(b)

7 14 CCR §15126.4(a)(2)

8 14 CCR §15021(a)(2); §15096(g)(2)

9 14 CCR §15183.5(b)(2)

B. The DEIR DOES NOT PROPERLY DESCRIBE THE COUNTY'S MULTI-PHASE CAP PLANNING PROCESS

The DEIR's, "Sacramento County Climate Action Planning" section states,

> *The Sacramento County Climate Action Plan ... includes a GHG inventory for ... 2005, a GHG emission reduction target, and goals and implementation measures ...* Sacramento County has developed *thresholds of significance based on the 2005 GHG inventory developed for its CAP ... meeting these per capita thresholds of significance would demonstrate consistency with Sacramento County's CAP.*[10]

This wording is problematic, because without further context a reader might incorrectly infer that the County had adopted a "qualified" CEQA-compliant CAP which includes thresholds of significance and actionable implementation measures; and that consistency with the CAP would confer *prima facie* legitimacy on the DEIR's proposed *per capita* thresholds. Such a reader would be mis-lead.

At the outset, the DEIR's above reference to "*The*" CAP is confusing, because the County has adopted in its GP a multi-phase CAP strategy. The existing first-phase CAP adopted with the GP/FEIR in November 2011 is not, and was never intended or claimed to be, a "qualified" CEQA document from which subsequent environmental documents could be tiered. As designated in its sub-title, it is a concept-level, "*Framework and Strategy Document*", meant to be the first component of, "*A tiered approach to the climate action plan ... the foundation for the CAP components which follow*".[11]

Similarly, the statement, *"Sacramento County has developed thresholds of significance based on the 2005 GHG inventory developed for its CAP"* could be misinterpreted. The adopted Phase 1 CAP does not include thresholds of significance applicable to particular projects; it presents only countywide mass GHG reduction targets, stating, "*The underlying inventory and the 2020 reduction targets will be refined during development of subsequent components of the Sacramento County CAP*".[12]).

Consistent with its strategic orientation, the Phase 1 CAP lists goals and potential mitigation measures, but lacks any implementation commitments whatsoever.

The 2011 FEIR explains further,

> *Comprehensive plans to address climate change are being adopted by many jurisdictions, and they have come to be called Climate Action Plans. Part of the mitigation for significant impacts related to GHG emissions included in this EIR requires adoption of a Sacramento County Climate Action Plan ... intended to be completed in two phases, with the first phase being the strategy document to be adopted concurrently with the General*

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[10] DEIR, p. 9-9, 9-10, 9-11; and passim, e.g., pp. 9-16, 9-19.

[11] CAP p. 18.

[12] CAP p. 28

Plan. The second phase will flesh out the strategies outlined in the phase I plan, and will include … community outreach/information sharing, timelines, and detailed performance measures. … Phasing the Climate Action Plan allows the County to consider and adopt the overall strategies and goals as a first step, rather than delaying County action until the more lengthy and detailed part of the process is complete. Mitigation in this EIR recognizes this two-step process.[13]

The 'comprehensive" Phase 2 CAP to be subsequently developed is meant to be a "qualified" CEQA-compliant document. As explained during an effort to initiate development of the second-phase CAP, staff advised the County Board of Supervisors at a 2017 Board workshop,

… a primary benefit for completing the [Phase 2} Communitywide CAP is the streamlining of CEQA analysis. The Communitywide CAP will be a qualified GHG emission reduction plan in accordance with criteria identified in Section 15183.5 of the California Environmental Quality Act (CEQA) Guidelines. As such, new projects that are in compliance with the requirements of the Communitywide CAP will not be required to do a separate GHG analysis.[14]

The County's website likewise states that the pending Phase 2 Plan will,

1) update the unincorporated County's GHG inventory and forecasts, 2) determine the GHG reduction targets which are required, and 3) propose measures to achieve the required GHG reductions for the entire County"[15].

Unfortunately, as we review in section III below, development of the second-phase Climate Action Plan is among the GP/FEIR mitigation commitments yet to be accomplished.

C. The DEIR Does Not Properly Characterize the Role of the Phase 1 CAP

As noted above, the Phase 1 CAP is a strategic planning document which does not present thresholds of significance or actionable mitigation measures, explicitly deferring those to subsequent planning,

The thresholds presented in the DEIR are not, as might be inferred, included in the Phase 1 CAP and were not adopted with it. Rather, the thresholds are presented in the County's FEIR, which includes a link to the underlying 2005 inventory, making reference to the CAP superfluous. For these reasons we believe that the DEIR's repeated assertions of consistency with the Phase 1 CAP are immaterial; and in fact, we below demonstrate that the DEIR is *not* consistent with the CAP.

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[13] FEIR pp.12-32, 12-33

[14] Board of Supervisor's Meeting Agenda, Staff report, "PLNP2016-00063, Climate Action Plan – Communitywide Greenhouse Gas Reduction and Climate Change Adaptation Workshop", May 24, 2017.

[15] Online: https://planning.saccounty.net/PlansandProjectsIn-Progress/Pages/CAP.aspx. Retrieved October 11, 2019.

D. The DEIR Does Not Discuss Inconsistencies Between the Proposed Project and the GP

CEQA requires that lead agencies discuss inconsistencies between the proposed project and the GP.[16] Such inconsistencies are alluded to above and will be reviewed further in section IV of these comments. They are not discussed in the DEIR as required.

E. The DEIR Does Not Identify Areas of Controversy Known to the County

CEQA requires that lead agencies identify known areas of controversy raised by the public.[17] Our concerns have been made known. Representatives of our organizations have expressed them in writing to County staff and to the Board of Supervisors, and provided copies of a table displaying the inconsistencies between GHG-reduction measures presented in the FEIR and the GP, and documenting the failures of the County to implement the GP/FEIR commitments (Attachment 4 to these comments).

An initial letter to County staff observed,

> *Most mitigation measures included in the County's 2011 General Plan 2030 and the associated FEIR have not been implemented (see attached table, "Sacramento County GP 2030 – GHG Mitigation Status"). This is a concern because time is of the essence in reducing GHG emissions, and because the public needs confidence in the County's ability to implement measures to be presented in the Phase II CAP.* [18]

Our subsequent letter to the Board of Supervisors noted,

> *A number of greenhouse gas mitigation measures, including the above* [relating to funding CAP implementation]*, were included in the County's November 2011 General Plan 2030 update and associated Environmental Impact Report. The adopted/certified measures have not been implemented (please see Attachment); nor has the County stated a reason supported by substantial evidence for the failure. We believe it is an environmental and legal necessity to begin the promised work without further delay.* [19]

In addition, representatives of our organizations have raised these concerns to County staff in numerous personal conversations and during several formal meetings.[20] This area of controversy is not identified in the DEIR.

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[16] 14 CCR §15125 (d)

[17] 14 CCR §15123 (b)(2)

[18] Oscar Balaguer, letter to Todd Taylor, Associate County Planner; "County Climate Action Plan: Comment", July 2, 2017

[19] 350 Sacramento/ECOS/Sierra Club, letter to Sacramento County Board of Supervisors, "FY 2019-2020 Budget: Climate Action Plan", June 11, 2019.

[20] Meetings between 350 Sacramento, ECOS, and Sierra Club representatives and County Planning staff; County Planning and Environmental Review Division offices; October 29, 2018, August 20, 2019

II. THE DEIR USES INAPPROPRIATE BASELINE DATA BASED ON PAST PLANNING

The DEIR's use of its 2005 Inventory is inconsistent with the FEIR's commitment to regularly update the inventory, and the Inventory has been superseded.

A. The DEIR's Reliance on a 2005 GHG Inventory is Inconsistent with the GP/FEIR

The County committed in its 2011 GP/FEIR adoption to update the GHG Inventory at three-year intervals. Frequent updates are necessary because time is of the essence in implementing GHG-reduction measures: climate change is a function of mass atmospheric loading of GHGs, so reaching a given target sooner is more effective than doing so later. If proposed reduction measures are not having their intended effect, it is essential that this be discovered and remedied promptly.

Per the County's commitment, the Inventory should have been updated in 2011, 2014, and 2017. These updates have not been undertaken. As a result, the current DEIR relies on old data, inconsistent with the GP/FEIR's promises.

B. The County's Baseline 2005 GHG Inventory Has Been Superseded

Although the County's 2005 GHG Inventory was not regularly updated as promised, the Inventory was once updated to baseline year 2015, and presented to County Supervisors at the above-mentioned 2017 Board workshop.[21] At that Workshop, staff presented draft GHG targets congruent with then-proposed State guidance (since adopted),[22] and noted the GHG-reductions the County would have to make to achieve those targets.

Notably, the 2015 Inventory documents a 1.5 percent *increase* in County GHG emissions since 2005,[23] signaling a possible adverse trend at odds with the State's goal of steadily *reducing* GHG emissions through 2050. The absence of the promised triennial updates makes it impossible to characterize the significance of this troubling signal.

The EIR should explain the use of 2005 data instead of the 2015 Inventory; and should. also include a comparison of the DEIR's thresholds, based on the 2005 data, to the State-suggested thresholds based on more recent statewide data.

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21 Board of Supervisor's Meeting Agenda, op. cit., Attachment 1, "Task 1 Technical Memorandum: 2015 Greenhouse Gas Emissions Inventory and Forecasts". Ascent Environmental, November 15, 2016. Online, linked from: https://planning.saccounty.net/PlansandProjectsIn-Progress/Pages/CAP.aspx. Retrieved October 11, 2019.

22 California Air Resources Control Board (CARB), The 2017 Climate Change Scoping Plan Update, January 20, 2017.

23 Ibid., p. 3/28 (un-paginated document).

III. THE DEIR APPLIES INAPPROPRIATE THRESHOLDS OF SIGNIFICANCE

The DEIR applies thresholds for 2020, 2030, and 2035 without having properly adopted them; does not identify a threshold for 2050; and does not justify the project-level use of statewide targets.

A. The County Applies Thresholds of General Use.

Comparison of three prior County EIRs adopted 2017-2018 and the current DEIR indicates that all four use identical thresholds for 2020 and 2030, as tabulated and displayed in Attachment 3 to these comments.

B. The DEIR's Thresholds for 2020 are Improper Because Not Adopted as Required

CEQA requires that thresholds of general application be adopted by ordinance, resolution, rule, or regulation; be developed through a public review process; and be supported by substantial evidence.[24]

In its 2011 adoption of the GP FEIR, the County committed to,

> *Adopt a first-phase Climate Action Plan ... that contains the following elements and policies: .... enact a Climate Change Program that includes ... Reduction targets that apply to new development (Table CC-9).*[25]

As we note elsewhere, the Phase 1 Plan does not actually contain any such Climate Change Program, much less any reduction targets applying to new development, and its two envisioned elements[26] appear to have simply been dropped without justification or process.

In any case, in directing that the Table CC-9 targets be included in a Climate Change program to be *"enacted" at a future time*, the County chose to not adopt the targets at the time of FEIR adoption. We are unaware that the specified Climate Change Program, including reduction targets and supported by substantial evidence, has been enacted through a public process. If there was such a process, it should be referenced; otherwise the resultant status of the 2020 thresholds should be explained.

B. The DEIR's 2020 Thresholds are Also Improper Because Inconsistent with the FEIR

Even were the FEIR'S Table CC-9 thresholds adopted concurrent with FEIR adoption, their application in the current DEIR is improper, because they have been substantially modified, as displayed in Attachment 3 (Table 6) to these comments. Any such modification, to be valid, would have had to comply with above-referenced CEQA requirements, including public process. If there was such a process, it

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24 14 CCR § 15064.7.

25 FEIR, p. 12-39

26 The other was a fee on development to fund the County's climate activities.

should be referenced; otherwise the resultant status of the 2020 thresholds should be explained.

C. The DEIR's 2030 Thresholds are Improper Because Not Adopted

Executive Order (EO) B-30-15 and SB 32 set a State GHG-reduction goal of 40 percent below State levels by 2030. As acknowledged in the column headings of DEIR Table CC-2 and in a footnote, "*...the 2030 thresholds have not been formally adopted by Sacramento County at the time of writing this Draft EIR*".[27] They are therefore not compliant with CEQA requirements for thresholds of general use and cannot be used to demonstrate compliance with State GHG-reduction goals.

D. The DEIR does not include a 2050 Target, Contravening Legal Requirements and the FEIR

The DEIR does not identify a 2050 goal or threshold, stating,

> *The buildout year for the Project is 2035. To evaluate the Project in light of the 2050 statewide GHG reduction goal ..., the draft 2030 thresholds were extrapolated using a 17 percent reduction, as shown below in Table CC-2.*[28]

DEIR Table CC-2 includes a column labeled "2035 (Project- Specific Derived) Thresholds". A footnote adds,

> "*2035 thresholds are not adopted by Sacramento County but are interpolated based on 2030 thresholds and keeping the county aligned with greenhouse gas (GHG) reduction goal of 80 percent below 1990 levels by 2050 per Executive Order B-30-15*".

To review the regulatory setting, the above-quoted 2050 target was established by Executive Order (EO) S-3-05. Subsequently, EO B-30-15 established an interim 2030 goal, later codified by SB 32. Judicial guidance has directed that CEQA GHG determinations be consistent with all statewide goals, including the 2050 target.[29]

The County GP was adopted before enactment of the 2030 target and the above-cited judicial guidance re the 2050 goal. However, the FEIR properly states,

> *Currently only the 2020 target has been adopted by the state through legislation ... As a result, all of the impact discussions, mitigation, and strategies are based on meeting the 2020 target, not the longer-term 2050 target. If the 2050 target is adopted during the life of the General Plan, amendments to the General Plan strategies outlined in the sections to follow will become necessary.*[30]

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27 DEIR, p. 9-11. The 2030 Thresholds of Significance were also not adopted at the time of approval of the three earlier EIRs identified in GHG-Attachment 2 to these comments.

28 DEIR, p. 9-11

29 Center for Biological Diversity v. California Dept. of Fish and Wildlife (2015) 62 Cal.4th 204, 229–230

30 FEIR, pp. 12-6 - 12-7

The interim 2030 target was not envisioned when the GP was adopted; however, the same logic applies and, as the FEIR indicates, amending the GP's GHG strategies to recognize both the 2030 and 2050 targets is now necessary.

The DEIR's approach to the 2050 targets raises several concerns:

1. No 2050 Goal is Stated. The DEIR has not stated a countywide 2050 goal, or a threshold of significance applicable to this project that would support attainment of the countywide goal.
2. The 2035 Thresholds are Not Adopted. As the DEIR acknowledges, the proposed 2035 thresholds have not been adopted. The DEIR should explain how they can be used to demonstrate compliance with State GHG goals.
3. The 2005 Inventory is Outdated. As previously noted, the 2005 Inventory from which the DEIR derives its 2035 projections is outdated. The County's 2015 GHG Inventory presents more recent data *and projects County GHG emissions to 2050*. The 2015 Inventory is available online on the County's website. The DEIR should explain its use of the superseded 2005 data and projections.
4. The DEIR's "Project-Specific" Thresholds Conflicts with County Commitments. The 2035 Thresholds are identified as being "Project Specific". As mentioned previously and discussed further in section IV of these comments, this conflicts with the strategy presented in the Phase 1 CAP and with the mitigation commitments presented in the GP/FEIR to adopt "performance measures" through a comprehensive Phase 2 CAP planning process.
5. The GP's GHG strategies appear outdated, as do the FEIR's GHG impact discussions, mitigation, and strategies which inform them, because they have not been amended to recognize current regulatory requirements. It appears the DEIR suffers from related inadequacies.
6. The DEIR's mitigation is questionable re: complying with the State's 2050 goal, as discussed in section V of these comments.

E. The DEIR GHG Thresholds are Piecemealed Because Inconsistent with GP/FEIR Commitments

As detailed later in these comments, the County has not fulfilled its FEIR/GP GHG-reduction commitments. Implementation of the commitments would have yielded thresholds based on:

1. A series of updated GHG Inventories on which to base the thresholds in consideration of actual GHG emission trends.
2. A Phase 2 CAP presenting "*detailed program and performance measures including timelines and the estimated amount of reduction expected from each measure*" and conferring the benefits of comprehensive planning identified in section I.A above. Using thresholds developed without reference to the promised comprehensive Phase 2 CAP constitutes piecemealed mitigation.

F. The County has not Justified Project-Level Use of Statewide Targets

Conformance with statewide GHG-reduction goals requires that countywide emissions achieve parity with, 40 percent below, and 80 percent below 1990 GHG-emission levels by 2020, 2030, and 2050 respectively. The County's thresholds are derived by applying these reductions to the 2005 Inventory, disaggregated to a projected County per capita basis, and applied to individual projects (we set aside for the moment our concerns regarding the County's outdated base data).

However, it is a mathematical impossibility for Sacramento County to achieve the statewide goals on a countywide basis by applying them only to new development. Reductions required for an individual project may not be the same as for the statewide population.[31] A greater degree of reduction may be needed from new developments, because designing new buildings and infrastructure for energy efficiency and renewable energy use is likely to be easier and more likely to occur than by retrofitting older structures and systems.[32]

The DEIR should explain how the DEIR's thresholds will support achieving the State's 2030 and 2050 goals on a countywide basis.

IV. THE DEIR IS INCONSISTENT WITH THE COUNTY'S GP/FEIR AND PHASE I CAP

The County modified and weakened the FEIR's GHG-reduction measures for inclusion in the GP without required justification and public process, so the measures as adopted in the FEIR are governing. The DEIR's GHG mitigation measures are inconsistent with both the FEIR and GP's versions of the measures.

To contrast the DEIR's provisions with the County's prior GHG-reduction commitments, we must first explain that the County did not fully or accurately reflect the FEIR's mitigation measures in the GP, substantially weakening them. The County's modifications were not supported by reasoned analysis or public process as required. We believe the FEIR's formulations are therefore governing. In any case, the current DEIR is inconsistent with both the FEIR and the GP's versions of the County's GHG-reduction commitments.

A. CEQA Mitigation Requirements

CEQA requires that mitigation measures be fully enforceable, and that if the CEQA "project" is adoption of a plan, mitigation measures can be incorporated into the plan.[33]

The plain meaning is that CEQA mitigation measures must be enforceable in their entirety, and that if a jurisdiction chooses to ensure and demonstrate enforceability

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31 Golden Door Properties v. County of San Diego, Cal. Ct. App., 4th, September 28, 2018

32 Center for Biological Diversity v. California Department of Fish and Wildlife, 62 Cal. 4th, November 30, 2015

33 14 CCR § 15126.4 (a)(2)

of the measures by including them in the adopted underlying plan, it is obliged to do so fully and accurately.

California courts have also determined that CEQA mitigation measures must be implemented; that measures are not mere expressions of hope; that adopted measures can only be deleted or changed with a legitimate reason through public process; and that measures cannot be defeated by ignoring them.[34]

B. The County Did Not Fully or Accurately Include FEIR Measures in the GP and Phase 1 CAP as Specified

Sacramento County adopted its GP, associated FEIR, and its Phase 1 CAP together on November 9, 2011. The substantial discrepancies between the mitigation measures as presented in the FEIR and the GP respectively are displayed side-by-side in Attachment 2 to these comments, along with notes on the implementation status of the measures. The promised Phase 1 CAP measures are not displayed because they don't actually exist in that document, but their absence is noted in Attachment 2.

C. The County's Modifications Substantially Weaken the FEIR's Measures

As displayed in Attachment 2, few of the referenced FEIR measures are fully and accurately included in the GP, and the modifications substantially weaken the FEIR's measures, e.g.:

1. Phase 1 CAP Measures. FEIR mitigation measure CC-2.A specifies that the Phase 1 CAP shall provide for a green building program, a fee to support the CAP, and targets for new development. It does not.[35]

2 Schedule and Commitment to Phase 2 CAP. The schedule and action for the Phase 2 CAP was changed from the FEIR's "*adopt…within one year*", to "*prepare for…consideration*", within *three* years;

4. Enforceability. Of the ten categorical "*shall*" statements in the FEIR, only one survives in the GP.

D. The County's Modifications Were Not Justified and are Not Reported

The FEIR's "Findings" section lists the FEIR measures verbatim[36], stating they, *"…have been incorporated into the Project to reduce this impact."*

Then follows without explanation, "*Actual text in the draft Land Use Element that complies with [the FEIR measures]*, listing the measures as modified and adopted in the GP.

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[34] Lincoln Place Tenants Association v. City of Los Angeles, 130 Cal.App.4th
Sierra Club v. County of San Diego, Cal. Ct. App. 4th, 2014

[35] Other FEIR-required measures were also not included in the Phase 1 CAP as specified, but were adopted in the GP in modified form, so are not listed here.

[36] FEIR, "Findings of Fact and Statement of Overriding Considerations" ("Findings"), pp. 25-26.

The Findings then conclude, without discussion, that "*Modified versions of Mitigation Measures CC-1 and CC-2 have been incorporated into the Project to reduce impacts, but not to a less than significant level*".

The equivalency claimed between the measures as adopted in the FEIR and in the GP is patently false. The FEIR's measures were hardly "adopted into the project" because, as listed above and displayed in Attachment 2, a number were entirely excluded and others vitiated; and since the "modified" mitigation measures presented in the GP are different and substantially weaker than FEIR measure CC-2, it cannot be fairly said they "comply" with the FEIR measures.

No explanation or justification is offered in the Findings or elsewhere re the significant weakening of the FEIR's measures.[37]

E. The County's Modifications Were Not Subject to Public Process

Staff's written and oral reports and Board of Supervisor's discussion,[38] at the November 9, 2011 adoption meeting for the GP/FEIR/Phase 1 CAP, do not mention the "modification" of the FEIR's measures. A member of the public, reading the FEIR's peremptory "shall" mitigation language would naturally (but incorrectly) believe it was faithfully reproduced in the GP.

F. The Adopted FEIR's Conditions are Therefore Governing

Absent supporting substantial evidence and public review as required by CEQA and case law, the County's modifications to the FEIR's mitigation measures are ineffective. The FEIR's adopted measures govern, and are the standard against which subsequent documents should be compared. We again note, however, that the current DEIR complies with *neither* the FEIR's measures nor the weaker, incomplete GP version.

G. The DEIR Thresholds and Mitigation Measures are Inconsistent with the Phase 1 CAP and GP/FEIR Commitments

The GP's GHG-reduction measures are shown in Attachment 2 to these comments. Although the GP's measures are weaker than the FEIR's and incomplete, both versions require triennial GHG Inventory updates, and development of,

> *"a second-phase Climate Action Plan … that includes … detailed programs and performance measures, including timelines and the estimated amount of reduction expected from each measure".*

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37 The FEIR's "Findings" similarly modify and weaken for inclusion in the GP the FEIR's mitigation relating to "Traffic and Circulation - Transit" ("Findings", p. 21)

38 County Planning and Community Development Department, '2030 General Plan Update – Adoption Hearing #22', For the Agenda of: November 9, 2011 Online: http://www.agendanet.saccounty.net/sirepub/cache/2/emepcnorglw2cee14jq2z1uy/56092431023201 9060119351.PDF

Fulfillment of these commitments would have yielded:

1. *performance measures* (thresholds) based on a series of relatively recent GHG Inventories, as discussed above;
2. *detailed program measures* (GHG-reduction measures) and estimated GHG reductions, developed in the context of and conferring the benefits associated with the comprehensive planning cited in section I.A above.

Both the current DEIR's thresholds and mitigation measures were developed outside of the multi-phase strategic framework declared in the adopted Phase 1 CAP and further described in the adopted FEIR/GP provisions quoted above. With no basis in promised comprehensive, countywide Phase 2 CAP planning, the DEIR's thresholds and mitigation measures constitute piecemealed mitigation.

V. OTHER DEIR-RELATED CONCERNS

The DEIR's mitigation measures are inadequate or impermissible, and the DEIR does not adequately fulfill its informational function

A. Proposed CC-1A Mitigation is Problematic

1. Organization is Unclear. CC-1A is broken into two subsections, "Transportation "and "Energy". The Transportation section includes three bulleted, untitled items proposing transit and EV-related measures. The Energy section includes four bulleted, untitled items proposing efficiency requirements for high density residences and commercial structures, domestic appliances, and outdoor lighting. To improve clarity and facilitate referencing during review and subsequent mitigation monitoring, we suggest that the DEIR group and categorize the measures, e.g., as in the preceding two sentences, and assign alpha-numeric designations and/or short titles to each sub-measure, rather than or in addition to bullets.
2. Transit Measures are Unclear and Unenforceable. Please see our separate comments regarding Transportation.
3. EV Support Measures are Incomplete. Mitigation Measure CC-1A, under "Transportation", presents two measures relating to electrical vehicle (EV) charging. There is no explanation of how the measures relate to California's Title 24 CalGreen 2019 building codes affecting all new construction effective January 1, 2020,[39] specifically the 2019 codes' detailed requirements and specifications for EV parking/charging infrastructure. The DEIR's proposed EV measures are much less comprehensive, and it's unclear how or whether they are consistent with the 2019 codes.

[39] California Energy Commission (CEC). 2019 Building Energy Efficiency Standards (Title 24 Codes).

The DEIR "Regulatory Setting ... State"[40] section should discuss the 2019 CalGreen requirements, and the DEIR should explain how proposed measures relate to them.

CalGreen also includes optional Tier 1 and Tier 2 requirements conferring additional GHG-reduction benefits. A number of other California jurisdictions have adopted such measures. The DEIR should determine through reasoned analysis whether Tier 1 and 2 EV measures would be feasible and effective in reducing the project's GHG-reduction impacts and should therefor be adopted.

4. Building Energy Measures are Incomplete. Building energy is a major source of GHG loading, along with on-road tailpipe emissions. Mitigation Measure CC-1A, under "Energy", presents four assorted measures relating to building energy efficiency.

   There is no explanation of how the measures relate to California Title 24 CalGreen building codes, specifically the 2019 Zero Net Energy requirements affecting all new construction effective January 1, 2020.[41] The 2019 codes require *inter alia* installation of residential rooftop photovoltaics, high efficiency building thermal envelopes, and advanced mechanical system air filters. They encourage demand-responsive technologies such as battery storage, and heat-pump water heaters. The DEIR's proposed measures are much less comprehensive, and It's unclear how or whether they are consistent with the 2019 codes.

   The DEIR "Regulatory Setting ... State"[42] section should discuss the 2019 CalGreen requirements, and the DEIR should explain how proposed measures relate to them.

   CalGreen also includes optional Tier 1 and Tier 2 requirements conferring additional GHG-reduction benefits. A number of other California jurisdictions have adopted such measures. The DEIR should determine through reasoned analysis whether CalGreen's Tier 1 and 2 building measures would be feasible and effective in reducing the project's GHG-reduction impacts and should therefor be adopted.

B. Proposed CC-1b GHGRP Impermissibly Defers Mitigation

As noted above, the DEIR does not present a countywide GHG goal or thresholds of significance for 2050. DEIR Mitigation Measure CC-1b proposes that the project proponent instead develop a "Green House Gas Reduction Plan" (GHGRP) to *inter alia* demonstrate compliance with the 2050 goals:

> *"CC-1b - the Project Applicant shall prepare a GHGRP or implement all feasible... measures to meet ... GHG thresholds .... The per capita thresholds shall be developed based on [the] County's GHG inventory [and] statewide GHG reduction targets [for] ... 2030 and ... 2050. The GHGRP, or on-site mitigation measures, shall demonstrate ... emissions would not exceed the*

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40 DEIR, p. 9-5 ff.

41 CEC, op cit.

42 DEIR, p. 9-5 ff.

applicable thresholds…."[43]

CEQA requires that formulation of mitigation measures not be deferred, but specific details may be developed after project approval when it is impractical or infeasible to include them during environmental review, provided the lead agency (1) commits itself to the mitigation, (2) adopts specific performance standards to be achieved, and (3) identifies the potential action(s) that can achieve the standard and that will considered, analyzed, and potentially incorporated in the measure.[44]

DEIR measure CC-1b appears to be an example of impermissible deferred mitigation. We have the following concerns:

1. The term "GHGRP" has a specific CEQA regulatory meaning[45]. The DEIR, which is a CEQA document, confusingly uses the term here to denote a different, *ad hoc* planning process. This undermines the informational obligation of the DEIR, to clearly inform decision-making
2. The DEIR does not explain why it is impractical or infeasible do identify specific mitigation measures in the DEIR.
3. It's unclear how the County has committed to implementation of this measure, or exactly what implementation would entail.
4. The DEIR does not identify specific performance standards to be achieved.
5. The DEIR does not identify potential actions that can achieve the (unstated) standard.
6. The regulatory logic of the measure is circular in that it requires the project proponent to both develop thresholds for 2030 and 2050, and to demonstrate compliance with those thresholds free of public review. Adopting thresholds is normally the function of a lead agency. Delegating this critical task to the prospective permittee requires reasoned justification.
7. The potential conflict between the proponent's 2030 thresholds, and the 2030 thresholds already promulgated by the County in this and other DEIRs, is not explained.
8. The proposed applicant-produced threshold*s* would be based on "the County's GHG inventory [and] statewide GHG reduction targets." How these two disparate approaches using two different sets of base data would be reconciled, is not explained.
9. The enforceability if the measure is questionable because the language is ambivalent, i.e., (1) requiring either a GHGRP *or "*other feasible measures" or *"on-site mitigation"* and (2) not identifying criteria for "feasibility"; the process through which feasibility would be determined; and what if any public review

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43 DEIR, p. 9-21

44 14 CCR § 15126.4 (a)(1)(B)

45 14 CCR § 15183.5

would be involved.

10. If the thresholds to be developed in the GHGRP are of general applicability, they would require public process and formal adoption as discussed in section III above. If they are project-specific, they would be inconsistent with the GP/FEIR, as discussed is section IV above.

C. The DEIR Does Not Provide a Monitoring and Reporting Plan

Pursuant to CEQA,[46] the DEIR should describe a monitoring and reporting protocol to ensure that mitigation is implemented as required.

D. The DEIR Does Not Adequately Fulfill its Informational Purpose

A key purpose of CEQA is to provide information to decision-makers and the public regarding proposed projects and their environmental impacts. The DEIR suffers from a number of information deficiencies, as previously noted (items 1-5 below) and here raised *de novo* (items 6 and 7)

1. The Phase 1 CAP is not accurately characterized (these comments, section I.C).
2. Previous mitigation commitments are not faithfully described (comments, section IV.D).
3. Areas of controversy known to the County are not described (comments, section I.E).
4. Inconsistencies between the proposed project and the GP are not described (Comments, section I.D).
5. The State's strong emphasis on local climate action to address climate change is not mentioned in the DEIR's "Statewide GHG Emission Targets and the Climate Change Scoping Plan" section.[47]. The DEIR should reflect the Scoping Plan's advice that,

   "The State must accommodate population growth and economic growth in a far more sustainable manner ... local governments ... are uniquely positioned to influence the future of the built environment and its associated GHG emissions. ... longer-term targets cannot be achieved without land use decisions that allows more efficient use and management of land and infrastructure."[48]

6. Effects of GHG-induced warming are not meaningfully characterized.

   The DEIR expresses prospective temperature increases as numeric changes to annual averages.[49] However, the impacts the DEIR identifies to transportation and energy infrastructure, crop production, forests and

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46 CCR § 15097

47 DEIR, p. 9-5, ff.

48 CARB, *op cit, passim* pp. 133-134

49 DEIR, p. 9-4

rangelands, natural habitats, and especially public health, are sensitive not to annual averages, but to the frequency, duration, and severity of extreme events, e.g., hottest daytime summer temperatures, nighttime minima, and duration of extreme heat ("heat waves"). These can be expressed, e.g., as the change from historical baseline of days per year over a given maximum, nights over a given minimum, and increase in the numbers of heat waves of given durations. Projected health impacts associated with such extreme heat events should be identified, and there is now a considerable literature available on this subject.[50]

CEQA requires that EIRs inform the public how bare numbers translate to potential health effects, or explain what the agency *does* know and why, given existing scientific constraints, it cannot translate potential health impacts further.[51]

7. Language Is Unclear. The following DEIR statement,

> "*CC-1A - The Project Applicant shall apply … (GHG) mitigation measures as contained in the GHGRP into Alternative 2 to reduce operational emissions to Sacramento County's extrapolated per capita GHG thresholds of significance*"[52]

is not readily comprehensible on several counts, e.g., its confusing reference to a GHGRP which is an element of a separate, unrelated mitigation measure, CC-1b. It therefore fails the DEIR's informational purpose and should be clarified.

VI. THE DEIR IS LEGALLY INSUFFICIENT

Based on the preceding analyses we conclude the DEIR is legally impaired in several areas.

Our conclusion does not address the adequacy of any preceding document, such as the FEIR, whose mitigation measures we encourage the County to implement.

The DEIR is legally insufficient because it:

1. does not properly describe County climate action planning;
2. uses inappropriate baseline data;
3. applies inappropriate thresholds;
4. is inconsistent with the GP/FEIR and Phase 1 CAP;
5. presents piecemealed mitigation;

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50 E.g.: Schneider, Alexandra and Breitner, S., "Temperature effects on health - current findings and future implications", *EBioMedicine*, 2016 Apr; 6: 29–30. Online: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4856774/

United States Environmental Protection Agency, "Climate Impacts on Human Health". Online: https://19january2017snapshot.epa.gov/climate-impacts/climate-impacts-human-health_.html

51 Sierra Club v. County of Fresno (Friant Ranch) (2018) 6 Cal.5th 502

52 DEIR, p. 9-20

6. does not adequately detail transportation mitigation measures;
7. does not adequately consider energy alternatives;
8. proposes to impermissibly defer mitigation;
9. does not include a monitoring and reporting plan; and
10. fails its informational purpose.

VII. THE COUNTY'S FAILURE TO PROVIDE PROMISED MITIGATION IMPUGNS THE GP

Based on the its failure to meet its GHG mitigation commitments and to demonstrate compliance with State GHG-reduction goals, we question whether the County has substantially lessened the environmental impact of adopting its GP

As previously noted, the FEIR's unsubstantiated finding that, "*The following [FEIR] mitigation measures have been incorporated into the Project to reduce this impact*", is without substance. The measures incorporated into the project through inclusion in the GP are substantially different from and weaker than those in the certified FEIR.

We have also observed that even the weaker measures promised in the GP have not been implemented. These un-realized measures, include,

- triennial GHG inventory updates,
- development of a funding source to support ongoing climate change activities,
- preparation of a Phase 2 CAP, to include
  - economic analysis
  - detailed programs
  - detailed performance measures
  - timelines
  - GHG reductions expected
- ongoing climate program oversight, monitoring, and maintenance.

Further measures, promised in the FEIR but unreported in the GP, also remain un-delivered:

- a Green Building Program
- 2020 reduction targets to replace interim FEIR Table CC-9 targets.

We have also shown that the 2011 GP adoption did not also adopt the FEIR's proposed 2020 target, nor do we know that the 2020 target was separately adopted later. There was naturally no reference in the GP to the later 2030 and 2050 GHG targets; and the GP has not been updated to recognize them, notwithstanding the FEIR's clear direction that such update would be necessary. Since the County has not adopted 2020, 2030, or 2050 targets, it is not possible to say that the Jackson Township DEIR complies with California's GHG-reduction goals.

Based on these observations we also question the County's "Finding" that the County has "substantially lessened" the GHG impacts of adopting its *General Plan 2030*.[53]

> *"In 2011 the County found that implementation of the [mitigation measures] ... were part of the mitigation imposed to mitigate the climate change impacts of the general plan update. It cannot be said that failing to comply with [mitigation measures and State mandates] does not change the environmental conclusions in the general plan"*[54]

A WORD ABOUT CLIMATE CHANGE

There is no longer any rational doubt that climate change is adversely affecting the livability of our planet now; that physical environmental effects will grow increasingly serious in coming decades; and that without major, timely GHG-reductions, they will cause grave public health impacts and severe economic and social disruptions in the lifetimes of people alive today.[55]

During the eight years over which the County has delayed providing its promised GHG-reduction, the world has increasingly experienced unprecedented heat waves, droughts, floods, storms, and fires. California has not escaped some of these disasters. The world's scientists tell us these are the predicted preliminary effects of a warming climate. The extent of the future change depends on our efforts to reduce GHG emissions.

Because climate change is a function of mass GHG emissions over time, mitigation deferred is mitigation denied. We appreciate the difficulties of transitioning from the long-accustomed land use and building models that have contributed to climate change to sustainable ones, and doing it quickly. But the exigencies of climate change, as reflected in State law, require broad and decisive change in how we think about energy efficiency. Fortunately, the required adjustments will bring many co-benefits. But we no longer have the luxury of delayed or token efforts.

Our organizations are committed to working with the County in every productive way we can. We look forward to ongoing engagement in the County's administrative process and are always available to discuss our comments and County plans for effective climate action.

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53 FEIR, "Findings", pp. 5, 26.

54 Sierra Club v. County of San Diego, Cal. Ct. App. 4th, October 29, 2014

55 Literature on climate change effects is vast. We list here a few recent, authoritative syntheses of current knowledge. All emphasize the need for prompt, dramatic reductions in GHG emissions to avoid catastrophic impacts pertaining to their particular research focus:

California Resources Agency. *California's Fourth Climate Change Assessment* (2018).

U.S. Global Change Research Program. *Fourth National Climate Assessment (*November 2018).

Intergovernmental Panel on Climate Change, (IPCC). *Special Report on Global Warming of 1.5°C (October 2018).*

Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services. *Global Assessment Report on Biodiversity and Ecosystem Services* (May 2019).

IPCC. *Special Report on Climate Change and Land Use* (August 2019).

IPCC. *Special Report on the Ocean and Cryosphere1 in a Changing Climate* (September 2019).

Land Use, Population and Housing

Adherence to General Plan

During the most recent General Plan update the Environmental Council of Sacramento (ECOS) supported the Jackson Corridor north of Jackson Road as a future urban growth area. However, it was always envisioned that growth would occur from west to east. What is happening now is just the opposite and just another example of leap-frog development.

In fact, mitigation measure LU-1 of the Final Environmental Impact Report states:

Growth within the Jackson Highway Corridor and Grant Line East New Growth Areas shall be phased through master planning processes. The phases shall be defined by a specific geographic area, with the earliest phases closest into the existing urban areas, and the later phases farthest outward. Each phase shall represent a geographic area that will accommodate no more than 10 years of growth, based on the latest SACOG projections. Development within the phases shall occur sequentially, and residential or commercial development in each subsequent phase shall be prohibited until the prior phase is developed to at least 50% of holding capacity.

Additionally, General Plan policy LU-119 calls for logical, comprehensive, and cohesive planning boundaries under point number four, as follows:

The County shall only accept applications to expand the UPA or initiate an expansion of the UPA or any Master Plan processes outside of the existing UPA if the Board finds that the proposal meets the following:

- *Parallel processes to expand UPA and prepare Master Plans: Proposed additions to the UPA will only be considered when accompanied by a request to initiate a Master Plan process for all land encompassed by the proposed UPA expansion boundary. Likewise, requests to initiate a Master Plan process outside the UPA will only be considered when accompanied by a request to expand the UPA to include all land encompassed by the proposed Master Plan.26*
- *Project Justification Statement and Outreach Plan: Proposed UPA expansions/Master Plan processes must be accompanied by both a "Justification Statement" and an "Outreach Plan". The Justification Statement shall be a comprehensive explanation of the proposed request and the development it would allow. It must include background information, reasoning, and the goal(s) and benefits of the proposed project. The Outreach Plan shall describe how the project proponent plans to inform and engage neighbors and members of the general public about the proposed UPA expansion and project. 26 A "Master Plan" is defined as a plan that meets the requirements and intent of the Specific Plan statutes contained in Government Code §65450-65457, which requires a land use plan, a circulation plan, an infrastructure plan, and implementation measures. The requirement for a "Master Plan" might be fulfilled by a variety of planning tools, including a Specific Plan, a Community Plan, a Special Planning Area, a development*

agreement, or any combination thereof. County of Sacramento General Plan Land Use Element Amended December 13, 2017 131

- *Proximity to existing urbanized areas: Proposed UPA expansions/Master Plan processes must have significant borders that are adjacent to the existing UPA or a city boundary. As a guideline, "significant borders" generally means that the length of the boundary between the existing UPA or city boundary and the proposed UPA expansion/Master Plan should be 25 percent of the length of the boundary of the UPA expansion area.*
- *Logical, comprehensive, and cohesive planning boundaries: Proposed UPA expansions/Master Plan processes must consist of a contiguous set of parcels that have a regular outside boundary consistent with the logical planning boundary illustrations below. All parcels within this boundary must be included in both the proposed UPA expansion and proposed Master Plan area. LU-120 The County shall only consider approval of a proposed*

The proposed project boundaries, due to all the non-participating properties, looks very similar to the example of illogical planning boundaries shown in the third example. (attachment 1) and is therefore inconsistent with the fourth point above: Logical, comprehensive, and cohesive planning boundaries. The Jackson Township Specific Plan based upon the General Plan FEIR mitigation measure and the above stated General Plan policy is therefore inconsistent with the General Plan.

Growth Inducement

The DEIR on Page 22-3 states:

The Project would extend the UPA, which currently follows the northern border of the Plan Area, to include the Plan Area (see Plate PD-8 in Chapter 2, "Project Description"). As a result, the properties south of Jackson Road (also referred to as Jackson Highway), which are also currently zoned and used for agriculture, would be adjacent to the UPA. This area is within the USB and could be subject to increased development pressure following Project implementation because it would be adjacent to the UPA. However, it is worth noting that a large portion of the area south of Jackson Road directly adjacent to the Plan Area is part of the South Sacramento Habitat Conservation Plan preserve area, so development pressure to the south may be reduced.

In the DEIR it is noted that the area south of Jackson Road will be subject to increased development pressure, but indicates that the South Sacramento Habitat Conservation Plan would reduce that pressure. Until title or conservation easements are secured south of Jackson Road, that development pressure outside the UPA cannot be negated. Growth Inducement should be considered significant and mitigation included.

Transit Mitigation

Providing adequate transit service to this project, and other projects in the Jackson Corridor, must be a critical component of this Jackson Township Specific Plan to achieve

the objectives of the General Plan. Only through the provision of a robust public transit system can vehicle miles traveled be reduced and greenhouse gas reductions be achieved.

When ECOS last met with County staff and representatives of the projects in the Jackson Corridor we were assured that a Transportation Services District (County Service Area) would be established for all the projects in the Jackson Corridor. In fact, we were provided with a draft document which indicated the annual assessment per dwelling unit for each project (Attachment 4).

In reviewing the DEIR, what we find is a very vague and, in our view, unenforceable mitigation measure TR-7:

The Project applicant shall coordinate with Sacramento County and Sacramento Regional Transit District (or other transit operators) to provide the additional transit facilities and services assumed in the transportation analysis, or a cost-effective equivalent level of transit facilities and services. Ultimate transit service consists of 15-minute headways during peak hours and 30-minute headways during non-peak hours on weekdays. The implementation of the transit routes and service frequency must be phased with development of the Project and the ultimate service will be required at full development of the Project.

The operative word in this mitigation measure appears to be "coordinate". There is no assurance that adequate transit service will be provided or, most importantly, how it will be funded. Therefore, based upon our previous assurances from the County and the project proponents in the Jackson Corridor, the mitigation measure must be revised to read:

MITIGATION MEASURE TR-7: TRANSIT IMPROVEMENTS - Prior to the recordation of any final subdivision map for the New Bridge Project, a Transportation Services District shall be formed. This can be accomplished through the annexation to County Service Area 10 or through the establishment of a new County Service Area. Prior to annexation to County Service Area 10 or the establishment of a new County Service Area, an engineering study shall be undertaken to determine the annual dwelling unit equivalent assessment for the projects in the Jackson Corridor to provide the additional transit facilities and services assumed in the transportation analysis. Ultimate transit service consists of 15- minute headways during peak hours and 30-minute headways during non-peak hours on weekdays. The implementation of the transit routes and service frequency must be phased with development of the Project and the ultimate service will be required at full development of the Project.

Only a clearly stated mitigation measure, as we have stated here, can withstand legal challenge. While ECOS has supported development in the Jackson Corridor, that support was predicated upon the assurance that adequate transit service would be provided to significantly reduce environmental impacts. This approach has been applied to other projects in the southeast County area in the past and there is no reason to change the approach now.

Sincerely,

Ralph Propper, President
Environmental Council of Sacramento

Sean Wirth, Co-Chair
Habitat 2020

Laurie Litman, President
350 Sacramento

Barbara Leary, Chairperson
Sierra Club Sacramento Group

Attachments
Attachment 1 - Homegrown Habitat Plant List Handout
Attachment 2 – Sacramento County GP 2030 Greenhouse Gas (GHG) Mitigation Status
Attachment 3 - Jackson Township DEIR -- GHG Thresholds
Attachment 4 - Land Use Element of Sacramento County General Plan regarding proposed development outside the existing Urban Planning Area (UPA)
Attachment 5 – Cost estimates of additional transit to area included in Jackson Township Specific Plan

Cc: Jessica Lynch, Senior Planner, Sacramento County, Office of Planning and Environmental Review, via email to lynchje@saccounty.net

Letter 24*

Letter 24*

Homegrown Habitat, *Supporting Bees, Birds and Butterflies and the rest of Nature*

Sacramento Valley Top Habitat Plants SacValleyCNPS.org

Bloom	Common Name	Scientific Name	Life Cycle	Height	WUCOL	Sun	Notes
Early	Western Redbud	Cercis occidentalis	P	10'-20'	L	S/PS	Drought-tolerant; also tolerates semi-riparian conditions
	Red Willow	Salix laevigata	P	30'-50'	H	FS	Wetland-semi riparian; tolerates clay soils; fast grower, semi-deciduous
	Arroyo Willow	Salix lasiolepis	P	7'-35'	H	FS	Likes marshes/wet areas; spreads by root runners; deciduous
	Sandbar Willow	Salix exigua	P	10'-23'	H	FS	Constant moisture; spreads by basal shoots to any moisture
	Valley Oak	Quercus lobata	P	60'-100'	L	FS	Fast growing (20' in 5 years); drought tolerant
	Scrub Oak	Quercus berberidifolia	P	15'-20'	L	FS/PS	Smaller, drought tolerant, likes medium fast drainage
	Buck Brush	Ceanothus cuneatus	P	5'-12'	VL	FS	Needs fast drainage; fast to moderate growth, evergreen
	California Everlasting	Psuedognaphalium californicu	P	3'	VL/L	FS	Semi deciduous, may like some afternoon shade in summer
	California Blackberry	Rubus ursinus	P	6'	M/H	FS/PS/S	Requires substantial moisture, wide spreading
	Dutchmans Pipe	Aristolochia californica	P	20'	L/M	S/PS	Deciduous vine, grows in moist woods along streams
	Baby Blue Eyes	Nemophila menziesii	A	.25'	L	FS/PS	Annual herb
	Chinese Houses	Collinsia heterophylla	A	.5'	M	S/PS	Annual purple flowering herb, good in containers
	Lacy Phacelia	Phacelia tanacetifolia	A	3'	VL/L	FS	Tolerates clay soils; good plant for biological pest control
	Miners Lettuce	Claytonia perfoliata	A	1.3'	L/M	PS	Edible spreading annual herb; in the valley, does best in part shade
Early-Mid	Blue Elderberry	Sambucus nigra var. cerulea	P	20'-30'	M	FS	Easy to grow, fast growing deciduous shrub/tree; host plant for endangered Valley Elderberry Longhorn Beetle
	Interior Live Oak	Quercus wislizenii	P	15'-50'	VL	S/PS	Medium to large evergreen, moderate grower
	Blue Oak	Quercus douglasii	P	16'-82'	VL	FS/PS	Slow grower deciduous, supports many species
	Toyon	Heteromeles arbutifolia	P	12'	L	FS/PS	Evergreen shrub easy to grow, white flowers early summer, red berries in fall
	Shining Willow	Salix lasiandra	P	3'-30'	M/H	FS/PS	Winter deciduous riparian plant, good for restoration projects
	Mountain Mahogany	Cercocarpus betuloides	P	8'-20'	VL/L	FS/PS	In the valley this plant will do better with PM shade
	Hollyleaf Redberry	Rhamnus ilicifolia	P	9'	L	PS	PM shade in the valley, siting is critical for success
	California Broom/Deerwe	Acmispon glaber	P	3'	VL	FS	Not too showy subshrub with high habitat value
	Skunkbush, Fragrant Sum	Rhus aromatica	P	8'	L	FS/PS	Winter deciduous shrub, may like PM shade in valley
	Chaparral Honeysuckle	Lonicera interrupta (hispidula	P		VL/L	FS/PS	Hardy, woody chaparral shrub/vine, summer flowering, edible/bitter berries
	Silver Bush Lupine	Lupinus albifrons	P	3'	L	FS/PS	Requires good drainage, PM shade in valley
	Foothill Penstemon	Penstemon heterophyllus	P	5'	L	FS/PS	Perennial evergreen herb. May need pm shade in valley
	Sonoma Sage	Salvia sonomensis	P	1.3'	VL	PS	Moderately drought tolerant if given part shade
	Purple Needlegrass	Stipa pulchra	P	3'	VL/L	FS	CA state grass, perennial with deep roots
	California Poppy	Eschscholzia californica	A	.5'	VL/L	FS	CA State flower, tolerates clay soil, readily reseeds
	Elegant Clarkia	Clarkia unguiculata	A	.5'	L	FS/PS	Showy pink flowers, reseeds readily
	Globe Gillia	Gillia capitata	A	1'	L/M	FS	Showy pink to lavender flowers
	Miniature Lupine	Lupinus bicolor	A	1.3'	L	FS	Showy purple and white flowers, plant with CA poppies
	Sky Lupine	Lupinus nanus	A	2'	L	FS	Chaparral annual herb

Letter 24*

Homegrown Habitat, *Supporting Bees, Birds and Butterflies and the rest of Nature*

Sacramento Valley Top Habitat Plants – SacValleyCNPS.org

Bloom	Common Name	Scientific Name	Life Cycle	Height	WUCOL	Sun	Notes
Mid	California Buckwheat	Eriogonum fasciculatum	P	2.5'	VL/L	FS	Tough, easy to grow, prefer good drainage
	Hoary Coffeberry	Frangula californica var tomer	P	20'	L	FS/PS	May prefer PM shade in valley
	California Wildrose	Rosa californica	P	8'	M	FS/PS	Tolerates clay soils; drought-tolerant; spreads through underground runners
	California Wild Grape	Vitis californica	P	10'-40'	L/M	FS/PS	Common along rivers and streams, winter deciduous
	Common Yarrow	Achillea millefolium	P	3'	L-H	FS/PS	Looks best with regular water; semi deciduous in drier conditions; can be aggressive
	Coyote Mint	Monardella villosa	P	2'	L	PS/S	Requires good drainage, needs PM shade in the valley
	Showy Milkweed	Asclepias speciosa	P	5'	L/M	FS	Tolerates clay soils; spreads through underground rhizomes
	Imbricate Phacelia	Phacelia imbricata	P	1'	L	FS/PS	Perennial herb; tolerates clay soil; can re-seed
	Woolly Sunflower	Eriophyllum lanatum	P	2'	L	FS/PS	Summer semi-deciduous; can be extremely drought-tolerant
	Nude Buckwheat	Eriogonum nudum	P	6'	L	FS	Summer semi-deciduous; leafless stems
	Blue Wild Rye	Elymus glaucus	P	5'	L	FS/PS	Popular accent grass for gardens; summer semi-deciduous
	Deergrass	Muhlenbergia rigens	P	5'	L	FS	Attractive bunch grass; easy to grow; grows in most soils
	Fleabane Daisy	Erigeron foliosus	P	3.3'	L	PS	
	Lippia	Phyla nodiflora	P	6"	L	FS/PS	Flowering ground cover; spreads rapidly
	Spider Lupine	Lupinus benthamii	A	2.3'	VL	FS	
	Seep Monkeyflower	Erythranthe guttata	A	5'	M/H	FS/PS	Aquatic annual plant; good in ponds or rain gardens
Mid-Late	Narrowleaf Milkweed	Asclepias fasicularis	P	1.5'	M	FS	Not showy; tolerates clay; host to Monarchs
	Virgin's Bower	Clematis ligusticifolia	P	30'	L/M	PS/SH	vine; showy white flowers; summer deciduous; part shade to shade
	Hooker's Evening Primros	Oenothera elata	P	5'	M-H	FS/PS	Wetland-riparian but still drought tolerant; reseeds aggressively
	California Fuchsia	Epilobium canum	P	3'	L	FS	Hummingbird favorite; spreads; cut back in winter
	Gumplant	Grindelia camporum	P	4'	L	FS	Tolerates most soils; can be cut back in winter
	Snowberry	Symphoricarpos albus	P	6'	L	PS/SH	Moist shady areas; winter deciduous; spreads by rhizomes
	Slender Woolly Buckwhea	Eriogonum gracile	A	5'	EL/VL	FS/PS	Small annual; tolerates most soils; winter semi-deciduous
	Common Madia	Madia elegans	A	7'	L	FS/PS	Annual herb; showy yellow flowers; tolerates many soils
	Common Sunflower	Helianthus annuus	A	5'	M	FS	Tolerates most soils; can get very large
Late	California Aster	Symphyotrichum chilense	P	5'	VL/L	FS/PS	Tolerates clay soil; winter deciduous; cut back in winter; aggressive spreader
	California Goldenrod	Solidago californica	P	3'	VL/M	FS/PS/S	Easy to grow; for late color plant with Epilobium canum; spreader
	Sulphur Buckwheat	Eriogonum umbellulatum	P	7'	VL/M	FS	Showy yellow flowers; variable plant; evergreen
	Bee Plant	Scrophularia californica	P	4'	L	PS	Strong bee attractant; tolerates most soils; needs good drainage
	Coyote Brush	Baccharis pilularis	P	10'	VL/L	FS/PS	Tour easy to grow shrub; variable forms; blooms into winter
	Rubber Rubberbrush	Ericameria nauseosa	P	9'	L	FS	Needs good drainage; summer/fall bloom
	Vinegarweed	Trichostema lanceolatum	A	1'	L	FS	Does not do well in seed mixes; sow individually; tolerates dry clay soils

SACRAMENTO COUNTY GP 2030

GREENHOUSE GAS (GHG) MITIGATION STATUS

October 2019

CEQA required Sacramento County to commit to GHG mitigation in connection with adopting its *General Plan 2030* (GP) in November 2011. The County did not accurately include in the GP the GHG-reduction measures presented in its FEIR [1], and has not fulfilled the mitigation commitments specified in the FEIR and GP.

The GHG mitigation measures as presented respectively in the FEIR and General Plan, and their current implementation status, are shown below. Full texts of both versions of the mitigation measures follow the table.

MITIGATION MEASURE	**FEIR** "Mitigation Measures"	**GP 2030, LU-115** "Implementation Measures:"	**STATUS**
GOAL	CC-1. " … policy shall be added to the General Plan: … reduce [GHG] emissions to 1990 levels by … 2020".	LU-115. [same]	√ Adopted into GP as Policy LU-115
Implementation Measures	CC-2. "The following shall be included [in GP] as implementation measures to the policy required by CC-1".	-	X *The below listed measures were not included* fully or accurately in the GP (see below).

1 Sacramento County, *Final Environmental Impact Report, Sacramento County General Plan Update*. April 2010

SACRAMENTO COUNTY GP 2030

GREENHOUSE GAS (GHG) MITIGATION STATUS

October 2019

MITIGATION MEASURE	FEIR "Mitigation Measures"	GP 2030, LU-115 "Implementation Measures:"	STATUS
***ADOPT PHASE I CAP* - to include ...**	CC-2.A. "Adopt a first-phase Climate Action Plan, concurrent with approval of the General Plan update, that contains the following..."	F. "Adopt by resolution a first-phase Climate Action Plan, concurrent with approval of the General Plan update".	√ Measure was included in the GP and Phase 1 CAP was adopted - but; X *Measures were not included fully or accurately* . None of the five substantive measures purportedly listed in the Phase 1 CAP actually appear there. Two of the five measures also are not presented in the GP. Of the three included in the GP, two are presented in modified/weaker form (see below).
GHG Inventory	CC-2.A.a. " ...County shall complete a GHG emissions inventory every three years..."	G. "Complete a GHG emissions inventory every three years...".	X Not included in Phase I CAP. Included in GP, but implementation would have produced inventories for 2011, 2014, 2017. *Only one inventory has been done* to-date (for base year 2015). No Inventory now underway.
Green Building Pgm	CC-2.A.b. "... County shall adopt a Green Building Program by 2012, ... updated a minimum of every 5 years".	–	X Not included in Phase 1 CAP or GP. No such measure implemented.
CLIMATE CHANGE PGM - to include ...	CC-2.A.c. "The County shall enact a Climate Change Program that includes: ...."	[GP "Sustainability Program"]	X Not included in Phase I CAP. A related measure appears as GP LU-115, Measure I., "Sustainability Program". Of the three

SACRAMENTO COUNTY GP 2030

GREENHOUSE GAS (GHG) MITIGATION STATUS

October 2019

MITIGATION MEASURE	FEIR "Mitigation Measures"	GP 2030, LU-115 "Implementation Measures:"	STATUS
			listed measures, only one is presented, in modified /weaker form, in the GP (see below). *No substantive listed measures have been implemented.*
Fee	CC-2.A.c.I. "A fee assessed for all new development projects for… funding … oversight and maintenance of the Climate Action Plan".	I "The County shall develop sustainable funding sources… which may include a fee …"	X Not included in Phase 1 CAP. Presented in GP in modified/ weaker form. *No such fee or other funding source has been adopted.*
Reduction Targets	CC-2.A.c.II. "Reduction targets that apply to new development (Table CC-9)".	--	X Not included in Phase 1 CAP or GP. Related measure appears in GP, as LU-115, measure H., Phase 2 CAP (see below, *not implemented*).
Discussion of 2020 Target	CC-2.A.iii [d][2]. "A section on Targets that discusses the 2020 reduction target".	–	X Not included in Phase 1 CAP or GP. *No such discussion provided.*
PHASE 2 CAP	CC-2.B. "The County shall adopt a second-phase Climate Action Plan within one year … that includes economic analysis and detailed programs and performance measures, including timelines and the estimated amount of reduction expected from each measure:.	H. " Prepare for… consideration a [Phase 2 CAP, within] three years … that includes economic analysis and detailed programs and performance measures, including timelines and the estimated amount of reduction expected from each measure.	X Adoption is made discretionary and schedule is extended in GP. *No Phase 2 CAP has been prepared* and no such work is currently underway or budgeted.

[2] Mislabeled in FEIR as "d."

SACRAMENTO COUNTY GP 2030

GREENHOUSE GAS (GHG) MITIGATION STATUS

October 2019

MITIGATION MEASURE	FEIR "Mitigation Measures"	GP 2030, LU-115 "Implementation Measures:"	STATUS
Enact Sustainability Program	–	I. "Enact and fund a Sustainability Program … provide … oversight, monitoring and maintenance of the [CAP}, including: preparation of [Phase 2 CAP], updates to the GHG … inventory, and .. updates to [Phase 1 and 2 CAPs].,.. The County shall develop sustainable funding …which may include a fee ….	X Any County oversight has not yet achieved compliance with mitigation commitments; including those listed above and no *such:* • *Phase 2 CAP* • *Phase 1 CAP update* • *triennial GHG inventories* • *fee/funding source*
ALTERNATIVE ENERGY PRODUCTION	CC-2.C. The County shall update the Energy Element… to include policies related to alternative energy …".	–	√ Energy Element, EN-19 and Measure U. relate to alternative energy production.

FULL TEXTS OF BOTH VERSIONS OF THE MITIGATION MEASURES FOLLOW

SACRAMENTO COUNTY GP 2030

GREENHOUSE GAS (GHG) MITIGATION STATUS

October 2019

MITIGATION MEASURES, FEIR Vol II, p. 12-39

CC-1. The following policy shall be added to the General Plan: It is the goal of the County to reduce greenhouse gas emissions to 1990 levels by the year 2020. This shall be achieved through a mix of State and local action.

CC-2. The following shall be included as implementation measures to the policy required by CC-1:

A. The County shall adopt a first-phase Climate Action Plan, concurrent with approval of the General Plan update, that contains the following elements and policies:

a. The County shall complete a GHG emissions inventory every three years to track progress with meeting emission reduction targets.

b. The County shall adopt a Green Building Program by 2012, which shall be updated a minimum of every 5 years.

c. The County shall enact a Climate Change Program that includes the following:

i. A fee assessed for all new development projects for the purpose of funding the ongoing oversight and maintenance of the Climate Action Plan.

ii. Reduction targets that apply to new development (Table CC-9).

d. A section on Targets that discusses the 2020 reduction target.

B. The County shall adopt a second-phase Climate Action Plan within one year of adoption of the General Plan update that includes economic analysis and detailed programs and performance measures, including timelines and the estimated amount of reduction expected from each measure.

C. The County shall update the Energy Element of the General Plan to include policies related to alternative energy production within the County, which may include General Plan Land Use Diagram

IMPLEMENTATION MEASURES, GP 2030 – LAND USE ELEMENT, pp 116-117

Policies: LU-115. It is the goal of the County to reduce greenhouse gas emissions to 1990 levels by the year 2020. This shall be achieved through a mix of State and local action.

Implementation Measures:

F. Adopt by resolution a first-phase Climate Action Plan, concurrent with approval of the General Plan update.

G. Complete a GHG emissions inventory every three years to track progress with meeting emission reduction targets.

H. Prepare for the Board of Supervisors' consideration a second-phase Climate Action Plan as soon as possible, but no longer than three years after adoption of the General Plan update that includes economic analysis and detailed programs and performance measures, including timelines and the estimated amount of reduction expected from each measure.

I. Enact and fund a Sustainability Program to provide ongoing oversight, monitoring and maintenance of the Climate Action Plan, including: preparation of the second-phase Climate Action Plan, updates to the GHG emissions inventory, and future updates to the first and second-phase Climate Action Plan as necessary. The County shall develop sustainable funding sources for this Program and associated activities, which may include a fee assessed for development projects.

Letter 24*

JACKSON TOWNSHIP DEIR -- GHG THRESHOLDS

This Attachment addresses two assertions presented in Section III. of these comments:

1. **The County is Applying Thresholds of General Use**

   Tables 1-4 displays GHG thresholds used in the current Jackson Township DEIR and in three other recent (2017-2018) County EIRs. Bolded text highlights the 2020 and 2030 Thresholds. Wherever reported, these thresholds are identical for all four projects.

2. **The DEIR's 2020 Targets are not Consistent with Those in the FEIR**

   Table 5 shows the FEIR's 2020 Thresholds.

   Table 6 contrasts the FEIR's 2020 Thresholds, with those used in the current DEIR and other recent EIRs, There are substantial differences..

Table 1
Jackson Township Specific Plan DEIR

Table CC-2: Greenhouse Gas Significance Thresholds (Annual Metric Tons CO2e)

Sector	2005 Baseline	2020 Target	**2020 Thresholds**	Draft 2030 Mass Emission Target	**Draft 2030 Thresholds**	2035 (Project-Specific Derived) Thresholds
Residential Energy	1,033,142	878,275	**1.33 per capita**	527,243	**0.78 per capita**	0.65 per capita
Commercial & Industrial Energy	772,129	656,914	**7.87 per 1,000 sq ft**	395,760	**4.59 per 1,000 sf**	3.81 per 1,000 sf
Transportation	2,046,617	1,757,236	**2.67 per capita**	1,055,172	**1.57 per capita**	1.30 per capita
Trucks	488,806	414,470	**0.10 per 100 VMT**	245,974	**0.08 per 100 VMT**	0.07 per 100 VMT

JACKSON TOWNSHIP DEIR -- GHG THRESHOLDS

Table 2
NewBridge Specific Plan DEIR, July 2018

Table CC-2: Sacramento County Greenhouse Gas Significance Thresholds (Annual MT CO2e)

Sector	Thresholds of Significance	
	2020	2030
Residential Energy	**1.33 per capita**	**0.78 per capita**
Commercial & Industrial Energy	**7.87 per KSF**	**4.59 per KSF**

Table 3
Northborough (Rio Linda/Elverta Community) FEIR, Nov 2017

Table CC-2: Greenhouse Gas Significance Thresholds (Annual Metric Tons CO2e)

Sector	2005 Baseline	2020 Target	**2020 Thresholds**	2030 Target	**2030 Draft Standards**
Residential Energy	1,033,142	878,275	**1.33 per capita**	527,243	**0.78 per capita**
Commercial & Industrial Energy	772,129	656,914	**7.87 per Kft2**	395,760	**4.59 per Kft2**
Transportation	2,066,970	1,757,236	**2.67 per capita**	1,055,172	**1.57 per capita**
Trucks	488,806	414,470	**0.10 per 100 VMT**	245,974	**0.08 per 100 VMT**

Table 4
Barrett Ranch East FEIR, April 5, 2017

Table CC-2: Greenhouse Gas Significance Thresholds (Annual Metric Tons CO_2e)

Sector	2005 Baseline	2020 Target	2020 Thresholds
Residential Energy	1,033,142	878,275	**1.33 per capita**
Commercial & Industrial Energy	772,129	656,914	**7.87 per Kft2**
Transportation	2,066,970	1,757,236	**2.67 per capita**
Trucks	488,806	414,470	**0.10 per 100 VMT**

JACKSON TOWNSHIP DEIR -- GHG THRESHOLDS

Table 5
2011 GP FEIR
Table CC-9 Sector Analysis (in MT) and Thresholds for Development

Sector	2005 Baseline	Percent of Total	Total Minimum Reduction in CO_2e	2020 Target	Thresholds
Residential Energy	1,033,142	15.80%	155,373	877,769	**1.30 per capita**
Commercial & Industrial Energy	793,163	12.10%	118,988	674,175	**8.08 per Kft²**
Wastewater	54,391	0.80%	7,867	46,524	--
Transportation Use	3,610,937	55.0%	540,854	3,070,083	**4.56 per capita**
Waste	201,399	3.10%	30,484	170,915	--
Agriculture	197,132	3.00%	29,501	167,631	--
High GWP	228,768	3.50%	34,418	194,350	--
Off-Road Vehicle Use	236,466	3.60%	35,401	201,065	--
Airport	200,404	3.10%	30,484	169,920	--
Total	6,555,802	100%	983,370	5,572,432	--
NOTES: [Not Shown for brevity[					

Table 6
2020 Thresholds - Comparison
2011 FEIR and Recent Project EIRs

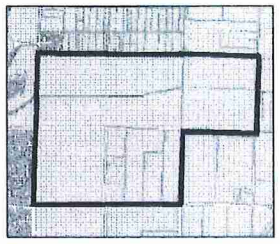
Sector	*2020 Thresholds* **2011 FEIR**	*2020 Thresholds* **Project EIRs** (Tables 1-4)
Residential Energy	1.30 per capita	1.33 per capita
Commercial & Industrial Energy	8.08 per 1K sq ft	7.87 per 1K sq ft
Transportation Use	4.56 per capita	2.67 per capita
Trucks	---	0.10 per 100 VMT

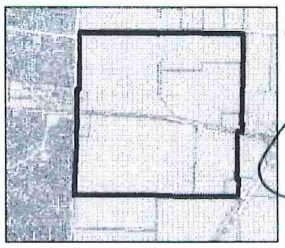
Letter 24*

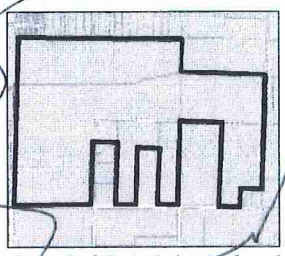
Attachment 1

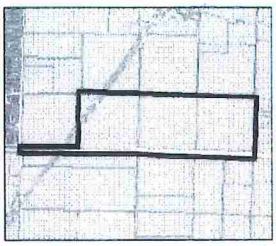
- *Proximity to existing urbanized areas:* Proposed UPA expansions/Master Plan processes must have significant borders that are adjacent to the existing UPA or a city boundary. As a guideline, "significant borders" generally means that the length of the boundary between the existing UPA or city boundary and the proposed UPA expansion/Master Plan should be 25 percent of the length of the boundary of the UPA expansion area.

- *Logical, comprehensive, and cohesive planning boundaries:* Proposed UPA expansions/Master Plan processes must consist of a contiguous set of parcels that have a regular outside boundary consistent with the logical planning boundary illustrations below. All parcels within this boundary must be included in both the proposed UPA expansion and proposed Master Plan area.


Example of logical planning boundary.


Example of logical planning boundary.


Example of illogical planning boundary.


Example of illogical planning boundary.

LU-120 The County shall only consider approval of a proposed UPA expansion and/or Master Plan outside of the existing UPA if the Board finds that the proposed project is planned and will be built in a manner that:[27]

- meets all of the requirements per PC-1 through PC-10, and;

- meets ONE of two alternative performance metrics:
  - *Alternative #1- Criteria-Based*
  - *Alternative #2 - VMT/ Greenhouse Gas Emissions Reduction Metric*

PC-1. Vision for connection to other adjacent existing and potential future development areas.

Required: Include a vision of how the development will connect to other adjacent existing and potential future development areas within the USB, including how roadways, transit, sewer, and water could occur within all adjacent areas.

[27] Some areas within a Master Plan may have existing uses that are not likely to change and are appropriate to remain. If the Master Plan designates such areas with a land use category that reflects that existing use, the Board may exclude these areas for purposes of determining consistency with these criteria.

Letter 24*

Letter 24*

DKS

Table 2: DRAFT Inputs to Cost Estimation for Additional Transit Service				
	Additional Bus Revenue Hours (Weekdays)		Additional Busses Needed (Weekdays)	
Scenario	Regular Bus	Shuttle Bus	Regular Bus	Shuttle Bus
Existing Plus Individual Project				
- West Jackson Hwy MP	111.8	66.2	10	5
- Jackson Township	75.2		6	
- New Bridge		75.6		6
- Mather South	62.1		5	
Existing Plus All Projects	245.9	66.7	19	5
2035 MTP Plus All Projects	264.8	71.3	20	5
30 min	132.5	35.6	10	3
30 min revised shuttle route	132.5	37.8	10	3
Rev 2035 MTP Plus All Projects	213.8	38.5	17	3

Table 3: DRAFT Cost Estimates for Additional Transit Service (No Weekend Service)											
	O&M Cost per Year		Capital Cost per Year					Farebox Revenue			
Scenario	Regular Bus	Shuttle Bus	Regular Bus	Shuttle Buss	Total Cost per Year	Dwelling Units	Cost per DU	Estimated Revenue	Percent of O&M Cost	Cost per Year minus Farebox	Cost per DU
Existing Plus Individual Projects											
- West Jackson Hwy MP	$2,817,360	$1,668,240	$500,000	$130,000	$5,115,600	15,899	$322	$2,839,158	63%	$2,276,442	$143
- Jackson Township	$1,895,040	$0	$300,000	$0	$2,195,040	6,764	$325	$707,238	37%	$1,487,802	$220
- New Bridge	$0	$1,905,120	$0	$156,000	$2,061,120	3,848	$536	$481,572	25%	$1,579,548	$410
- Mather South	$1,564,920	$0	$250,000	$0	$1,814,920	3,559	$510	$895,482	57%	$919,438	$258
Existing Plus All Projects	$6,196,680	$1,680,840	$950,000	$130,000	$8,957,520	30,070	$298	$4,887,540	62%	$4,069,980	$135
2035 MTP Plus All Projects	$6,672,960	$1,796,760	$1,000,000	$130,000	$9,599,720	30,070	$319	$7,285,572	86%	$2,314,148	$77
30 min service	$3,339,000	$897,120	$500,000	$78,000	$4,814,120	30,070	$160	$5,084,100	120%	-$269,980	-$9
30 min revised shuttle route	$3,339,000	$952,560	$500,000	$78,000	$4,869,560	30,070	$162	$5,227,740	122%	-$358,180	-$12
Rev 2035 MTP Plus All Projects	$5,387,760	$970,200	$850,000	$78,000	$7,285,960	30,070	$242	$7,341,894	115%	-$55,934	-$2

Assumptions:

O&M Cost per Bus Revenue Hour		Cost per Bus		Service Days per year		Bus Life (years)	
Regular Bus	$100	Regular Bus	$600,000	Weekdays (w/o holidays)	252	Regular Bus	12
Shuttle Bus	$100	Shuttle Bus	$130,000	Weekends/Holidays[1]	0	Shuttle Bus	5
Assumed Average Paid Fare	$1.50			Total	252		

[1] Service hours and frequency assumed to be less than weekdays thus number reflects "equivalent weekdays"

EXHIBIT E

EXHIBIT E

10-17-2019

Draft Environmental Impact Report
Jackson Township Specific plan
Control Number: PLNP 2011-00095
State Clearinghouse Number 2013082017

To whom it may concern

I oppose the Jackson Township Specific Plan, which would develop 1,391 acres of open space in Sacramento County, along with a proposed Urban Policy Area (UPA) Amendment. The General Plan Goals of Sacramento County were to preserve open space - this proposed development flies in the face of those goals. This land should be preserved as open space grassland for preservation of many species of birds and animals such as Swainson's Hawks, Western Burrowing Owls, American Badgers, White-tailed Kites, Tri-colored Blackbirds, Pallid Bats, and many others; also the Vernal Pool Fairy Shrimp occurs within the Plan Area, a large portion of which has been designated as critical habitat for this species. There is not enough open land left in Sacramento County to mitigate the loss of these habitats.

This land should also be preserved as possible agriculture land for future generations. There would be no Farm to Fork events if there were no lands left to farm. Also, there needs to be night sky areas for appreciation of celestial events.

The Sacramento Raceway is an important resource and needs to be protected from urban development. This Raceway provides a legal place for auto enthusiasts to race their vehicles. This provides safety for the racers and the public alike, and is therefore an important and valuable facility that should be protected.

Roxanne Fuentez

Letter 24*

11-1-2019

Jessica Lynch, Senior Planner
Sacramento County Office of Planning and Environmental Review
827 7th Street Room 225
Sacramento, CA 95814
Re: Jackson Township Specified Plan Draft EIR
PLNP 2011-00095

To whom it may concern:

I oppose the Jackson Township Specific Plan, which would develop 1,391 acres of open space in Sacramento County, move the UPA (Urban Policy Area), and rezone the plan area. This land should be preserved as open space grassland. In the Plan Area annual grassland and vernal pools provide habitat for many birds and animals. The rangeland and grassland with trees, farmsteads, barns, grazing cattle, horses, and sheep creates a pleasing visual panorama. This project would permanently change the visual character of the area. It would have multiple story buildings, which would block distant views of the horizon in all directions.

79 acres of Farmland of Local Importance, 3 acres of prime Farmland, and 1,044 acres of Grazing Land would be destroyed by this project. We should protect farmland and ranchland for future farmers. There can be no Farm To Fork events if there is no land left to farm.

The Plan Area contains vernal pools, seasonal wetlands, perennial marshes, creeks, drainage ditches, and ponds. The Plan Area contains Valley Grasslands, which surround vernal pool complexes providing areas for movement, nesting, and foraging for animals and birds. Many wild flowers and plants are found in these areas.

Federally listed plant species are Slender Orcutt Grass and Sacramento Orcutt Grass. State or Local Protected species of plants are Bogg's Lake Hedge – hyssop, Dwarf Downingia, Ahart's Dwarf Rush, Legenere,and Sanford's Arrowhead. These would all be destroyed by the proposed project.

Over 800 trees are present in the plan area. These would be destroyed by the project.

The Plan Area provides critical habitat for the Federally Listed Vernal Pool Fairy Shrimp, the Vernal Pool Tadpole Shrimp, and the Valley Elderberry Longhorn Beetle. The Plan Area provides habitat for the State and Locally Protected Midvalley Fairy Shrimp, Ricksecker's Scavenger Beetle, Western Spadefoot Toad, and Western Pond Turtles. These animals and insects would be destroyed by the project.

500 of the Threatened Tricolored Blackbirds have been observed nesting in the Plan Area. The rare Cooper's Hawk occurs in the Plan Area. The Threatened Swainson's Hawk forages and nests in the Plan Area. The California Species of Special Concern Northern Harrier occurs in the Plan Area. The White-Tailed Kite, a species Fully Protected under California Fish and Game Code, is found in the Plan Area. The Western Burrowing Owl, a California Species of Special Concern, occurs in the Plan Area. The Grasshopper Sparrow, a California Species of Special Concern, forages and nests in dense grasslands present in the Plan Area. The California Species of Special Concern Song Sparrow is present in the Plan Area. The Loggerhead Shrike, a California Species of Special Concern, forages and nests in the Plan Area. The Yellow-headed Blackbird, a California Species of Special Concern, forages and nests in the Plan Area. All of these birds and their habitat would be destroyed by the proposed project.

The American Badger, a California Species of Special Concern, occurs in the Plan Area. The Western Red Bat and the Pallid Bat, both California Species of Special Concern, are found in the Plan Area. These animals would be killed if the project is implemented.

The primary cause of global temperature rise is the loss of green plants worldwide – trees, shrubs, and grasslands. These plants absorb CO2 (Carbon Dioxide) the over presence of which is known to cause temperature rise. The destruction of millions of these plants per day is causing the global rise of temperatures. Therefore, implementation of the proposed project, since it would destroy over a thousand acres of grassland, shrubs, and trees, would add to a rise of global temperatures.

Archaeological artifacts found in the Plan Area were not fully documented. Therefore, it is possible that significant buried archaeological materials are present in the Plan Area and would be damaged or destroyed by the proposed project.

Tribal resources have not been fully documented in the Plan Area. Therefore, there is the potential for damage or destruction to these resources by the proposed project.

All historical structures have not been evaluated in the Plan Area, therefore implementation of the proposed project could potentially damage or destroy these resources.

42 percent of the Plan Area is located within the Over Flight Zone of Mather Airport. The proposed project could impose limits on Mather Airport operations.

The proposed project will introduce new sources of light to the Plan Area. This will affect the life cycles of various animals. It will also impact the ability to see the night sky.

The loss of wetlands and other waters in large expanses of open space cannot be compensated for or mitigated. The loss of these areas and associated wildlife species should not be allowed. We need to preserve these large open areas within Sacramento County for future generations, and for animals to have places to live.

The Sacramento Raceway is important to Sacramento County. No houses should be built near this facility. The Raceway provides a legal place for auto enthusiasts to race their vehicles. This provides safety for the racers and the public. Sacramento Raceway is an important and valuable facility, which should not be encroached upon.

During General Plan Hearings, Sacramento County Planners and Commissioners voiced their desire to preserve large areas of open space in Sacramento County. This proposed project contradicts that desire, and would instead destroy more irreplaceable open land forever. Please do not approve this Project.

Roxanne Fuentez

EXHIBIT F

EXHIBIT F

"

October 31, 2019

Attention:
Environmental Coordinator
Sacramento County, Office of Planning and Environmental Review
827 7th Street, Room 225, Sacramento, CA 95814

Re: Comments on Jackson Township Specific Plan Draft Environmental Impact Report (DEIR)

Dear Sacramento County,

The Jackson Township Specific Plan Draft Environmental Impact Report (DEIR) does not adequately mitigate for the following:

The permanent loss of natural space. This may seem trivial to some, but our connection to nature is essential to human physical and mental health. This is important, even when just viewing the landscape outside your window as you drive on Highway 16. The loss of natural space, or green fields, lowers the quality of life for Sacrament-area residents.

The potential deterioration of Sacramento-area's air quality. The increase in air pollutants emitted, because of the resulting increase in numbers of car trips and vehicle-miles-travelled (VMT). This project is basically leap-frog development.

The increase in climate-related gases emitted. This project will result in increased emissions of carbon dioxide and other climate-forcing gases, due to the significant increase in numbers of car trips and VMT.

A loss of habitat for many species of animals, possibly including endangered ones.

I recommend that the DEIR should consider an alternate plan with a much smaller footprint.

Sincerely,

Nancy L. Hughett

EXHIBIT G

EXHIBIT G

Subject: Jackson Township DEIR

The following are my comments regarding the Jackson Township DEIR and associated documents.

While not directly representing ECOS or Habitat 2020, I am a individual member and organizational member of ECOS and a member and organizational member of Habitat 2020.

Further while not representing the following organizations my comments support the interest of the following organizations; 1) Sacramento Valley Astronomical Society, 2) Stockton Astronomical Society, 3) Amador Astronomical Society, 4) Nevada County Astronomers, 5) Save Auburn Ravine Salmon and Steelhead.

While a member of the International Dark-Sky Association (IDA) and the Illuminating Engineering Society North America (IESNA) my comments are my own but are based on knowledge gained through over 20 years of association with the lighting industry.

Jack Sales, IDA, IESNA, ECOS, Habitat 2020, SVAS, SAS, AAS, NCA, SARSAS

5978 Woodbriar Way
Citrus Heights, California 95621-1616
Telephone: 916-726-7405
Mobile phone: 916-747-7405
jesales@surewest.net

Comments ---

In both the Executive Summary and body of the DEIR reference is made to Greenhouse Gas Emission Reductions GHGRP energy as follows:

"The Project Applicant shall install high efficacy public outdoor lighting for 16 percent of total outdoor lighting"

Two points should be made -

1. The requirement should be high efficacy outdoor lighting for 100 percent of outdoor lighting.

2. Because of the characteristics of Solid State Lighting or LED Lighting (our most efficient source), and impacts of High Blue Content LEDs or Hight Temperature LEDs they should be prohibited.
Only " high efficacy outdoor lighting" with a CCT (correlated color temperature) of less than 3000K should be allowed.
Previously higher CCT LEDs were considered more efficient, that is on longer the case in fact over all LEDs of 3000K and lower are the preferred.
Currently under Title 24 CalGreen Lighting Color Temperature Restrictions of 3000K is the recommended lighting standards for outdoor lighting in California.

References are made to lighting in the Design Guidelines ---

"Design Guidelines also require lighting to be focused downward whenever possible to avoid light pollution and parking lighting to have automatic controls to dim lights after certain hours or when no one is present."

1. The Design Guidelines should require ALL outdoor lighting be fully shielded or have a BUG rating of U-0.
2. All outdoor lighting should be demand responsive dimming when the technology is available.
3. Title 24 requires residential security lighting to be motion sensor controlled.
4. Security lighting that motion sensor controlled should (shall) be fully shielded.
5. A CCT (correlated color temperature) of 3000K or less should be required in all applications.
6. In residential zones a CCT (correlated color temperature) of 2700K or less should be required.

Addressing Glare ---
Wile glare has previously been primarily considered in CEQA documents in reference to day time glare it is extremely important at night.
Good lighting practice avoids glare, in fact it is a major consideration.
Again CCT plays a role as does light control.
The DEIR and Design Guide should -
1. Require ALL lighting to have CCT of 3000K or less preference for 2700K or 2200K.
2. Prohibit unshielded Flood Lights.

Lighting Zones (LZ) –

The DEIR presents the issue of Lighting Zones (LZ) as established under Title 24 and identifies the project as in LZ2. However under Title 24 the County can lower the Lighting Zones. This may be appropriate for Jackson Township Specific Plan given the nature of the project and it's location.

The City of Malibu not only that limits all outdoor lighting to 3000K it also declares the City to be Lighting Zone 1.

"C.
All other zoning districts including, but not limited to Commercial and Institutional zoning districts (CN, CC, CV, CG, I, RVP, and RD)
1.
All outdoor lighting shall comply with California Building Code Title 24 Lighting Zone One (LZ1)."

Surly if the City of Malibu can be LZ1 this development can be designated as LZ1.

The project Development Standards of the Jackson Township Specific Plan should reflect and acknowledge inclusion in LZ2 and further adopt or designate RVP, and RD as LZ1.

Adoption of IDA Fixture Seal of Approval ---

"the he County to require that all lighting applications be subject to Section 140.7 of the 2016 Building Efficiency Standards and use fixtures approved by the International Dark Sky Association."

It is appropriate that all lighting in the County of Sacramento and all lighting in the State of California be complaint with the International Dark-Sky Association Fixture Seal of Approval Certification Program. It simply requires "Fully Shielded" or BUG U-0 and CCT => 3000K.

It provides certification of MINIMUM compliance even thought more stringent technology exists.

This and all DEIRs, GP, SP, ZC by County of Sacramento should include requirements for IDA FC compliance.

Sports Lighting ---

Reference is made to sports lighting regarding Schools and " energy-efficient LED fixtures on tall (approximately 90-foot-tall)"

Again "energy-efficient LED fixtures" are essential and should be required.
They should also be required at Sacramento Raceway.

Today LED sports lighting can direct light with pinpoint precision, with no off site light.
Today LED sports lighting can address a requirement of "0.0fc" off site light levels.
Today LED sports lighting can be neighbor friendly with 0.0 foot candle light trespass.

The DEIR should recognize this capability of technology today and require 0.0 foot candle beyond the playing field.
The DEIR notes that "Because the Project complies with County lighting policies and standards and would also use fixtures approved by with International Dark Sky Association, and because of the scale of proposed development, no feasible mitigation is available to further reduce this impact. This impact would be significant and unavoidable."

However impacts can be reduced even more by restricting CCT (correlated color temperature) less than 3000K and more like 2700K in most cases. Eben restricting CCT to 2200K would be appropriate where historic or period fixtures were involved.

The DEIR references the Sacramento Raceway ---
Mitigation of lighting impacts could be accomplished by the developer by updating, improving and bringing into compliance with the Project Design Guides of the existing Raceway lighting.

Streams and Rivers ---
The DEIR references the Sacramento County General Plan regarding Stream Corridor Ordinance, Cosumnes River Protection…

Light Pollution has been identified as one component contributing to predation of endanger species such as salmon.

While direct light on our streams and rivers is without question responsible for predation on endangered salmon, over all ambient light levels at night in many cases have created "crepuscular light levels contributing to predation, proper lighting (shielding and CCT) can mitigate this issue.

Approved lighting by IDA and lower CCT can address these issues that may result beyond the project boundary.

All lighting adjacent to rivers and stream or vernal pools should be prohibited.

Jackson Township Specific Plan ---
As part of this DEIR is reference to the Jackson Township Specific Plan.

The Jackson Township Specific Plan references CCT, energy efficient LED lighting, dimming, none of witch addresses requirements such as noted above.

The plan should be more specific., stating the requirements for; CCT of 3000K or less, adaptive lighting as noted previously.

Law Enforcement and CPTED.

CPTED principals do not support excessive lighting levels and do support reduction of glare.
Motion sensor activated outdoor lighting enhances security without wasting energy or when properly shielded prevents glare.

A requirement for 1.5 foot-candles is excessive minimum maintained illumination is excessive.
Ref. "Project lighting levels shall be 1.5 foot-candles of minimum maintained illumination per square foot of parking surface during business hours and 0.25 foot-candles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway,etc.,"

Note with new full spectrum 3000K LEDs these levels are not necessary.

Digital Billboards, Electronic Messaging ---

Digital Billboards should be prohibited. FULL STOP

In May 2019 the IDA Announces Lighting Guidelines for Electronic Messaging Centers please refer to the following Internet link. ---
https://www.darksky.org/ida-announces-lighting-guidelines-for-electronic-messaging-centers/

Additional/Reference and Internet Links ---

IDA Announces Criteria for Community-Friendly Outdoor Sports Lighting
https://www.darksky.org/ida-announces-criteria-for-community-friendly-outdoor-sports-lighting/

Why is Blue Light at Night Bad?
https://www.darksky.org/why-is-blue-light-at-night-bad/

Tucson, Arizona, U.S. Skyglow Reduced 7% after Street Light Conversion
https://www.darksky.org/tucson-arizona-u-s-skyglow-reduced-7-after-street-light-conversion/

5 Popular Myths About LED Streetlights
https://www.darksky.org/5-popular-myths-about-led-streetlights/

City's LED Retrofit Shows Need For Careful Lighting Choices
https://www.darksky.org/citys-led-retrofit-shows-need-for-careful-lighting-choices/

LED: Why 3000K or Less
https://www.darksky.org/our-work/lighting/lighting-for-citizens/3k/

IDA Fixture Seal of Approval
https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/

CalGreen Lighting Color Temperature Restrictions
https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=17-BSTD-03

Comments Letters regarding 3000K/2700K CalGreen outdoor lighting
https://efiling.energy.ca.gov/GetDocument.aspx?tn=224851&DocumentContentId=55438
https://efiling.energy.ca.gov/GetDocument.aspx?tn=224886&DocumentContentId=55478

City of Malibu Dark Sky Ordinance
https://www.malibucity.org/705/Dark-Sky-Ordinance

Letter 24*

ORDINANCE NO. 434

AN ORDINANCE OF THE CITY OF MALIBU DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AMENDING MALIBU MUNICIPAL CODE TITLE 17 (ZONING) TO REGULATE OUTDOOR LIGHTING CITYWIDE

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Recitals.

A. On April 8, 2013, the City Council directed staff to prepare a Zone Text Amendment (ZTA) to establish a citywide outdoor lighting standards ordinance, later referred to as Dark Sky Ordinance. The purpose of the ordinance is to reduce light pollution to preserve enjoyment of the night time sky and the City's rural environment, reduce impacts on wildlife and natural habitats, and promote the City's goal of conserving energy and natural resources.

B. On April 30, 2013, the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) provided recommendations on key elements to include in a Request for Proposal (RFP) for the preparation of a comprehensive citywide lighting ordinance (ZTA No. 13-001).

C. On April 16, 2014, the City Council authorized an agreement with the International Dark Sky Association (IDA) to assist staff with the preparation of the citywide lighting ordinance for integration into City codes. The City Council further directed staff, in close coordination with IDA, to prepare a modified version of the MLO, as this model lighting code was determined to be more appropriate overall than previously considered alternative ordinances.

F. On September 8, 2014, the City Council directed staff and IDA to prepare a citywide lighting ordinance based on the MLO that incorporated standards such as light spectrum controls to aid in protecting the City's rural nature.

G. On May 9, 2016, August 23, 2016, and February 28, 2017, staff presented a draft ordinance to ZORACES for recommendations.

J. On June 6, 2017, a duly noticed Special Joint meeting of City Council and Planning Commission was held in order for staff and IDA to conduct a guided nighttime tour of seven locations throughout the City exhibiting a variety of lighting schemes. Approximately 15 members of the public attended.

K. On June 7, 2017, a duly noticed Special Joint meeting of City Council and Planning Commission was held which included a public workshop on the results of tour surveys, an overview of the draft ordinance, known as the Dark Sky Ordinance, and a discussion about community concerns, enforcement and compliance. At the conclusion of the meeting, staff received comments from the public, Councilmembers and Commissioners.

L. On July 17, 2017, the Planning Commission held a duly noticed public hearing on a progress draft of the proposed Dark Sky Ordinance, received public comment and provided recommendations to staff.

M. On February 15, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties.

N. On March 19, 2018, the Planning Commission held a duly noticed public hearing on the draft ordinance, at which time the Planning Commission reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record.

O. On March 29, 2018, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City and was mailed to all interested parties; regional, state and federal agencies affected by the amendments; local libraries and media; and the CCC.

P. On April 23, 2018, the City Council held a duly noticed public hearing on the proposed ordinance, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

The City Council has analyzed the project proposal described herein and has determined that the project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council has determined that there is no possibility the proposed amendment may have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.

SECTION 3. Findings for Zoning Text Amendment No. 13-001.

The City Council hereby finds that ZTA No. 13-001 is consistent with the General Plan and is designed to protect and promote public health, safety, welfare, quality of life and the ability to view the night sky. The ordinance further strives to reduce light pollution, protect the City's rural environment, reduce impacts on wildlife and natural habitats, and promote the City's goal of conserving energy and natural resources. The ordinance will also ensure compatibility between land uses by reducing negative effects of light pollution which conflict with the City's goals of maintaining its unique rural character.

The ZTA further advances the General Plan Vision Statement which reads, "Malibu is a unique land and marine environment and residential community whose citizens have historically evidenced a commitment to sacrifice urban and suburban conveniences in order to protect that

environment and lifestyle, and to preserve unaltered natural resources and rural characteristics. The people of Malibu are a responsible custodian of the area's natural resources for present and future generations." The City is committed to "manage growth to preserve a rural community character" [General Plan LU Element, Section 1.4.2]. The overriding goals of the City are to: "(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; and (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state."

The proposed ordinance does not authorize a use other than that already designated in the MMC as a permitted or conditionally permitted use in the zone. The proposed ordinance is consistent with the Coastal Act and the MMC because it protects, maintains and enhances the overall quality of the coastal zone environment. The proposed ordinance will not alter the utilization or conservation of coastal zone resources, impede public access to and along the coastal zone, or interfere with the priorities established for coastal-dependent or coastal-related development.

SECTION 4. Zoning Text Amendments.

Chapter 17.41 (Malibu Dark Sky) is hereby added to Title 17 of the MMC to read as follows:

17.41.010 Title.

This chapter shall be known as the "Malibu Dark Sky Ordinance."

17.41.020 Purpose.

The purpose of this chapter is to implement the goals of the General Plan and protect and promote public health, safety, welfare, quality of life and the ability to view the night sky, by establishing regulations and a process for review of outdoor lighting in order to accomplish the following:

A. Minimize direct glare and prevent excessive lighting, thereby minimizing light pollution caused by inappropriate or misaligned light fixtures, and promoting common courtesy among neighbors;

B. Reclaim the ability to view the night sky and thereby help preserve Malibu's rural quality of life and the scenic value of this desirable visual resource;

C. Promote wildlife habitation and migration by minimizing light pollution into and adjacent to habitat areas;

D. Prevent light pollution wherever possible in all areas of the city;

E. Provide sufficient lighting where it is needed to promote safety and security on public and private property;

F. Allow flexibility in the style of outdoor lighting;

G. Provide standards for efficient and moderate use of lighting which balance energy use and economic impact;

H. Provide lighting standards that can evolve according to advancements in technology and

I. Promote lighting practices and systems which conserve energy, decrease dependence on fossil fuels and limit greenhouse gas emissions consistent with the California Global Warming Solutions Act and other applicable state and federal law.

17.41.030 Definitions.

Notwithstanding the provisions of Section 17.02.060, for the purposes of this chapter only, the following words and phrases are defined as follows:

"Curfew" means the time of day when lighting restrictions, based on zoning district, are in effect.

"Directional lighting" means methods of directing light downward, rather than upward or outward, with the intention of directing light where it is needed.

"Environmentally Sensitive Habitat Area (ESHA)," for purposes of this chapter, shall be defined as in the MMC except in the Point Dume area, where it shall refer only to any slopes of 25 percent or steeper.

"Fully shielded" means a light fixture constructed and installed in such a manner that all light emitted, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane through the fixture's lowest light-emitting part.

"Glare" means light entering the eye directly from a light fixture or indirectly from reflective surfaces that causes visual discomfort or reduced visibility to a reasonable person.

"Kelvin" means the measure of the color temperature of a light source. Warmer temperatures are a lower number, and cooler temperatures are a higher number.

"Lamp" means, in generic terms, a source of optical radiation (i.e., "light"), often called a "bulb" or "tube." Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low-pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

"Light pollution" means the material adverse effect of artificial light including, but

not limited to, glare, light trespass, sky glow, energy waste, compromised safety and security, and impacts on the nocturnal environment, including light sources that are left on when they no longer serve a useful function.

"Light trespass" means light that falls beyond the property it is located on.

"Lumen" means the unit of measure used to quantify the amount of visible light produced by a lamp or emitted from a light fixture (as distinct from "watt," a measure of power consumption).

"Navigation lights" means a set of lights shown for an aircraft at night to indicate obstacles and hazards such as towers and tall buildings.

"Outdoor light fixtures" means outdoor electrically powered illuminating devices, lamps and similar devices, including solar powered lights, and all parts used to distribute the light and/or protect the lamp, permanently installed or portable; synonymous with "luminaires."

"Public viewing area" shall be defined as in Local Coastal Program Local Implementation Plan Section 2.1.

"Seasonal lighting" means lighting installed and operated in connection with holidays or traditions.

"Sky glow" means the brightening of the nighttime sky that results from scattering and reflection of artificial light by air molecules, moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

"String lights" means light sources connected by free-strung wires or inside of tubing resulting in several or many points of light that are unshielded or partly shielded light sources.

17.41.040 Applicability.

A. All outdoor light fixtures installed prior to the effective date of this ordinance are subject to the compliance period of Section 17.41.100(A), however the following requirements must be complied with immediately:

1. Outdoor light fixtures that have the ability to be redirected, shall be directed downward so as to minimize sky glow, glare and light trespass onto adjacent properties.

2. Outdoor light fixtures that have adjustable dimmers with color temperature that exceeds 3000 Kelvin shall be dimmed to comply with

Section 17.41.050(G) to minimize glare and light trespass onto adjacent properties.

3. String lights may be allowed in occupied dining and entertainment areas only and must not exceed 3000 Kelvin. String lights shall not be used as landscape lights. This does not apply to seasonal lighting.

B. All outdoor light fixtures installed after the effective date of this ordinance shall comply with this chapter.

C. For any property subject to this chapter and also regulated by permit conditions pertaining to outdoor lighting, the more restrictive provisions in terms of minimizing light pollution shall apply.

D. Nothing in this chapter shall prohibit a declaration of covenants, conditions and restrictions for private enforcement from further restricting lighting so long as it meets the minimum standards detailed in this chapter.

E. The following lighting and activities are not regulated by this chapter:

1. Indoor lighting

2. Lighting within the public right-of-way for the principal purpose of illuminating public streets or traffic control

3. Lighting solely used to illuminate signs for which a permit has been received

4. Lighting solely used to illuminate address signs

5. Construction or emergency lighting provided such lighting is temporary, necessary, and is discontinued immediately upon completion of the construction work or termination of the emergency

6. Aircraft navigation lights such as those attached to radio/television towers

7. Short-term lighting associated with activities authorized by a valid temporary use permit, special event permit or film permit during the duration of the permit

8. Malibu High School field and parking lot lights

17.41.050 Citywide Requirements.

A. All outdoor light fixtures shall be fully shielded and installed and maintained in such a manner that the shielding does not permit light trespass in excess of those amounts set forth in subsection G below. Lighting shall be directed away from ESHA, ESHA buffer, Pacific Ocean, beaches, and public viewing areas in a manner to ensure no lamp is directly visible from public viewing areas.

B. Lighting around the perimeter of the site, except as required for security lighting purposes and where it is controlled by motion sensor which extinguishes the light no later than 10 minutes after activation, and lighting for aesthetic purposes on any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road, public viewing area, ESHA or ESHA buffer is prohibited.

C. Light pollution shall be minimized through the use of directional lighting, fixture location, height, the use of shielding and/or motion sensors and timers.

D. Automated control systems, such as motion sensors and timers, shall be used to meet the curfew requirements of 17.41.060. Photocells or photocontrols shall be used to extinguish all outdoor lighting automatically when sufficient daylight is available. Automated controls should be fully programmable and supported by battery or similar backup.

E. Lighting Color (Chromaticity). The correlated color temperature of all outdoor lighting shall be 3000 Kelvin or less except:

1. Amber colored sources of a lower temperature necessary to protect beach and ESHA, as determined by the planning director

2. Seasonal lighting

F. Seasonal lighting shall be allowed from November 15 to January 15 only.

G. Allowable light trespass. Outdoor lighting shall not cause light trespass exceeding the following amounts, measured with a light meter oriented vertically or horizontally at the property line of the property on which the light is trespassing:

1. From any property onto a residential property, ESHA, ESHA buffer, Pacific Ocean, beaches, and public viewing areas, the maximum allowable light trespass shall be 0.1 foot-candles

2. From any property onto a non-residential property other than ESHA, ESHA buffer, Pacific Ocean, beaches, and public viewing areas, the maximum allowable light trespass shall be 0.25 foot-candles

H. Permanently installed lighting that blinks, flashes or is of unusually high intensity or brightness is prohibited.

I. Lighting of the shore is prohibited, except as required for security lighting purposes and where it is controlled by motion sensor which extinguishes the light no later than 10 minutes after activation.

17.41.060 Additional Lighting Requirements by Zoning District.

A. Public Open Space (OS) zoning district

1. The lighting curfew for all outdoor lighting, other than security lighting as detailed in Section (2)(b) below, shall be one hour after sunset.

2. Lighting shall be minimized, restricted to outdoor light fixtures meeting the following standards:

a. Walkways: The minimum necessary to light walkways used for entry to and exit from structures and parking areas, utilizing fixtures that are shielded, directed downward, and do not exceed two feet in height and 850 lumens.

b. Security lighting shall be attached to buildings and controlled by motion sensors which extinguish no later than 10 minutes after activation, with fixtures that do not exceed 850 lumens.

c. Driveways: The minimum necessary for safe vehicular use of the driveway, utilizing fixtures that do not exceed 850 lumens.

d. An outdoor light fixture, not to exceed 850 lumens, at the entrance of buildings.

B. Residential zoning districts, including SF, MF, MFBF, RR, PD, and MH

1. Curfew: All outdoor lighting shall be extinguished by 11:00 p.m. or when people are no longer present in exterior areas, whichever is later, except for lighting activated by motion sensor which extinguishes 10 minutes after activation and lighting at building entrances, parking areas and driveways.

2. Each outdoor light fixture shall be fully shielded, directed downward and shall not exceed 850 lumens. Outdoor light fixtures shall not be mounted higher than 18 feet above ground level. For the portion(s) of a property containing ESHA or ESHA buffer or located in or adjacent to ESHA or ESHA buffer or visible from public viewing areas, lighting shall comply with the OS zone standards detailed in subsection (A)(2) above instead of this subsection (B)(2).

3. Outdoor lighting shall only be used within 50 feet of a residentially habitable building or swimming pool except that security lighting, driveways and walkways may include outdoor lighting which complies with Section 17.41.060(A)(2).

C. All other zoning districts including, but not limited to Commercial and Institutional zoning districts (CN, CC, CV, CG, I, RVP, and RD)

1. All outdoor lighting shall comply with California Building Code Title 24 Lighting Zone One (LZ1).

2. Curfew: All outdoor lighting shall be extinguished by 11:00 p.m. or close of business, whichever is later, except for lighting activated by motion sensor which extinguishes 10 minutes after activation and lighting at the building entrances and driveway egress points.

3. Lighting for ATMs and exterior accessways to hotel/motel rooms are not subject to the curfew.

4. For the portions of a property containing ESHA or ESHA buffer or located in or adjacent to ESHA or ESHA buffer, on any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road, public viewing area, lighting shall comply with the standards of subsection (A)(2) under the OS zone standards instead of this subsection (C)(4).

17.41.070 Deviation.

A. Deviations from the lighting standards provided in this chapter may be approved pursuant to an application processed according to the same procedures as a site plan review under this Title. The application shall be made on a form provided by the Planning Department, and shall be accompanied by accurate plans, a legal description of the subject property and the following information:

1. Plans depicting the proposed lighting;

2. Detailed description of the circumstances which necessitate the deviation;

3. Details on the use of the proposed light fixtures for which the deviation is requested, including the type of outdoor light fixtures to be used, the light output and character of the shielding, if any; and

4. Such other data and information as may be required by the planning director.

B. The deviation may be granted by the planning director (for all residential zoning districts) and by the planning commission (for all other zoning districts or if an application is referred to the planning commission by the planning director) if the City makes the following four findings, based on substantial evidence.

1. There are unique circumstances affecting the subject property that make it infeasible or impractical to comply with strict application of the lighting standards detailed in this chapter.

2. The proposed deviation will achieve the purpose and intent of this chapter.

3. The levels of light pollution will not exceed the level anticipated to be produced by a project compliant with this chapter.

4. The proposed project will not be contrary to or in conflict with the general plan.

17.41.080 Street Lighting. **(RESERVED)**

17.41.090 Conflicts with other Laws.

In the event the provisions in this chapter conflict with federal or state law, this section shall be applied in a manner intended to carry out all provisions of law to the maximum extent feasible. When there is an irreconcilable conflict between the provisions of this chapter and the requirements of federal or state law, the provisions of federal or state law shall prevail over the provisions contained in this section only to the extent necessary to avoid a violation of those laws.

17.41.100 Application of Ordinance to Legal Non-conforming Lighting.

A. Effective Date. The effective date of this chapter shall be October 15, 2018.

B. Compliance Period. Notwithstanding the provisions in Chapter 17.60 (Non-conforming Structures and Uses) and Section 17.04.070, a property owner shall comply with the requirements of this chapter by the following compliance deadlines. Any non-compliant lighting still in place after the compliance deadline shall remain extinguished at all times.

1. Outdoor lighting at gas station properties shall comply by October 15, 2019.

2. Outdoor lighting in commercial zones, including but not limited to CN, CC, CV, CG, RVP, and RD zoning districts shall comply by October 15, 2020.

3. Outdoor lighting in all remaining zones, including but not limited to

SF, MF, MFBF, RR, PD, MH, and I zoning districts shall comply by October 15, 2021.

C. Extension. A property owner may apply for an extension of this deadline by submitting a request to the planning director thirty days before the compliance deadline detailing why an extension is needed. With the exception of lighting provided for security purposes, any non-compliant lighting shall remain extinguished while the request is pending. Upon demonstration of good cause for providing a property owner additional time to comply with the requirements of this section, the planning director may extend the property owner's time to comply and/or may require a plan for compliance that requires partial compliance in advance of full compliance. For purposes of this section, the term "good cause" shall mean a significant financial or other hardship which warrants an extension or conditional extension of the time limit for compliance established herein. In no instance shall the planning director issue an extension of the compliance period in excess of one year's time. The planning director's decision shall be appealable pursuant to the provisions of Section 17.04.220.

D. Change of Use. If a property with non-compliant lighting changes use after the effective date, then all outdoor lighting shall be brought into compliance with this chapter, either by the property owner or tenant, before the new use begins.

17.41.110 Enforcement and Penalties.

Any violation of the provisions of this chapter by any person shall be subject to the administrative penalty provisions of Title 1 chapter 1.10 of this Code.

SECTION 5. Certification.

The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 29th day of May, 2018.

RICK MULLEN, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)

Date: May 29, 2018

APPROVED AS TO FORM:

CHRISTI HOGIN, City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the Malibu Municipal Code and Code of Civil Procedure.

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 434 was passed and adopted at the Regular City Council meeting of May 29, 2018, by the following vote:

AYES:	5	Councilmembers:	La Monte, Peak, Rosenthal, Wagner, Mullen
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		

HEATHER GLASER, City Clerk
(seal)

Letter 24*

DESIGN SERVICES INC. DBA
BENYA BURNETT CONSULTANCY

October 2, 2018

California Energy Commission
Via Email/Web

Re: Docket 17-BSTD-03 CalGreen Lighting Color Temperature Restrictions

Ladies and Gentlemen,

Yesterday I received notice of the hearing and was invited by staff to attend and present for up to five minutes. Fortunately, I will be able to be there. Rather than ramble for my time, I have prepared the following speech.

***

(BEGIN) I am a registered professional electrical engineer in California directly responsible for the design and specification of over 100,000 LED street lights in California as well as advising on over 500,000 street lights throughout the US and Canada. To stay current, I have attended numerous conferences, built large scale demonstration projects, and conducted extensive public reviews in communities. I rely heavily on the publications of the Illuminating Engineering Society, of which I am a Fellow, and various articles and papers from reputable scientists. I also have retained the counsel of Dr. Alan Lewis as a co-consultant and project advisor when the complex issues of human vision at night are raised. Finally, I served on the Board of Directors and the Technical Committee of the International Dark Sky Association and in 2009 I was among the first to identify the spectral issues of LED that cause anthropogenic sky glow and disrupt the circadian systems of all living beings much more than legacy light sources.

I firmly believe the following key points:

1. According to Dr. Lewis, for human vision in outdoor lighting, at adaptation levels of 3 candela per square meter or more, lumens are lumens and color temperature is not a factor. Experiments in the past two years seeking to prove visual advantages of high CCT LED light sources in situ were unsuccessful.
2. Most outdoor lighting has employed spectrally deficient high-pressure sodium at 2200 Kelvins and CRI of less than 20 for over 50 years. Changing to LED lumen-for-lumen will incur negative impacts on the night sky due to the increased short wavelength light and the resultant increased anthropogenic sky glow due to Rayleigh scattering.

501 FILLMORE COURT
DAVIS, CA 95616
WWW.BENYABURNETT.COM

3. High CCT LED lighting emits considerable light around 450 nanometers, which has been demonstrated to cause a human stress response that is often interpreted with being "brighter". But the effect often has a negative response from citizens, being referred to as "prison lights" in Oceanside and "zombie lights" in Seattle.
4. High CCT LED lighting is being removed from Monterey for failure to address CEQA and the resultant outcry of citizens. The California Coastal Commission now recognizes that white lights exceeding 3000K should be avoided for environmental reasons, and lower CCT including amber should be used around sensitive environmental areas. The high CCT of lights on the Sundial Bridge in Redding was proven to disrupt the Sacramento River salmon run, nearly wiping it out.
5. I designed and oversaw the Hemet, California LED test bed project in which over 250 community leaders from throughout Southern California could physically review and compare over 50 LED options in situ in residential, commercial and highway settings, and by far the highest-ranking installations were 2700K in residential areas and either 2700K or 3000K in commercial areas.
6. Working with Nancy Clanton and others, I helped develop the BUG system and the modernization of the Lighting Zone system used by California Title 24 Parts 1, 6 and 11. I built upon this to develop a state of the art lighting ordinance adopted this year by the City of Malibu that limits all outdoor lighting to 3000K and declares the City to be Lighting Zone 1, the first city in the state and nation to do so.
7. Kruithof's Curve predicts that at adapted light levels of less than 5 footcandles, the appropriate range of color temperature is around 2000K-3000K. An exception in CalGreen might be considered for sports lighting and certain types of outdoor sales lighting where much higher light levels exist (and not in Lighting Zones 0 or 1).
8. It is understandable that LED lighting was quickly embraced for its energy efficiency and long life, and that several years ago, high CCT LED lighting held a significant efficiency advantage over 3000K and lower. That is no longer true and the small advantage of high CCT LED lighting is only meaningful in high light level applications like sports lighting.

In summary, CalGreen was adopted to address planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. There is more than adequate scientific evidence that increased color temperature has negative environmental impacts on all living beings and other impacts including hiding the celestial wonder of the night sky. Since there is no down side in almost all applications, I feel that a 3000K limit in CalGreen is a practical compromise that supports our ongoing commitment to the environment without increasing cost or energy use. (END)

Thank you for the opportunity to speak out on this subject. I remain available to Commission staff and leadership and living in Davis, a community with 2700K street lights, I am happy to continue my 43-year support of the Energy Commission, Title 24 and especially, Parts 6 and 11 and the leadership that this work has provided for the world.

Sincerely,

James R Benya, PE, FIES, FIALD
Principal Illuminating Engineer and Lighting Design
Design Services, Inc. dba Benya Burnett Consultancy, Davis, CA

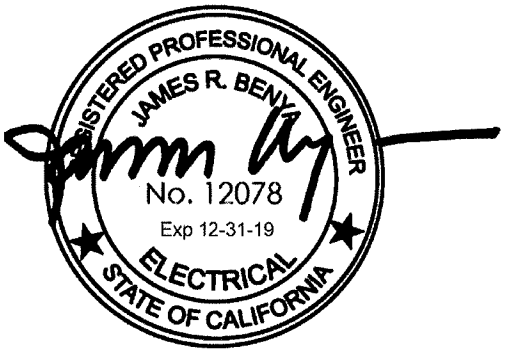


EXHIBIT H

EXHIBIT H

From: Mieke Roelstraete
To: Lynch. Jessica
Cc: CPAC-Forwarder-merchant30
Subject: HWY16 commute
Date: Wednesday, October 30, 2019 7:50:32 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

To whom it concerns,

I'm concerned about the new developments planned next to HWY 16. It currently takes me 70 minutes to get to work to downtown. How long do you think it will take when this plan is implemented??? Don't "Funnel" our traffic East and West on HWY 16!

Regards,

Mieke Roelstraete

Rancho Murieta , CA 95683

Letter 24*

From:	Justin Williams
To:	Lynch, Jessica
Cc:	CPAC-Forwarder-merchant30
Subject:	Highway 16 and Rancho Murieta Traffic Impacts - Planning Meeting Follow-up
Date:	Wednesday, October 30, 2019 12:58:06 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Hello,

I wanted to provide some input/concern regarding the pending Jackson and Rancho Cordova improvements and their impacts to Highway 16 and Rancho Murieta. I drive from Rancho Murieta to highway 50 to work daily and already spend time sitting in backed up traffic attempting to move through the stop lights at Grant Line and Sunrise Blvd on highway 16. In addition, I regularly travel Scott Road into Folsom and find that route to be incredibly uncomfortable, both given the road quality, speed other cars travel, and twists and turns of that road.

My commute is already a challenge, but I accepted that difficulty because of the peace and space Rancho Murieta provides. Also, quite frankly, I sold my house in the 'Anatolia' new build area of Rancho Cordova because the rendering plant was far worse than my home disclosures shared.

That being said, any move of the rendering plant towards Rancho Murieta will surely lead me to move again, as it would rob my home of it's saving grace - tranquility. That being said again, further traffic congestion, street noise, and deadly car accidents would do the same.

Please think of your citizens and plan and infrastructure that doesn't negatively impact us.

Respectfully,
Nicole Williams

15541 Jigger Court
Rancho Murieta, CA 95683
(916) 532-8181

From:	Scott Grimm
To:	Lynch. Jessica
Cc:	CPAC-Forwarder-merchant30
Subject:	Don't "Funnel" our traffic East and West on HWY 16!
Date:	Wednesday, October 30, 2019 10:17:11 AM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

It currently takes me up to an hour to get to work from Rancho Murieta to Watt/HWY 50. How long do you think it will take when this plan is implemented??? Don't "Funnel" our traffic East and West on HWY 16!

Scott & Tessa Grimm

Letter 24*

From: Blake Carmichael
To: Lynch, Jessica
Subject: Jackson Highway/16 - Traffic Concerns and Responsible Development
Date: Thursday, October 31, 2019 6:14:10 AM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Ms. Lynch,

It is with great interest and concern that I share with you my experiences commuting from the eastern portion of Sacramento County to the downtown area using Jackson Highway.

I have been a resident of Rancho Murieta for 17 years. During that time, I have been fortunate to work for the same employer, and therefore have had the same commute to and from work (19 miles).

Since 2002, **commute time has exponentially increased** while **safety and quality have greatly diminished.**

Time/Duration
Around 2002, between 7:30am and 8:00am, it took approximately 20-25 minutes to travel 19 miles (Rancho Murieta to Power Inn/Howe). Today if you leave Rancho Murieta at 7:30am, you may not get to the same area until 8:30am. Even when I leave earlier in the morning (i.e., 7:00am), I can still expect at least a 40-45 minute commute.

I have attempted to use alternate routes (i.e., Sunrise to 50 and similar variants; OR Grantline to Elder Creek and similar variants) with **most of those routes taking longer**. I shudder to think how **adding thousands of homes** along Jackson/16 **will impact commute times and communities along alternate routes.**

Safety
The quality of Jackson/16 has progressively declined. The contours and lining of the road are such that **unsafe and illegal passing has become the norm**. Unfortunately, it is common to see multiple accidents along this route, some of which have been **fatal or life altering**.

I am strongly opposed to the county adding so many homes along the Jackson/16 corridor, particularly **without adequate infrastructure and safety improvements.** Doing so jeopardizes the safety of existing and future residents of this area. The citizens of Sacramento County deserve better.

Thank you for your attention to this matter. Please feel free to contact me should you have any questions.

Blake D. Carmichael
916-335-1072

Letter 24*

From: chris desomer
To: Lynch. Jessica
Cc: CPAC-Forwarder-merchant30
Subject: HWY 16 commute
Date: Wednesday, October 30, 2019 9:01:36 AM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

To whom it concerns,

I'm concerned about the new developments planned next to HWY16. It currently takes me 25 min to get to work. How long do you think it will take when this plan is implemented??? Don't "Funnel" our traffic East and West on HWY 16!

Regards,

Chris Desomer

14902 Lago drive
Rancho Murieta , CA 95683

Letter 24*

From: camcelhany@aol.com
To: Lynch, Jessica
Cc: CPAC-Forwarder-merchant30
Subject: Hyw. 16/Jackson Road Traffic Plan
Date: Wednesday, October 30, 2019 12:02:38 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

I am totally against the proposed plans for traffic on Jackson Rd. The back-up at Grantline during commute times is terrible now. So the impact of the massive development planned will be devastating for people trying to get to work in the morning and home at night. Please freeze these plans until a more acceptable plan can be developed.

Cheryl McElhany

Sent from my iPhone

Letter 24*

From: PER-CEQA
To: Lynch, Jessica
Subject: FW: Jackson Township Draft EIR Comments
Date: Thursday, October 31, 2019 11:07:47 AM

Andrea Guerra, Senior Office Assistant
Office of Planning and Environmental Review
827 7th Street, Room 225A, Sacramento, CA 95814 | (916) 874-2862
www.saccounty.net
SACRAMENTO COUNTY

Please consider the environment before printing this email

From: CJ <cjmeakes@gmail.com>
Sent: Wednesday, October 30, 2019 8:16 PM
To: PER-CEQA <CEQA@saccounty.net>
Subject: Jackson Township Draft EIR Comments

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Hello - Below are my comments on the Jackson Township Draft EIR.
Thank you,
C.J. Meakes
Sacramento, CA

1) ES-33 - the high density housing (and medium, if it is likely to be rental housing) should have electric charging stations fully installed, not just prewired. And the rate should be more like 25% installed, and the rest prewired. As stated in the Table CC-1, transportation is the largest greenhouse gas driver in the state, and the inequality of opportunity to utilize green options is a major problem that needs to be addressed during construction, by the owner of the property, not the renter. Statewide executive order requires carbon neutrality by 2045, well within the early lifespan of this project. This will require virtually all passenger vehicles to be not gasoline powered, not just those owned by homeowners. In addition, secure weather proof storage at apartments that could be used for bicycle storage should be implemented at all complexes that don't have garages, in order to actually allow for alternative transportation use.

2) ES-33 Please explain why only 16% of lighting is intended to be high efficiency?

3) Ch 9 - being a development project with a lifespan of 50+ years, and the knowledge that 2035 standards are not the final standards in regards to climate change, this analysis really should be done to 2045, when the state has mandated carbon neutrality based on the reality of climate science. The buildings will continue to exist past build out date, and some will only be 10 years old in 2045.

4) Plate PD-10 - Why are the non participating parcels north of Kiefer and in the south east corner included, if the plan is for them to be undeveloped?

5) Plate PD-12 – bike paths need much more connectivity to be of use. Basically, all roads should have on or off road bikepaths associated with them, or appropriate bike/pedestrian only replacements.

6) Plate PD-17 - in order to promote ease/short distance of commute, at least some MD and HD housing areas could be near the HS/MS, or the HS/MS should be located more centrally

7) Pg 2-32 Table PD-2 This table assumes Job generation is based on 1 employee per 500 s.f. in GC, CC, MU, and 1 employee per 280 s.f. in Office. U.S. EIA data suggests that these numbers may be inaccurate. (https://www.eia.gov/consumption/commercial/data/2012/bc/cfm/b2.php) Please reference the appropriate source that the numbers selected are based on. The U.S. EIA data suggests 1 office worker per 600 sf and 1 employee per ~1000 sf depending on commercial use. This would approximately halve the number of jobs that could be supported, which would cause the project to fail to meet the objective to create a jobs-housing balance within the community.

8) pg 8-10 – Plate BR-4 shows existing trees, but where are the details showing which of the existing trees will be lost, and how many/what type of trees will be planted? The tree plan will greatly impact the project objectives regarding greenhouse gas emissions and promoting walking, biking and bus use.

Letter 24*

From: Miyagi Faye
To: Lynch, Jessica
Cc: CPAC-Forwarder-merchant30
Subject: Jackson Highway Challenges & Dangers for Rancho Murieta Residents
Date: Wednesday, October 30, 2019 4:02:03 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Hello,

Thank you for taking our input regarding the Jackson Highway corridor. We moved to Rancho Murieta community last year to be closer to family again. There are only two real roads to get to the community: Jackson Highway and Stonehouse Rd. The traffic during rush hour or even during midday can get very congested. Impatience on the 2-lane highway can and has been deadly. To avoid hitting a deer, a cyclist or a car that's passing on a narrow road has given many people almost a heart attack. The road is not only narrow but it's pitch black dark during early morning and evening hours. My husband was hit by a deer coming from the opposite direction. There's little shoulder and if you do not drive a truck, hitting the gravel or ditch can cause the driver to lose control or damage your tires. Cars tailgate even when going 60 miles an hour….they want to go 70 or 80. Many think it's a country road so why not, but it's not designed for the speed. Stonehouse Rd is no better. It has many curves and hills. It's full or potholes and floods in the rainy season.

We do not know what's feasible to improve these roads and I'd think widening the road is one option; maybe adding passing lanes and turnabouts are options; adding a third access road or overpass might be another. More housing and people are inevitable now it's time for a 50-year plan.

Thank you,
Faye Miyagi

From: T&J Vandell
To: Lynch, Jessica
Cc: CPAC-Forwarder-merchant30
Subject: Traffic Safety Jackson Highway
Date: Thursday, October 31, 2019 11:35:08 AM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Living off Indio Drive, at commute times it is very difficult to cross traffic to head west on Jackson. A traffic light would be cost prohibitive, however, a slower speed limit between Rancho Murieta and Dillard Road could be helpful.

Joy Vandell

Sent from my iPhone

Letter 24*

From: Lisa Meyer
To: Lynch, Jessica
Cc: CPAC-Forwarder-merchant30
Subject: Jackson Hwy Corridor
Date: Wednesday, October 30, 2019 10:36:00 AM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

It's come to my attention that you are taking comments on the EIR for the Jackson Township and Highway 16 Corridor until 10/31. As such, I wanted to share that the commute along Highway 16 is already bad and will become impossible given the proposed plan for that Highway 16. My 14 mile commute from Sloughhouse to work at Florin-Perkins Road has grown from 20 minutes to 40+ minutes over the last 5 years. The intersection at Grant Line and Hwy 16 backs up in all directions every morning. The intersection at Bradshaw and Hwy 16 is even worse. Both intersections have motorists driving along the shoulder to turn northbound from Hwy 16. This is illegal and dangerous. I see that the plan doesn't include widening Hwy 16 beyond Sunrise. The residents east of Sunrise need the congestion fixed. Not made worse by funneling East-West traffic on Highway 16. I can't begin to imagine how long my 14 mile commute will take if this plan is implemented.
Thank you for the opportunity to comment.
Lisa Meyer

Letter 24*

From:	Melissa Adams
To:	Lynch, Jessica
Cc:	CPAC-Forwarder-merchant30
Subject:	Jackson Township EIR
Date:	Thursday, October 31, 2019 2:12:34 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Ms. Lynch,

I live in Rancho Murieta and commute to Sacramento for work. Right now it takes me about 45 minutes to an hour to get to work. Your proposed "Funnel" of traffic for Highway 16 is absurd. This new plan would just create more traffic problems on Highway 16. Rancho Murieta is filled with families that drive Hwy 16 to take kids to school, and commute for work. PLEASE DO NOT FUNNEL THE TRAFFIC ON HIGHWAY 16!

Melissa Adams
Rancho Murieta Resident

Letter 24*

From: Michael Gomes
To: Lynch, Jessica
Cc: CPAC-Forwarder-merchant30; Kara Gomes
Subject: Jackson Hwy traffic & congestion
Date: Wednesday, October 30, 2019 11:31:13 AM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Sac County Planning commission,

I am writing to you, as you are interested in understanding traffic issues from Sac County taxpayers regarding congestion on Highway 16 "Jackson Hwy" between Sacramento and Amador Counties. My wife and I have been Sacramento County residents for nearly 15 years, moving to the community of Rancho Murieta in January of 2005. My office is in Livermore, but frequently my job requires me to travel so often I drive the route to airports in Sacramento (SMF) or San Francisco (SFO). Congestion during the Morning hours (7am to 9am) and afternoons (3pm to 6:30pm), can be particularly difficult, especially from Dillard road to Howe Ave at each main artery intersection for North South roads adjoining Hwy 50. Most recently, a trip to SMF airport that takes 40 minutes at 5-6am, at 7:30 am recently took approximately 80 minutes, with 60 minutes in the described corridor. This is a normal occurrence for travel during these critical time windows and as residents we budget an additional 30-60 minutes of travel time, each way, simply for Highway 16 traffic depending upon time of day. This situation is most noticeable when residents of East Sac County are commuting into urban centers or returning home in the evenings. It is also frequently strained, as Prison guards commuting to Folsom and Amador counties are coming on and off shifts for the 7am and 3pm shift changes.

We thank you for your consideration of issues impacting taxpayers and our quality of life. If you have any follow up questions, our home phone number is 916 354 2758.

Kind Regards,
Mike

Michael Gomes,
VP Business Development IoT
Topcon Agriculture

Office: 925 245 8461
Cell: 925 337 6792



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Letter 24*

From: Melinda Martel
To: Lynch, Jessica
Cc: CPAC-Forwarder-merchant30
Subject: Jackson Hwy
Date: Thursday, October 31, 2019 9:25:55 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

As a longtime resident of Rancho Murieta, I am voicing my dissatisfaction over the changes you are making that will significantly increase my already nightmarish commute into town. Jackson Hwy was straightened years ago, a process that was many years in the making and the day they started straightening it, was the day we outgrew the new road and it has been progressively worse since. Now we are stuck at the Sloughhouse corn stand to get thru Grant Line, as soon as you pass Grant Line, you have to wait for Sunrise to clear. If Deer Creek runs over all that traffic funnels back onto Jackson Hwy. It then becomes a parking lot. Coming down sunrise at 4 pm, you are held up at z Keifer, but it does move, Jackson Hwy does not, the lights let few thru, there are no turn lanes and the Amador traffic in addition to all the drivers (school buses are unreliable, lots of students) make Jackson Hwy commute a nightmare and your proposals will significantly impact it for the worse. Please reconsider.
Melinda Martel, Resident, Rancho Murieta

EXHIBIT I

EXHIBIT I

State of California – Transportation Agency GAVIN NEWSOM, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
East Sacramento Area
11336 Trade Center Drive
Rancho Cordova, CA 95742
(916) 464-1450
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

October 28, 2019

File No.: 260.15702

Governor's Office of Planning & Research
OCT 30 2019
STATE CLEARINGHOUSE

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

The East Sacramento Area Office of the California Highway Patrol recently received a "Notice of Completion," Environmental Impact Report for the proposed Jackson Township Specific Plan, State Clearing House (SCH) #2013082017. After our review, we have concerns with the potential impact this project could have on traffic congestion, and an increase in calls for service.

Our concerns relate to the proposed construction of a master planned community to include up to 6,043 residential units, 33.6 acres of office space, 76.9 acres of commercial property, 100 acres for elementary/middle/high schools. This project is located along the Jackson Road corridor and Excelsior Road in Sacramento County. There are several major roadways that will be impacted by the increased traffic congestion. Jackson Highway, State Route 16 (SR-16), is a two lane undivided highway with minimal shoulders, surrounded by agricultural fields. SR-16 already experiences significant traffic delays/congestion during commute hours and heavy commercial vehicle traffic due to the commercial businesses within the area, and the County Landfill. SR-16, Sunrise Boulevard, Zinfandel Drive, Bradshaw Road, and Mather Field Road are roadways within our jurisdiction and the California Highway Patrol, South Sacramento Area's jurisdiction that are significant ingress and egress routes that will be used to access the proposed community from both US Highway 50 and State Route 99 (SR-99). There are numerous cross streets within the vicinity of the planned project that will also see an increase in traffic congestion.

The aforementioned roadways currently experience traffic congestion during commute hours, and without proper traffic management engineering prior to the development of the proposed community, traffic congestion will significantly increase. This project could have a negative impact on our operations due to the increased traffic congestion, which ultimately will lead to an increase in traffic collisions and calls for service within our jurisdiction as well as our bordering South Sacramento Area.

If you have any questions regarding these concerns, please contact Lieutenant Johnson at (916) 464-1450.

Sincerely,

R. M. JOHNSON, Lieutenant
Commander

cc: State Clearing House
Valley Division
Special Projects Section

[redacted]

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #2013082017

Project Title: Jackson Township Specific Plan
Lead Agency: Sacramento County — Contact Person: Jessica Lynch, Senior Planner
Mailing Address: 827 7th Street, Room 225 — Phone: (916) 874-8379
City: Sacramento — Zip: 95814 — County: Sacramento

Project Location: County: Sacramento — City/Nearest Community: Mather
Cross Streets: Jackson Road & Excelsior Road — Zip Code: 95655
Longitude/Latitude (degrees, minutes and seconds): ___° ___' ___" N / ___° ___' ___" W Total Acres: 1,391
Assessor's Parcel No.: — Section: — Twp.: — Range: — Base:
Within 2 Miles: State Hwy #: — Waterways: Morrison & Elder Creeks
Airports: Mather — Railways: — Schools: Mather Heights, McGar[illegible]

Document Type:

CEQA: ☐ NOP ☒ Draft EIR — NEPA: ☐ NOI — Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) ☐ Draft EIS ☐ Other:
☐ Mit Neg Dec Other: ☐ FONSI

Local Action Type:

Governor's Office of Planning & Research
SEP 16 2019
STATE CLEARINGHOUSE

☐ General Plan Update ☒ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other:

Development Type:

☒ Residential: Units 6,043 Acres 577.5
☒ Office: Sq.ft. 731,800 Acres 33.6 Employees
☒ Commercial: Sq.ft. 837,300 Acres 76.9 Employees
☐ Industrial: Sq.ft. Acres Employees
☒ Educational: 100 acres for elementary/middle/high schools
☒ Recreational: 78.3 acres of community & neighborhood park
☐ Water Facilities: Type MGD

☒ Transportation: Type 104.6 acres of primary roadways
☐ Mining: Mineral
☐ Power: Type MW
☐ Waste Treatment: Type MGD
☐ Hazardous Waste: Type
☐ Other:

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☒ Recreation/Parks ☒ Vegetation
☒ Agricultural Land ☒ Flood Plain/Flooding ☒ Schools/Universities ☒ Water Quality
☒ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☒ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☒ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☒ Soil Erosion/Compaction/Grading ☒ Growth Inducement
☐ Coastal Zone ☒ Noise ☒ Solid Waste ☒ Land Use
☒ Drainage/Absorption ☐ Population/Housing Balance ☒ Toxic/Hazardous ☒ Cumulative Effects
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☐ Other:

Present Land Use/Zoning/General Plan Designation:

Light Industrial (M-1), Agricultural 80 (AG-80), and Interim Agricultural Reserve (IR)

Project Description: *(please use a separate page if necessary)*

The Project includes a land use plan that would provide for a variety of residential, public, park, open space, and employment-generating uses such as office, commercial, and retail. It would provide for a diverse community that can accommodate a wide range of residents in various housing types in proximity to existing and planned job centers, including new jobs created within the Plan Area. Much of the eastern portion and the area north of Kiefer Boulevard in the Plan Area would be occupied by a wetland and habitat preserve. Another key feature of the Plan Area is a large, centrally located greenway/drainage corridor with a trail on one side that has been designed to provide easy, non-vehicular linkages from one end of the community to the other.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

10-16

EXHIBIT J

EXHIBIT J

Lisa Infusino
4529 Rosecliff Circle
Mather, CA 95655

October 9, 2019 via email: lynchje@saccounty.net

Jessica Lynch
Senior Planner
County of Sacramento (the "County")
Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814

RE: Jackson Township Specific Plan (the "Plan")
Control Number: PLNP2011-00095
State Clearinghouse Number: 2013082017

Dear Ms. Lynch:

Thank you for the opportunity to review and comment on the Draft EIR. I'm a resident of the Independence at Mather Community (the "Community") and am deeply concerned with the traffic impacts that the Plan will have on the Community. The traffic study (appendix TR-1) tables and various studies neglect to include the impact to the portion of the Community located on Excelsior Road-Mather Blvd. This exclusion is throughout the traffic study and is referenced as footnote 4. Why was this segment excluded and what impacts does the exclusion have on the data?

Traffic Study (appendix TR-1), pages 127 and 160, tables 4.4 and 4.11:
Project line item 83, please explain how and why the traffic volume decreases from 6,751 to 4,400 after the Plan and additional projects. This does not make sense.

Traffic Study (appendix TR-1), pg. 71 table 3.5:
Project line item 83, shows a level "F" of service from the Plan area north to Douglas Blvd. The mitigation listed in table 3.15 on page 108 suggests widening lanes to County levels. Please explain how this mitigation will help to reduce the traffic impact. The section of the road located within the Community is excluded. The lane transitions before and after the Community will only cause accidents to occur due to veering.

The northern/southern entrance into the Plan area is via Excelsior Road or via Sunrise Blvd. Excelsior Road is a two lane narrow street with vehicle parking on one side only. One car in each lane barely fits due to the narrow width of the street. Given the increased traffic on Excelsior, how are fire trucks and other large sized emergency response vehicles going to be able to navigate through the stopped traffic during peak commute time? There is no room on either side for expansion due to the proximity of the existing residences.

Summary pages, ES-49 through ES-52:
Many traffic impacts are categorized as "S" "significant" to "SU" "significant and unavoidable". As detailed and discussed, while construction and development of the Plan progresses, street and road improvements will not necessarily occur concurrently. Rather, a transportation tool will prioritize the road projects for the entire County which will include roads not directly impacted by the Plan. The draft EIR makes reference to the Douglas Road Extension Bypass, however construction of the bypass does not appear to be a requirement for the Plan to move forward. Simply put, Excelsior Road cannot handle the additional volume of traffic that the Plan will bring to the Community and the Plan should be rejected.

Respectfully,

Lisa Infusino

EXHIBIT K

EXHIBIT K

Letter 24*

a fresh take.
RANCHO CORDOVA
CALIFORNIA

October 10, 2019

Jessica Lynch, Senior Planner
Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814

Subject: Jackson Township Draft EIR- Transportation Impact Report Jackson Township Specific Plan Amendment

Dear Ms. Lynch:

The City of Rancho Cordova appreciates the opportunity to comment on the draft Environmental Impact report for the Jackson Township Specific Plan. As this project is directly adjacent to the City of Rancho Cordova, we are very interested in how we can logically coordinate our development efforts.

We have attached our response from September 21, 2018 on the New Bridge Specific Plan DEIR as both projects are tiered off the same Four Jackson Corridor Project's cumulative analyses. This letter summarizes our concerns on the cumulative Four Jackson Corridor Project impacts.

For the Jackson Township project, we would like to have a better understanding of how Sacramento County will participate on impacted roadway facilities that are jointly held by the City and the County. We are particularly interested in the timing of funding and improvements on the following impacted roadway segments and intersections

- Sunrise Boulevard, Jackson Highway to Kiefer Boulevard
- Jackson Highway, Sunrise Boulevard to Grant Line Road
- Happy Lane/ Old Placerville intersection, and
- Functionality improvements along Grant Line Road (safety improvements and shoulders)

We look forward to your response on the broader issues described in our September 20, 2018 letter and hope to meet with you to discuss shorter term improvement strategies.

Sincerely,

Albert Stricker, P.E.
Director, Public Works Department

Attachment: September 2018 letter, NewBridge Specific Plan

a fresh take.
RANCHO CORDOVA
CALIFORNIA

September 20, 2018

ATTACHMENT TO 2019 EIR LETTER

Jessica Brandt, Lead Environmental Planner
Department of Community Development
Planning and Environmental Review Division
827 7th Street, Room 225
Sacramento, CA 95814

Subject: **City of Rancho Cordova's Comments on the NewBridge Specific Plan Draft Environmental Impact Report (County Control Number: PLNP2010-00081)**

Dear Ms. Brandt,

The City of Rancho Cordova appreciates the opportunity to comment on the Draft Environmental Impact Report for the NewBridge Specific Plan. We are very interested in this project due to its size and because of its location adjacent to The City.

General Thoughts

We recognize that this document is a Program EIR that will be used to support subsequent environmental analyses within the Specific Plan Area. We are also assuming that this effort will be used to support analyses for the other Jackson Corridor projects; Mather South, Jackson Township and West Jackson Highway.

The bulk of our comments relate to the Transportation Impact Report, Appendix TR-1. While our comments address the NewBridge project, we will also comment on transportation analysis scenarios that include all four Jackson Corridor projects.

The CEQA Cumulative scenario is a significant effort that attempts to envision circulation effects and transportation impacts in a future that builds communities supporting nearly 100,000 new homes south of Highway 50. This is an ambitious effort that attempts to avoid piece-meal evaluations so that we can have a clear vision of what could occur when all contemplated developments are built. The City of Rancho Cordova sees value in this analysis, but is concerned about the practicality of planning for developments that will take, at least, decades to build. The CEQA Cumulative vision is useful for planning, but the vision will likely change dramatically over the next century. We anticipate that new technology and changing social and economic realities will redirect development planning along Jackson Highway as these projects are further developed.

Parks and Recreation

The City believes that there are many benefits to providing adequate parks and reactional facilities for residents within a community. The NewBridge Specific Plan includes various neighborhood and community parks, as well as open space areas that provide an opportunity for pedestrian and bike pathways. Upon review of the NewBridge Specific Plan Public Facilities Financing Plan, park construction cost estimates were determined by utilizing the Cordova Recreation and Park District (CRPD) Impact Fee Nexus Study and funding for the park improvements will be through the payment of the CRPD impact fee. Adopting the CRPD Park Impact fee will ensure that a similar level of park and recreational facilities enjoyed by the residents of the City of Rancho Cordova will also be constructed for the residents of NewBridge.

Transportation

City/County Cost Sharing

In 2015 the County Board and City Council entered into an agreement to share transportation improvement costs associated with environmental impacts across jurisdictions. This agreement is based on the existing plus project scenarios associated with development projects in either jurisdiction. It is our intent to identify Jackson Corridor Development impacts within Rancho Cordova based on the Existing Plus 4 Projects scenario, and then to apply percentage cost shares for improvements based on travel use percentages identified in the CEQA Cumulative model.

The Mather Field Road/Rockingham and Highway 50 EB Ramps/Zinfandel intersections are impacted in the Existing Plus 4 Projects scenario and the EIR identifies these impacts as unavoidable. This is not a complete evaluation. Mitigations projects need to be identified for these impacts.

As a note we recognize that City and County General Plan build-out networks were considered for mitigation. The County has gone on to identify mitigations that go beyond the County General Plan build-out network. We would like to see similar analysis for City mitigations that go beyond the City's General Plan build-out network.

Joint Roadways *Boarder Roads managed by both the City and County*

Many impacts and mitigations identified in the "plus project" EIR scenarios fall on joint City/County facilities; Sunrise Boulevard, Jackson Highway, Bradshaw Road and Old Placerville Road. The City would like to create a mechanism to assure timely County participation on improvements to these facilities as the City moves forward with capital improvements on these roadways. We are requesting the initiation of an effort to move that process forward.

Existing Plus 4 Projects Scenario

Bradshaw Road from Old Placerville Road to Lincoln Village drive, including the Old Placerville intersection are impacted and there is no mitigation project identified. This is an incomplete evaluation. Mitigations projects need to be identified for these impacts.

CEQA Cumulative Scenario

Mitigation projects for several links fully within Rancho Cordova City Limits and along the City/County boundary have not been identified. This is an incomplete evaluation. Mitigations projects need to be identified for these impacts.

Within city limits:

- Keifer Boulevard, Sunrise Boulevard to Rancho Cordova Parkway
- Sunrise Boulevard, Douglas Road to Rio del Oro Parkway
- Rancho Cordova Parkway, Rio del Oro Parkway to White Rock Road
- Old Placerville Road, Routier Road to Rockingham Drive (partially a boarder roadway)
- Sunrise/Douglas Intersection
- Mather Field/Rockingham Intersection

Along boarder:

- Bradshaw Road, Old Placerville Road to Highway 50 EB ramps, including the Highway 50 EB Ramps and Old Placerville Road Intersections
- Happy Lane/ Old Placerville Road Intersection

Transit

As the transit system is being developed within the City of Ranch Cordova and along the Jackson Corridor, both agencies along with transit service providers should develop a joint concept for service. Independent transit plans designed for individual developments are inefficient and not useful to the traveling public. A statement of joint transit system development should be added to the EIR.

Technical

The Mather Field Road/Rockingham intersection delay is reduced by 9.7 seconds with the addition of the NewBridge traffic. We would like to verify that this is an accurate report. Page 76 TIS.

The legend on the graphic for Trip Distribution does not match the percentage labels. Page 118, 191, 273 TIS.

Sincerely,



Albert Stricker, PE
Director of Public Works
City of Rancho Cordova

cc: Darcy Goulart, Planning Manager, City of Rancho Cordova
Todd Smith, Sacramento County
Jessica Brandt, Sacramento County

a fresh take.
RANCHO CORDOVA
CALIFORNIA

PLANNING DEPARTMENT
2729 Prospect Park Drive | Rancho Cordova, CA 95670
Phone: (916) 851-8750 | Fax: (916) 851-8762

October 31, 2019

Ms. Jessica Lynch, Senior Planner
Sacramento County
Office of Planning and Environmental Review
827 7th Street
Sacramento, CA 95814

Subject: Jackson Township Specific Plan Draft EIR

Dear Ms. Lynch,

The City of Rancho Cordova appreciates the opportunity to provide comments on the draft Environmental Impact Report for the Jackson Township Specific Plan.

The City believes that there are many benefits to providing adequate parks and recreational facilities for residents within a community. The Jackson Township Specific Plan includes various parks, as well as open space areas that provide an opportunity for pedestrian and bike pathways. The City encourages the County to adopt the Cordova Recreation and Park District (CRPD) Impact Fee for construction of these various parks. Adopting the CRPD Park Impact fee will ensure that a similar level of park and recreational facilities enjoyed by the residents for the City of Rancho Cordova will also be constructed for the residents of the Jackson Township community.

If you have any questions regarding this letter, please give me a call at 916-851-8784.

Sincerely,

Darcy Goulart

Darcy Goulart
Planning Manager
City of Rancho Cordova

EXHIBIT L

EXHIBIT L

From: Carl L. Werder <carl.l.werder@gmail.com>
Sent: Wednesday, November 20, 2019 11:23 AM
To: Smith. Todd <smithtodd@saccounty.net>
Cc: Tom Nelson <tanelson@citlink.net>
Subject: Groundwater Information

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

Todd,

You requested this information at the Vineyard meeting last Thursday. The point of my presentation was to alert everyone to the fact that there may not be water available for all of this development along Jackson Hwy. Sacramento Central Groundwater Agency (SCGA) is now tasked with developing a Groundwater Sustainability Plan (GSP) by January 2022. (See Draft Plan Schedule)

SCGA originally submitted an Alternative Plan to DWR that was shot down this year. The primary reason for the denial of the Alternative Plan is the reliance on the negotiated groundwater extraction amount of 273,000 AF/yr. There is no scientific bases for this amount of groundwater extraction. Therefore, SCGA has until January 2022 to develop a GSP that scientifically determines a groundwater sustainability amount to insure that the basin remains at historical groundwater levels.

As part of your office's documents in support of development along Jackson Hwy is the attached Water Supply Assessment dated January 9, 2018. (See attached File) If you look at page 18 of this document you will see the paragraph I marked that talks about the Central Basin GMP. SCGA must address trigger points from the plan, but they have yet to do so. I've included one page showing these trigger points from the 2006 GMP. (See GMP 2006 trigger Points)

As you can see by SCGA-6 monitoring well located on Eagles Nest Road between Florin and Grantline Roads the groundwater has dropped 50 feet in 15 years. (See attached SCGA-6 2019 and Monitoring Well Location Map) Note that the groundwater elevation has been below the WF low threshold for many years, a trigger point. This is just one example as a cone of depression exists under the Vineyard area. (See Fall 2018 GW Elevations) The red lines I've added are Jackson Hwy, Florin and Excelsior Roads. I've included an existing Supply Facilities map from 2014 so you can see the problem if additional wells are developed at the Excelsior Wellfield. Additional wells will only increase the problem we already have in this area.

As I stated on Thursday, the problem is that this area is not being recharged due to Aerojet's extraction wells to contain their contaminates. Any plans to use surface water at the Vineyard Treatment Plant are subject to USBR available quantities of water under contract. I understand that this water is third tear water subject to ups and downs of mother nature.

If you have any additional questions please respond to this email. Also, please accept this document and it's attachments as my comments to any and all environmental documents for these Jackson Hwy development projects.

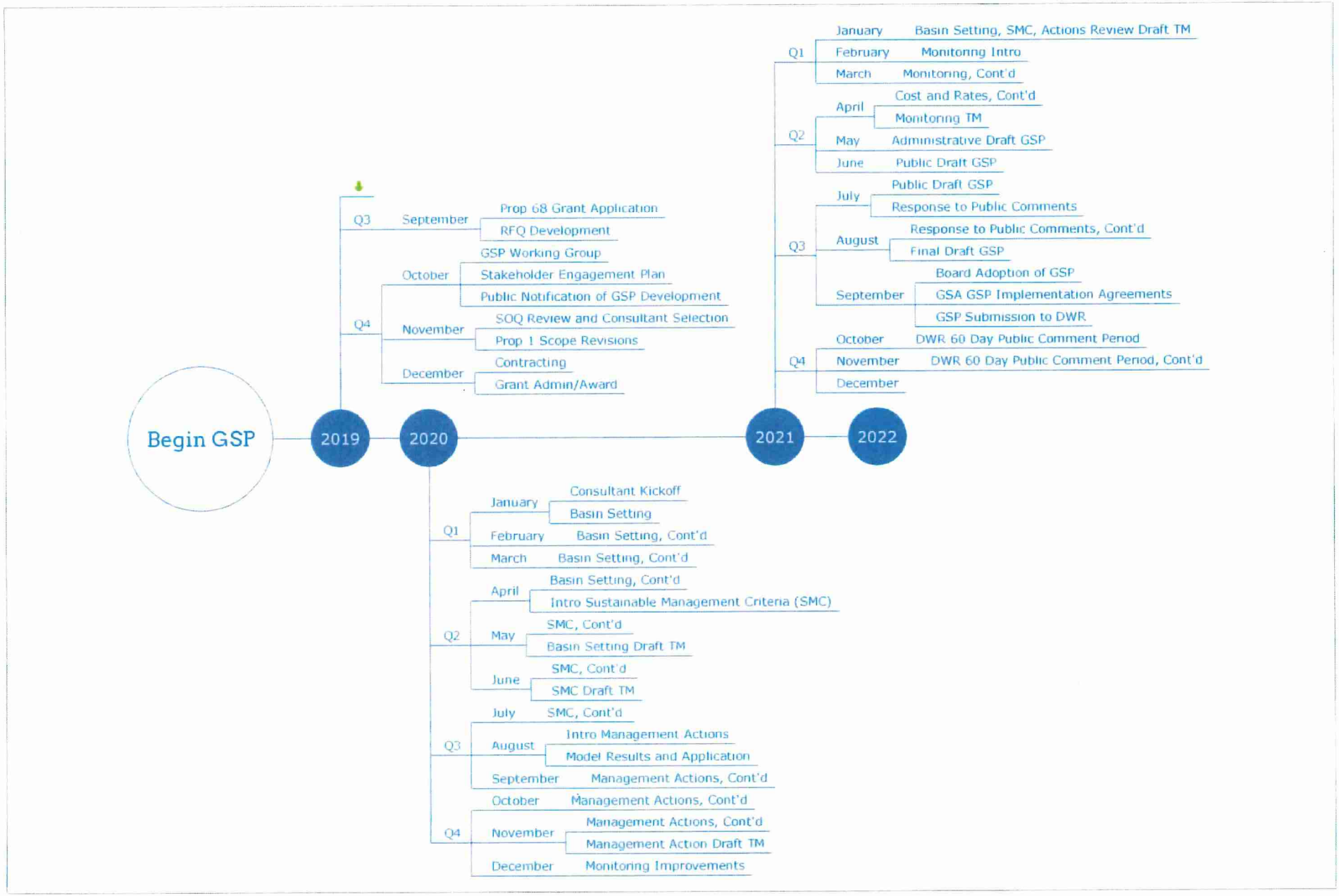
Thank you,
Carl Werder, Ag-Res SCGA Director

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Letter 24*

#7

Draft SCGA GSP Development Milestones for Discussion Purposes Only



Letter 24*

August 10, 2019

Letter 24*

SACRAMENTO COUNTY WATER AGENCY
CALIFORNIA

32

APPROVED
BOARD OF DIRECTORS
JAN 09 2018
By Florence Evans
Clerk of the Board

For the Agenda of:
January 9, 2018

To: Board of Directors
Sacramento County Water Agency

From: Department of Water Resources

Subject: Approval Of Water Supply Assessment For Mather South

Supervisorial District(s): Nottoli

Contact: Michael Grinstead, Senior Civil Engineer, 875-7276

Overview
In accordance with sections 10910-10915 of the California Water Code (Water Code), the County of Sacramento has requested that the Sacramento County Water Agency (SCWA) update the previously adopted Water Supply Assessment (WSA) for the Mather South project. The WSA for this project has been revised to reflect changes in land use which result in a significant decrease in water supply needed for the project. The Water Code requires that SCWA's Board of Directors approve the revised WSA at a regular or special meeting.

Recommendations
Approve the updated Mather South WSA.

Measures/Evaluation
Not applicable to this agenda item.

Fiscal Impact
Approval of this assessment will not result in any fiscal impact or obligation to SCWA.

BACKGROUND

The Water Code requires coordination between land use agencies and public water purveyors to ensure that water supplies are adequate to meet existing and planned future demands. Water Code sections 10910-10915 require that land use lead agencies:

1. Identify the public water system for any proposed development project subject to CEQA.

3. Groundwater resource protection; including well construction policies, well abandonment and destruction policies, wellhead protection measures, protection of recharge areas, control of the migration and remediation of contaminated groundwater, and control of saline water intrusion.
4. Groundwater sustainability; including demand reduction.
5. Planning integration; including existing integrated planning efforts, urban water management planning, Drinking Water Source Assessment and Protection (DWSAP) program, land use planning, and integrated groundwater and surface water modeling.

The Central Basin GMP also has an implementation plan that defines specific actions or trigger points and associated remedy activities linked with each of the BMOs. Once a trigger point has been reached, the Groundwater Authority must decide on a course of action.

Water quality analysis of the aquifers underling the Central Basin has shown that groundwater quality found in the upper aquifer system is of higher quality than that found in the lower aquifer system. This is principally because the lower aquifer system (specifically the Mehrten Formation) contains higher concentrations of iron and manganese and higher concentrations of total dissolved solids (TDS). Notwithstanding these findings, the lower aquifer typically meets water quality standards as a potable water source. Water from the upper aquifer (specifically the Laguna Formation) generally does not require treatment, unless high arsenic values are encountered, other than disinfection for public drinking water systems.

- **Sustainable Groundwater Management Act (SGMA)**

The Sustainable Groundwater Management Act (SGMA) was enacted by the legislature in 2014, with subsequent amendments in 2015. SGMA requires groundwater management in priority groundwater basins, which includes the formation of Groundwater Sustainability Agencies (GSAs) and the development of Groundwater Sustainability Plans (GSPs) for groundwater basins or subbasins that are designated by DWR as medium or high priority.

The designation of the priority of groundwater basins was done as part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program. CASGEM was developed in response to legislation enacted in California's 2009 Comprehensive Water package. The CASGEM Groundwater Basin Prioritization is a statewide ranking of groundwater basin importance that incorporates groundwater reliance and focuses on basins producing greater than 90 percent of California's annual groundwater. The CASGEM Program has ranked the South American Subbasin (5-21.65) as high priority.

SGMA directs DWR to identify groundwater basins and subbasins in conditions of critical overdraft. DWR identified such basins in Bulletin-118, 1980 and Bulletin 118, Update 2003. DWR issued an updated draft list of critically over drafted basins in July 2015. Neither of the two subbasins that supply SCWA is on the list.

Groundwater basins designated as high or medium priority and identified as critically over-drafted must be managed under GSPs, adjudications, or alternatives by January 31, 2020. All

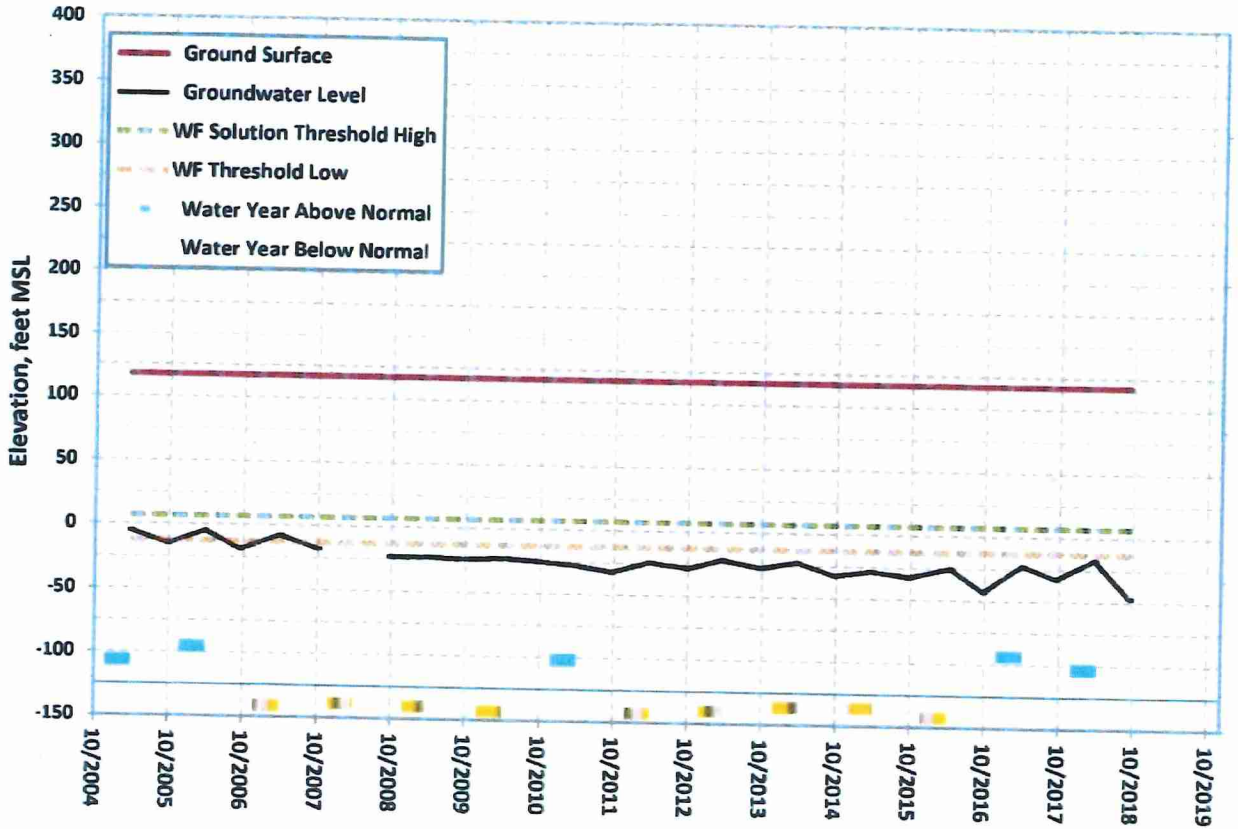
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Table 4-1. Monitoring Actions and Trigger Points (continued)

Monitoring Action	Trigger Points	Recommended Action
BMO No. 2. Maintain specific groundwater elevations within all areas of the basin consistent with the Water Forum "solution."		
A monitoring methodology to meet specific objectives in managing groundwater levels requires a systematic, repeatable, and scientific approach. The objective of this monitoring program is to take measurements from selected monitoring wells that have sufficient construction and hydrogeologic data. Wells will be assigned to represent the polygon areas defined in **Appendix B**, and may be grouped within the basin in areas that are sufficiently distinct in the makeup of hydrogeology and land use. Monitored groundwater levels for a well will be compared with the designated upper and lower groundwater level threshold for each polygon that is assigned to the well. The upper and lower thresholds are termed the "bandwidth" of the polygon.	Trigger Point 1. A 25 to 50 percent encroachment into the designated bandwidth of a polygon.	Alert stage that informs the basin governance body and the overlying groundwater extractor(s) that a specific polygon area is being compromised. Activation of this trigger will take place only after the cause of the condition is thoroughly investigated.
	Trigger Point 2. A 50 to 75 percent encroachment into the designated bandwidth of a polygon.	In the event groundwater level measurements hit Trigger Point 2 without first initiating Trigger Point 1, the recommended actions of Trigger Point 1 still apply. Additionally, this stage initiates a requirement to collect a fee to secure supplemental water supplies or to reduce pumping in a predefined area(s).
	Trigger Point 3. A 75 to 100 percent encroachment into the designated bandwidth of a polygon. This indicates continuously declining groundwater levels in an area even during wet and normal hydrologic cycles, indicating that excessive pumping is the probable cause.	Well owners with operating wells in the affected area(s) will be identified and notified of the basin's condition in their area. An assessment will be levied against those owners who continue to pump at the higher level. Every attempt will be made by the governance body to ameliorate the impact assessments to private domestic groundwater pumpers.
	Trigger Point 4. Over 100 percent encroachment into the designated bandwidth of a polygon.	If the recommended actions from the first three trigger points do not result in an improvement to the affected area(s), the basin governance body will need to consider which of two actions it will take. The first is to consider whether a lower groundwater level in the area is acceptable. If so, the basin governance body has the ability to adapt to the actual monitoring data and change the model-based thresholds for management in the area. If lower groundwater levels are deemed unacceptable, the second action would require finding supplemental water supplies and construct infrastructure for the area(s) and reduce pumping to allow groundwater levels to recover to acceptable levels. Fees in addition to Trigger Point 3 fees will be assessed to cover costs associated with this action.

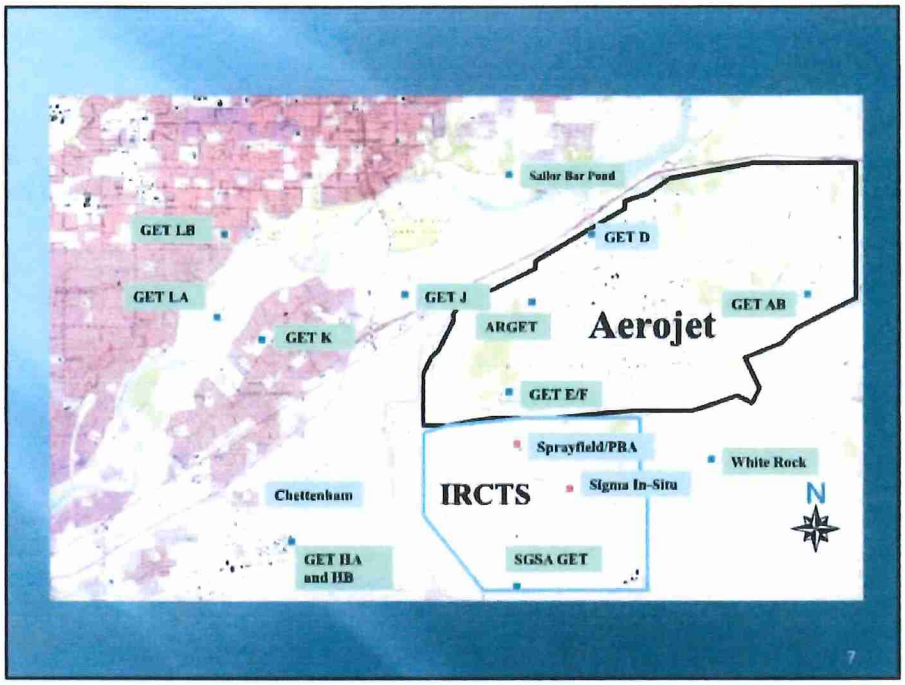
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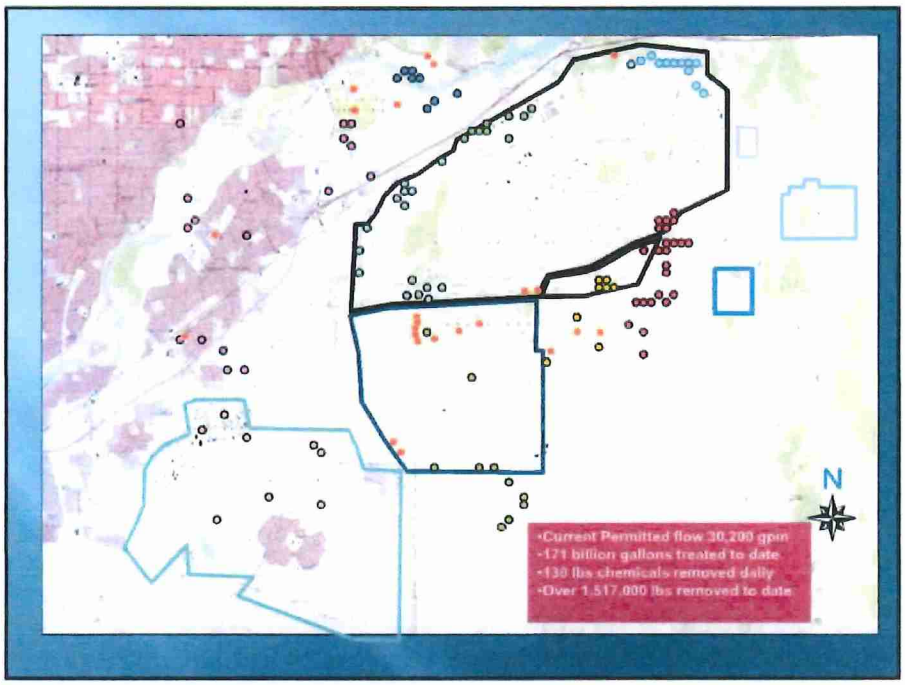
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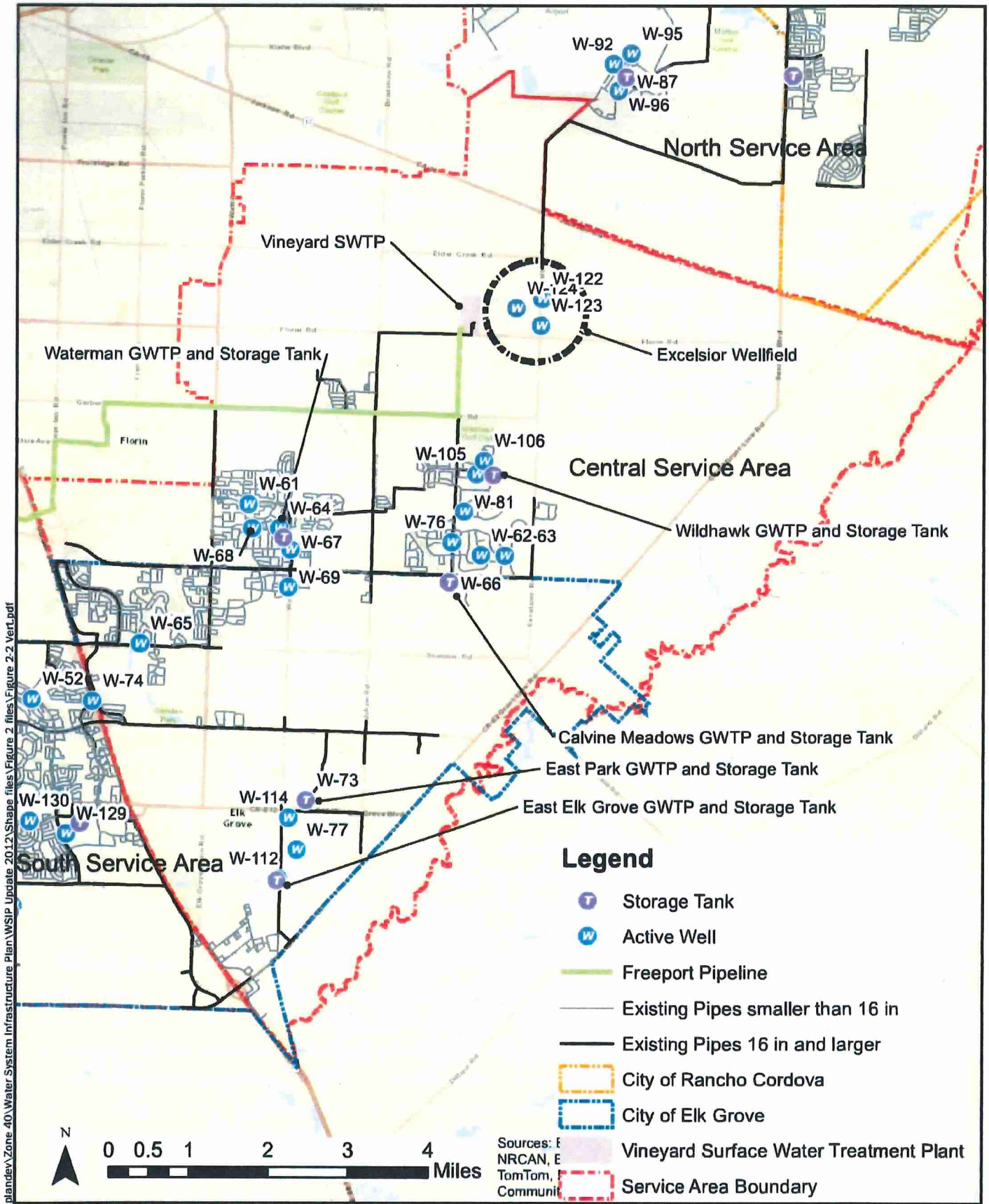
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Eagles West Road
South of Florin


Sailor Bar Pond
GET LB
GET D
GET LA
GET J
GET AB
ARGET
Aerojet
GET K
GET E/F
Sprayfield/PRA
White Rock
IRCTS
Sigma In-Situ
Chettenham
N
GET IIA and IIB
SGSA GET
7


N
•Current Permitted flow 30,200 gpm
•171 billion gallons treated to date
•130 lbs chemicals removed daily
•Over 1,517,000 lbs removed to date

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P:\Shared Folders\Wsplander\Zone 40\Water System Infrastructure Plan\WSIP Update 2012\Shape files\Figure 2 files\Figure 2-2 Vert.pdf

DATE	PROJECT	SITE		
11/12/14	143542		**Water System Infrastructure Plan Update**	**Figure 2-2**
Brown AND Caldwell / SACRAMENTO COUNTY WATER AGENCY		TITLE	**Existing Supply Facilities - CSA**	

Zone 40 WSIP

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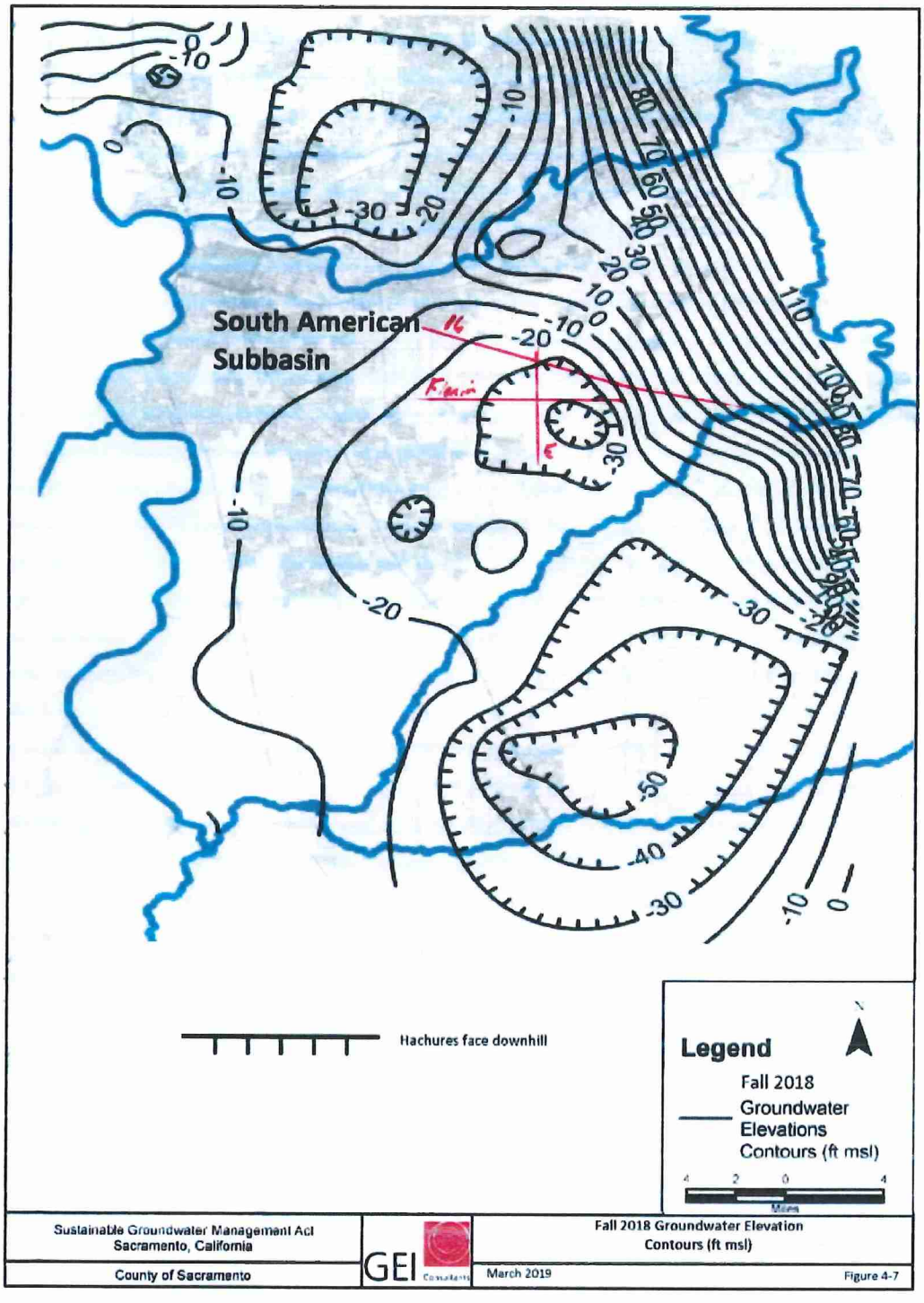


Figure 4-7 Fall 2018 Groundwater Elevations Contours with Monitoring Wells (ft msl)

Slide 7

Letter 24*

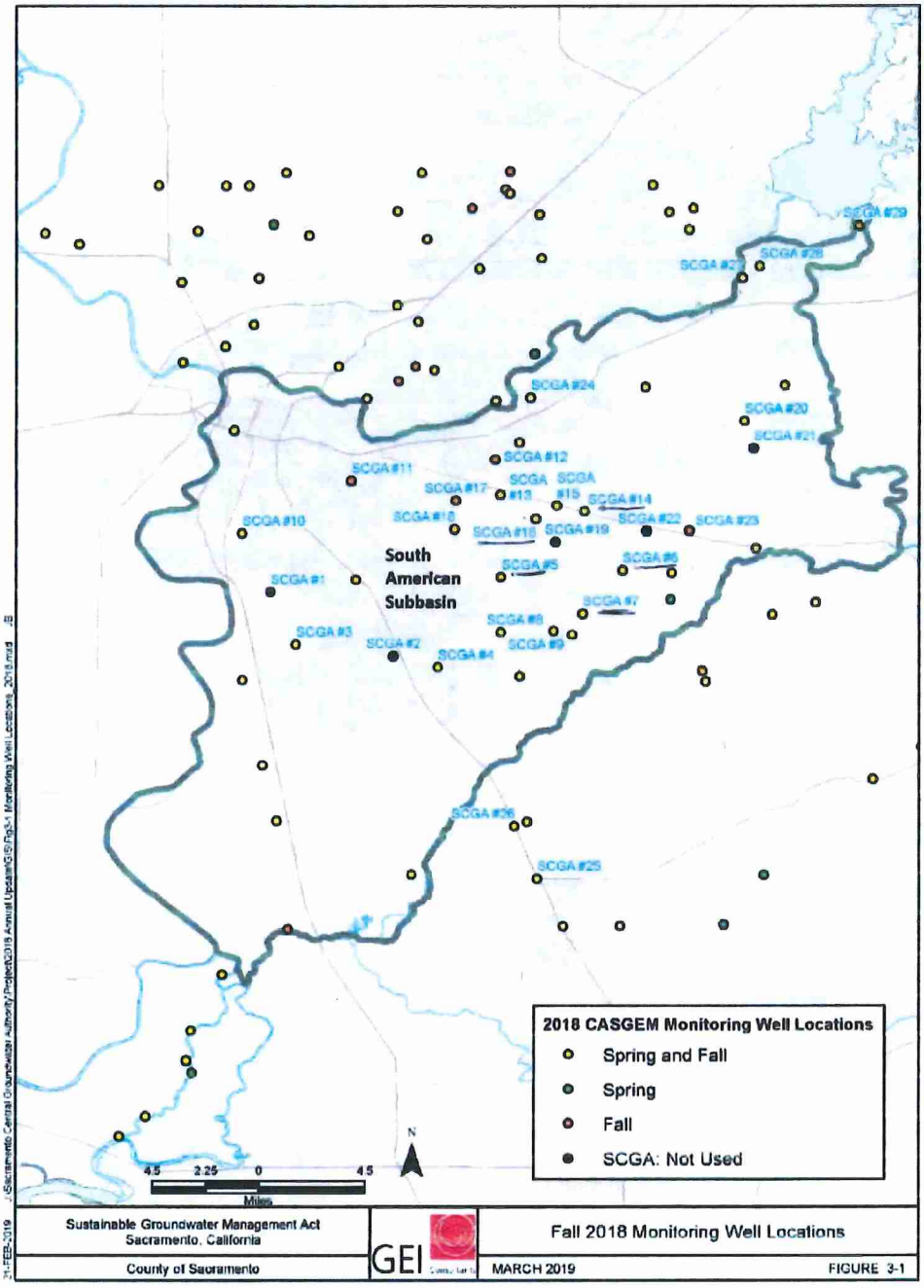


Figure 3-1 Spring and Fall 2018 Monitoring Well Locations

3.2.2 Frequency of monitoring

Monitoring frequencies for the groundwater elevation monitoring network vary from a minimum of bi-annual seasonal spring and fall measurements taken manually each year, to monthly measurements, often taken by private well owners and researchers for various

EXHIBIT M

EXHIBIT M

Department of Water Resources
Michael L. Peterson, Director

SACRAMENTO COUNTY
WATER AGENCY

Including service to the Cities of
Elk Grove and Rancho Cordova

Date: October 17, 2019

To: Jessica Lynch
Office of Planning and Environmental Review

From: Michael Grinstead – Senior Civil Engineer
Sacramento County Water Agency

Subject: SCWA Comments on Water Supply section of the September 2019 Jackson Township Specific Plan Draft Environmental Impact Report (EIR) Control Number: PLNP2011-00095 State Clearinghouse Number: 2013082017

The Sacramento County Water Agency (SCWA) has reviewed the Water Supply section of the subject document as it pertains to domestic water supply and has the following comments:

1. The document states "Future Expansion and implementation of planned projects in the NSA would be conducted by SCWA and would be subject to separate environmental review and approval." As noted in the EIR, the Jackson Township Specific Plan Area is not included in the 2030 Study Area analyzed in the 2005 Water Supply Master Plan. Therefore a Water Supply Master Plan Amendment (Amendment) was created for the Jackson Township Specific Plan Area. SCWA will rely upon this EIR to approve the Amendment. This EIR needs to provide environmental consideration for onsite and offsite infrastrucre required to approve the Amendment. SCWA will rely upon the Amendment to provide water service to Jackson Township.
2. The EIR should explain why the Water Supply Master Plan Amendment (Amendment) was created for the Jackson Township Specific Plan and explain why any differences in land uses or infrastructure between the EIR and the Water Supply Master Plan Amendment (Amendment) that was created for the Jackson Township Specific Plan are insignificant.