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## APPENDIX INTRO-1: NOTICES OF PREPARATION AND SCOPING COMMENTS

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**Todd Smith, Planning Director**  
Planning and Environmental Review



**Troy Givans, Director**  
Department of Community  
Development

**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**Planning and Environmental Review Division**  
**NOTICE OF PREPARATION**

**June 12, 2023**

**TO: ALL INTERESTED PARTIES**

**SUBJECT: NOTICE OF PREPARATION OF A DRAFT Subsequent ENVIRONMENTAL IMPACT REPORT for the Sacramento County Regional Housing Needs Allocation (RHNA) Rezone Project (PLNP2020-00042)**

Sacramento County (County) will be the Lead Agency under the California Environmental Quality Act (CEQA) for preparation of a Subsequent Environmental Impact Report (SEIR), consistent with Section 15162 of the State CEQA Guidelines, for a project known as the SACRAMENTO COUNTY REGIONAL HOUSING NEEDS ALLOCATION (RHNA) REZONE PROJECT (Project). This Notice of Preparation has been sent to responsible and trustee agencies and involved federal agencies pursuant to Section 15082 of the State CEQA Guidelines. Agencies should comment on the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project. Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 31 days after receipt of this notice. Late comments received prior to 5:00 PM Thursday July 13, 2023, will be considered.

The project description, location, and the probable environmental effects are contained in the attached materials and may also be viewed online at:

<https://planning.saccounty.gov/PlansandProjectsIn-Progress/Pages/Countywide-Rezone-Program.aspx>

Please send your Agency's response to this Notice to:

Leanne Mueller, Senior Planner  
Department of Community Development  
Planning and Environmental Review Division  
827 7<sup>th</sup> Street, Room 220, Sacramento, CA 95814  
or via e-mail at: [CEQA@saccounty.net](mailto:CEQA@saccounty.net)

Your response should include the name of a contact person in your agency.

Two scoping meetings will be conducted in associated with this project; one will be tailored for the general public and one will be tailored for other agencies.

- The public meeting will take place at 6 PM on June 27, 2023; the zoom link is here: <https://saccounty-net.zoomgov.com/j/1607749221?pwd=OURXb0NiT2IKN2Z4YW5laHdmZVkvUT09>
- The agency meeting will take place at 10 AM on June 27, 2023; the zoom link is here: <https://saccounty-net.zoomgov.com/j/1616308719?pwd=SWN3a1lwT3NibWc1YUF6eGU3TXo1UT09>

827 7<sup>th</sup> Street, Room 225 • Sacramento, California 95814 • phone (916) 874-7914 • fax (916) 874-8343 • [www.saccounty.net](http://www.saccounty.net)

## **PROJECT TITLE**

SACRAMENTO COUNTY REGIONAL HOUSING NEEDS ALLOCATION (RHNA) REZONE PROJECT

## **CONTROL NUMBER**

PLNP2020-00042

## **PROJECT BACKGROUND**

California Government Code Sections 65583 and 65583.2 require cities and counties to provide a parcel-specific inventory of appropriately zoned, available and suitable sites to provide housing opportunities for all income levels. The Regional Housing Needs Allocation (RHNA) for the County's 2021-2029 Housing Element includes 21,272 units, of which 7,158 units are lower-income extremely low income, very low income, and low income housing units (referred to collectively as lower-income units). While the County's 2021-2029 Housing Element demonstrates that the County has sufficient residential capacity to accommodate its RHNA for moderate and above moderate income housing units, there is a current shortfall of 142 acres to accommodate 2,884 lower-income units.

## **PROJECT DESCRIPTION AND LOCATION**

To meet the RHNA for the County's 2021-2029 Housing Element, the County is required to rezone sufficient sites at 30 dwelling units per acre or greater for 2,884 lower income units for those with incomes ranging from \$0 to \$69,050 annually. To meet the RHNA requirements and provide a buffer to accommodate for the "no net loss" provisions of State law for residential units, the County would rezone 165 acres (142 acres and approximately a 15 percent buffer) for lower income units. In addition, the project includes parcels that would be rezoned to provide for moderate inventory opportunity sites. Fourteen parcels totaling 20.88-acres are proposed for rezoning to either the RD-10 or RD-15 designation to provide 211 units.

Plate 1 shows proposed rezone sites.

The Zoning Code would also be amended to ensure compliance with the provisions of Government Code Section 65583.2, in particular, for by-right development and default densities for lower income units by adding language to Chapter 2 (Zoning Districts), Chapter 3 (Use Regulations), and Chapter 5 (Development Standards). These amendments will ensure the Zoning Code allows developments in which 20 percent or more of the units are deed-restricted affordable to lower income households are allowed by-right on vacant sites, even if development exceeds 150 units, and default densities of at least 30 dwelling units per acre for lower income units are in place. Proposed changes to the County's Zoning Code are shown in Table 1 and Table 2.

Proposed changes to *Table 2.4 Table of Residential Zoning Districts of the Zoning Code*, as shown in Table 1, would remove the maximum permitted density for multiple family residential development. Program A1 of the 2021-2029 Housing Element provides a minimum density of 20 units per acre and a maximum density of at least 30 units per acre. Removal of the maximum density allows for additional housing density in accordance with State law, while still meeting the minimum requirements.

**Table 1. Proposed Revisions to Table 2.4 Table of Residential Zoning Districts**

<b>Zoning District</b>	<b>Zoning District Abbreviation</b>	<b>Permitted Development</b>
Multiple Family Residential 20	RD-20	Same as RD-15 except allowing a <del>maximum</del> density of 20 dwelling units.
Multiple Family Residential 25	RD-25	Same as RD-15 except allowing a <del>maximum</del> density of 25 dwelling units.
Multiple Family Residential 30	RD-30	Same as RD-15 except allowing a <del>maximum</del> density of 30 dwelling units.
Multiple Family Residential 40	RD-40	Same as RD-15 except allowing a <del>maximum</del> density of 40 dwelling units.

Note: For Densities and provisions to exceed densities refer to Section 5.2.3

Proposed revisions to Zoning Code *Table 5.8.A Lot Standards-Multifamily Residential*, shown in Table 2, include addition of a footnote to refer to Section 3.5.1 of the County's Zoning Code for the most recent information regarding additional development allowances for lower-income multifamily development, such as, provision for by-right development and density bonus provisions.

Additionally, Section 3.5.1.F of the Zoning Code would be updated to clarify the maximum densities listed in Section 3.5.1 B-E (Residential Use Standards) of the Zoning Code may be increased pursuant to Section 5.2.3. (Density Bonuses and Intensity Increases) further clarifying required densities and densities for lower-income projects. Proposed changes are shown below:

**Table 2. Proposed Revisions to Table 5.8.A for Multifamily Residential Lot Standards**

<b>Standard</b>	<b><u>RD-10</u></b>	<b><u>RD-15</u></b>	<b><u>RD-20</u></b>	<b><u>RD-25</u></b>	<b><u>RD-30</u></b>	<b><u>RD-40</u></b>	<b>All other Zones where Permitted</b>
Allowed Density [1]							
Maximum Density (dwelling units/net acre)[1]	<u>10</u>	<u>15</u>	20	25	30	40	<u>[2]</u>

[1] New lots created with Parcel Maps shall use the density calculation methodology of Section 7.1.13

[2] See Section 3.5.1.B through 3.5.1.J for allowed densities for residential product types in all other zones, where allowed

### **3.5.1.F Density Increases**

#### **The maximum densities listed in 3.5.1 B-E may be increased pursuant to Section 5.2.3 (Density Bonuses and Intensity Increases)**

Parcels located in Special Planning Areas (SPA) and other comprehensive planning efforts are also identified as candidate rezone sites. Some SPAs or planning effort provide a maximum density or specific density ranges that are not consistent with the Zoning Code Update or

rezone effort. The following SPAs would include proposed rezone sites: Fair Oaks Fair Oaks Boulevard Corridor Plan Main Street District:

- Old Florin Town
- Downtown Rio Linda SPA
- North Watt SPA
- Greenback Lane SPA
- North Highland Town Center
- Folsom Boulevard SPA
- Victory Avenue SPA
- Stockton Boulevard SPA

Amendments to ensure consistency with the proposed Zoning Code amendments and State requirements for density (30 units per acre) allowing sites in SPAs to be classified as available affordable housing sites are proposed.

The project would require amendments to the County's General Plan to ensure consistency between the General Plan land use designations and Zoning Districts. Parcels with proposed land use amendments are shown in Plate 1. The project would include the following General Plan amendments:

1. Amend the General Plan designation of 46 parcels totaling 207 acres from Low Density Residential to Medium Density Residential for consistency with the proposed RD-30 Zoning District.
2. Amend the General Plan designation of five parcels totaling 34.4 acres from Low Density Residential to High Density Residential for consistency with proposed RD-40 Zoning District.
3. Amend the General Plan designation of five parcels totaling 21.87 acres from Low Density Residential to High Density Residential for consistency with proposed RD-40 Zoning District.
4. Amend the General Plan designation of two parcels totaling 11 acres from Medium Density Residential to High Density Residential for consistency with proposed RD-40 Zoning District.
5. Amend the General Plan designation of ten parcels totaling 16.59 acres from Low Density Residential to Medium Density Residential for consistency with the proposed RD-15 Zoning District.
6. Amend the General Plan designation of one parcel totaling 2.9 –acres from Intensive Industrial to Medium Density Residential for consistency with the proposed RD-30 Zoning District.
7. Amend the General Plan designation of one parcel totaling 5.28 –acres from Intensive Industrial to High Density Residential for consistency with the proposed RD-40 Zoning District.
8. Further an additional three parcels totaling 12.38 acres will have their current General Plan designations changed from Agricultural –Residential (AG-Res) to Medium Density Residential (MDR).
9. Land Use Element Program LU-5 will be amended to read: All residential projects involving three or more units, shall not have an average overall density of less than

75% of the zoned maximums or, if subject to a density range, less than the minimum listed density. The appropriate hearing body may approve a lesser density if they can make a finding that, unless physical or environmental constraints make achieving the minimum required densities impractical.

### **PROJECT OBJECTIVES:**

The primary objectives for the project are outlined below:

1. Compliance with California Government Code Sections 65583 and 65532.
2. Implement Housing Action Plan Program A1 to increase the vacant land inventory and facilitate development.
3. Provide zoning and land use designations for at least 3,300 lower-income housing units to meet the RHNA and a buffer to accommodate the “no net loss” provision requirements.
4. Provide zoning and land use designations for moderate income housing units.

### **ENVIRONMENTAL/LAND USE SETTING:**

The project covers all of Sacramento County, which lies within the Central Valley of California. The County includes 14 community areas within the unincorporated County and seven incorporated cities. Most of the communities are located in the urbanized core in the western, northwestern, and northern portions of the County. The southwestern, eastern, and southern portions of the County include more agricultural and rural residential development. The County includes SPAs and comprehensive planning areas for established areas to allow use, regulations, and standards that would not be allowed under the countywide regulations. The proposed revisions to land use designations and site zoning are located throughout the County and within several established SPAs and comprehensive planning areas. Plate 1 shows the County limits, SPA and comprehensive planning areas boundaries, and parcels proposed for land use and zoning changes.

### **PROBABLE ENVIRONMENTAL EFFECTS/SEIR FOCUS:**

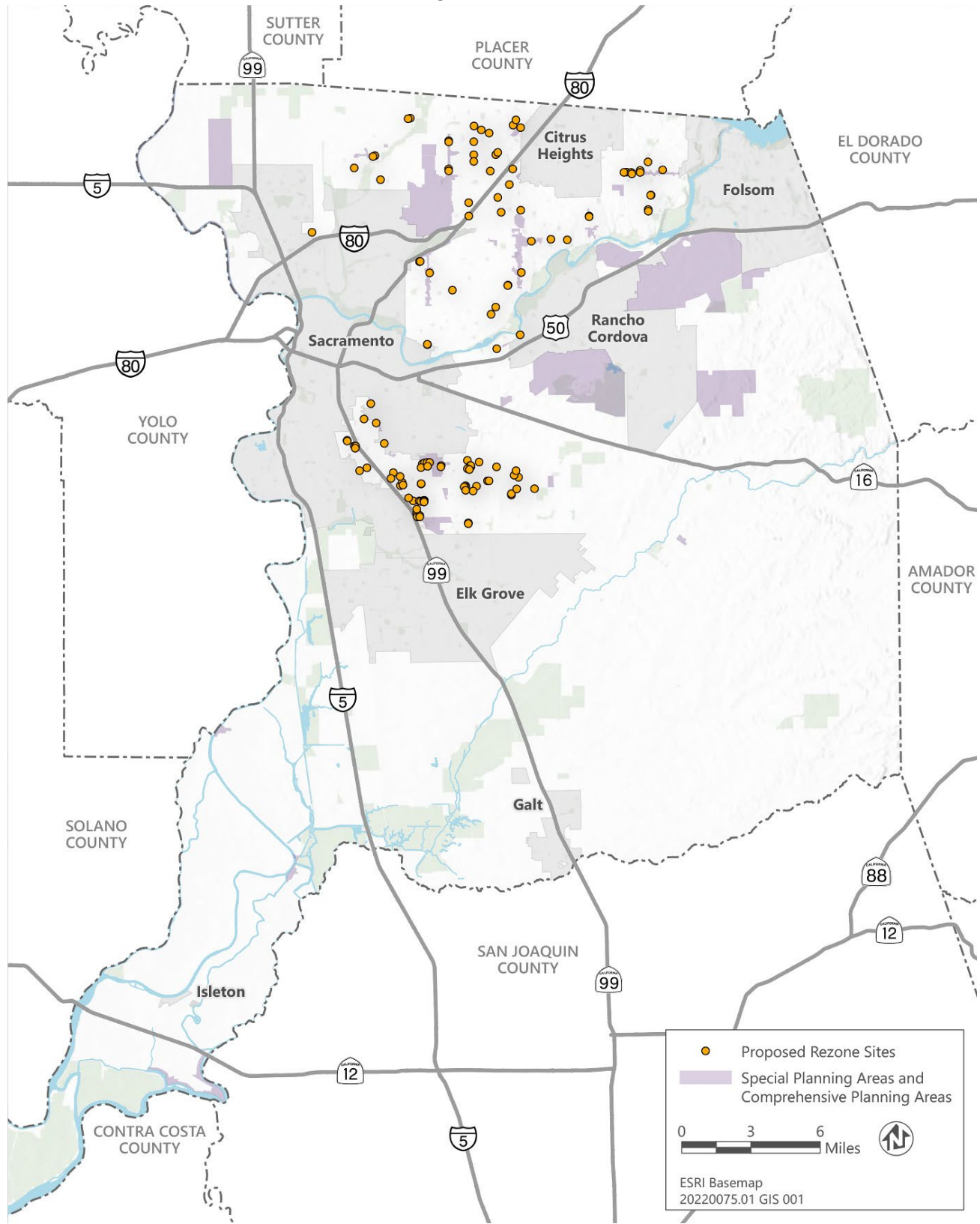
The analysis in the SEIR will describe conditions as compared to the General Plan EIR, describe the legal and regulatory framework relevant to the project, describe standards of significance to be used in the analysis, and describe analysis methodologies. The SEIR will evaluate whether implementing the project would potentially result in one or more new or more severe significant environmental effects compared to the impacts identified in the General Plan EIR. The following issue areas will be addressed in the SEIR: transportation, air quality, climate change, energy, land use, noise and vibration, tribal cultural resources, population and housing, public services/recreation, utilities, and wildfire. Because the project involves changes to existing General Plan designations and zoning for sites that are currently designated and zoned for development, original General Plan EIR sections that evaluated the potential for ground disturbance to result in physical adverse effects to natural resources would not alter the EIR’s evaluation of impacts associated with ground disturbance. The County anticipates that the project would not alter the analysis and conclusions of the General Plan EIR on the following environmental issue areas: agriculture and forestry resources, aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, and. These issue areas will be discussed in a “Effects Adequately Addressed in the General Plan EIR” section.

### **INTENDED USES OF THE SEIR:**

The Sacramento County Planning Commission and the Board of Supervisors will use the information contained in the SEIR to evaluate the project and render a decision to approve or deny the requested land use and zoning changes.

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## Plate NOP-1 Rezone Sites





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## Central Valley Regional Water Quality Control Board

11 July 2023

Joelle Inman  
Sacramento County Planning  
827 7th Street, Suite 225  
Sacramento, CA 95814  
[inmanj@sacounty.net](mailto:inmanj@sacounty.net)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, SACRAMENTO COUNTY REGIONAL HOUSING NEEDS ALLOCATION (RHNA) REZONE PROJECT, SCH#2023060304, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 9 June 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environmental Impact Report* for the Sacramento County Regional Housing Needs Allocation (RHNA) Rezone Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has

adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the

State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

### **Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

### **Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

### **Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality/certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/)

#### **Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

#### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento





## NATIVE AMERICAN HERITAGE COMMISSION

June 13, 2023

Leanne Mueller  
County of Sacramento  
827 7th St, Rm. 225  
Sacramento, CA 95814

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Chumash

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[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: 2023060304, Sacramento County Regional Housing Needs Allocation (RNHA) Rezone Project (PLNP2020-00042), Sacramento County**

Dear Ms. Mueller:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

RECEIVED

JUN 15 2023



AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).



- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- Avoidance and preservation of the resources in place, including, but not limited to:
    - Planning and construction to avoid the resources and protect the cultural and natural context.
    - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - Protecting the cultural character and integrity of the resource.
    - Protecting the traditional use of the resource.
    - Protecting the confidentiality of the resource.
  - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)



## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.



3. Contact the NAHC for:

- a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
- b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: [Pricilla.Torres-Fuentes@nahc.ca.gov](mailto:Pricilla.Torres-Fuentes@nahc.ca.gov)

Sincerely,

*Pricilla Torres-Fuentes*

Pricilla Torres-Fuentes  
Cultural Resources Analyst

cc: State Clearinghouse

**Todd Smith, Planning Director**  
Planning and Environmental Review



**Troy Givans, Director**  
Department of Community  
Development

COUNTY OF SACRAMENTO  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING AND ENVIRONMENTAL REVIEW DIVISION  
**NOTICE OF PREPARATION**

**DECEMBER 22, 2023**

**TO: ALL INTERESTED PARTIES**  
**SUBJECT: REVISED NOTICE OF PREPARATION OF A DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE SACRAMENTO COUNTY REGIONAL HOUSING NEEDS ALLOCATION (RHNA) REZONE PROJECT (SCH# 2023060304; COUNTY CONTROL No. PLNP2020-00042)**

Sacramento County (County) will be the Lead Agency under the California Environmental Quality Act (CEQA) for preparation of a Subsequent Environmental Impact Report (SEIR), consistent with Section 15162 of the State CEQA Guidelines, for a project known as the Sacramento County Regional Housing Needs Allocation (RHNA) Rezone Project (Project). The SEIR will address new information or changes not included in the previously certified environmental documents for which candidate rezone sites are located in. This Notice of Preparation (NOP) has been sent to responsible and trustee agencies and involved federal agencies pursuant to Section 15082 of the CEQA Guidelines. Agencies should comment on the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project. Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice (by January 22, 2024).

An NOP for the Project was issued on June 12, 2023. Given Project refinements, specifically the adjustment in acreages proposed for rezone as described in detail below, there is a need to reissue the NOP. As such, this NOP supersedes the prior NOP released on June 12, 2023.

The Project description, location, and the probable environmental effects are contained in the attached materials and may also be viewed online at:

<https://planning.saccounty.gov/PlansandProjectsIn-Progress/Pages/Countywide-Rezone-Program.aspx>

Please send your agency's response to this notice to:

Jessie Shen, Senior Planner  
Department of Community Development  
Planning and Environmental Review Division  
827 7<sup>th</sup> Street, Room 225, Sacramento, CA 95814  
or via e-mail at: [CEQA@saccounty.net](mailto:CEQA@saccounty.net)

Your response should include the name of a contact person in your agency.



A scoping meeting tailored to agencies for the Project will be held on Thursday, January 4, 2024 from 10:00 AM to 12:00 PM (noon) virtually via Zoom at:

<https://saccounty-net.zoomgov.com/j/1615249340?pwd=K3pLbE1LOFV0dTRsM0c0c2tGbUZTQT09>

Agencies with specific questions about the Project should contact Jessie Shen, Senior Planner, at 916.875.3711 or [shenj@saccounty.gov](mailto:shenj@saccounty.gov) for further information.

**PROJECT TITLE: SACRAMENTO COUNTY REGIONAL HOUSING NEEDS ALLOCATION (RHNA) REZONE PROJECT**

**CONTROL NUMBER: PLNP2020-00042**

**PROJECT BACKGROUND:**

California Government Code Sections 65583 and 65583.2 require cities and counties to provide a parcel-specific inventory of appropriately-zoned, available, and suitable sites to provide opportunities for housing at all income levels. The RHNA identified in the *Sacramento County Housing Element of 2021-2029* (Housing Element) for unincorporated Sacramento County is 21,272 new housing units. Table 1 identifies the RHNA allocation of the new housing units and projected supply by income category (i.e., income category the units are required to be affordable for).

**Table 1. 2021-2029 Regional Housing Needs Allocation and Projected Supply for Unincorporated Sacramento County by Income Category**

Income Category (Income Level)	RHNA	Projected Supply <sup>1</sup>	Oversupply / Shortfall
Lower Income (\$0 - \$69,050) <sup>2</sup>	7,158 units	4,274 units	-2,884 units
Moderate Income (\$69,051 - \$103,550)	4,186 units	7,658 units	+3,472 units
Above Moderate Income (\$103,550+)	9,928 units	12,121 units	+2,189 units
<i>Total</i>	<i>21,272 units</i>	<i>23,653 units</i>	

Notes: <sup>1</sup> Projected supply includes accessory dwelling units (ADUs).

<sup>2</sup> The lower income category includes Extremely Low Income (\$0 - \$25,900), Very Low Income (\$25,901 - \$43,150), and Low Income (\$43,151 - \$69,050) levels.

Source: Sacramento County Housing Element of 2021-2029.

As summarized in Table 1, the Housing Element demonstrates that the County has sufficient residential capacity to accommodate its RHNA for moderate and above moderate income category units, but has a shortfall of sites to accommodate the lower income category units. The County has appropriately-zoned sites to accommodate 4,274 lower income category units, compared to a RHNA of 7,158 lower income category units. Therefore, there is a shortfall of 2,884 lower income category units. Program A1 of the Housing Element identifies the Countywide Rezone Program (Project) as the means to accomplish accommodating the shortfall of lower income category units.

**PROJECT DESCRIPTION AND LOCATION:**

As described in Program A1 of the Housing Element, to meet the shortfall identified for the lower income category (2,884 units), the County is required to rezone sufficient sites to allow multifamily residential uses by-right, at 30 dwelling units per acre or greater. The County intends to rezone additional sites beyond those needed to meet the RHNA obligation for the lower income category in order to provide a buffer of lower-income sites in the event those sites are lost from the inventory (i.e., lower-income sites

are developed units for moderate or above moderate income categories). Additionally, the County also intends to rezone sites to increase the buffer for the moderate income category.

The Project entails the rezone of 83 candidate rezone sites, totaling  $\pm 248.33$  acres, resulting in a potential development capacity (realistic capacity) of  $\pm 4,081$  lower income category units and  $\pm 156$  moderate income category units. The addition of  $\pm 4,081$  lower income category units exceeds the County's unmet RHNA of 2,884 lower income category units by 1,197 units. Plate NOP-1 shows the locations of the candidate rezone sites.

Table 2 provides a summary of the total acreage and net increase in residential units resulting from the Project by community planning area. The net increase in residential units is the difference between a candidate rezone site's existing zoning designation maximum density permitted and the proposed zoning designation maximum density permitted. For example, a 1-acre site currently zoned RD-20 (maximum density of 20 units per acre) with a proposed zoning of RD-30 (maximum density of 30 units per acre) nets 10 additional units with the Project.

**Table 2. Summary of Rezone Acreage and Associated Net Increase in Units by Community Planning Area**

Community Planning Area	Rezone Acreage		Net Increase in Units <sup>1</sup>	
	Lower Income	Moderate Income	Lower Income	Moderate Income
Antelope	35.43	0.00	701	0
Arden Arcade	1.98	0.00	20	0
Carmichael/Old Foothill Farms	10.10	6.52	209	68
Cordova	13.90	0.00	278	0
Fair Oaks	2.89	0.00	51	0
North Highlands	41.55	0.97	531	0 <sup>2</sup>
Orangevale	5.71	2.22	144	19
Rio Linda/Elverta	18.77	0.00	321	0
South Sacramento	91.97	11.51	1,747	115
Vineyard	4.81	0.00	141	0
<i>Subtotal</i>	<i>227.11</i>	<i>21.22</i>	<i>4,143</i>	<i>202</i>
<i>Total</i>	<i><math>\pm 248.33</math> acres</i>		<i><math>\pm 4,345</math> units</i>	

Notes: <sup>1</sup> The net increase in units is the difference between a candidate rezone site's existing zoning designation maximum density permitted and the proposed zoning designation maximum density permitted.

<sup>2</sup> There is no net increase in units as the maximum density (from existing to proposed zoning) is unchanged; however, minimum density with the proposed zoning would increase compared to existing zoning.

As shown in Table 2, a total of  $\pm 248.33$  acres within 10 community planning areas would be rezoned with  $\pm 227.11$  acres accommodating the lower income category and  $\pm 21.22$  acres accommodating the moderate income category. The Project would result in a net increase of 4,345 units, of which  $\pm 4,143$  units are lower income and  $\pm 202$  units are moderate income.

The Project does not propose to construct new residential or other development on the  $\pm 248.33$  acres proposed to be rezoned; rather, it provides capacity for future development of housing units to meet the County's remaining unmet RHNA of 2,884 lower income category units, consistent with State law. Of the total  $\pm 248.33$  acres proposed to be rezoned,  $\pm 161.90$  acres (65 percent) currently allows for (either by-right or with a discretionary entitlement) multifamily residential development. The Project would increase residential density on these sites and does not change the development footprint. The horizon year for the Project is 2029.

Analysis of the Project tiers from the *Sacramento County General Plan of 2005-2030* (General Plan) and three distinct area plans (Fair Oaks Boulevard Corridor Plan, North Watt Avenue Corridor Plan, and Old Florin Town SPA). Table 3 summarizes the Project's resultant net increase in residential units for each plan.

**Table 3. Summary of Project's Net Increase in Residential Units By Land Use Plan**

Land Use Plan	Project's Net Increase in Residential Units
General Plan	$\pm 3,829$ units
Fair Oaks Boulevard Corridor Plan	$\pm 12$ units
North Watt Avenue Corridor Plan	$\pm 230$ units
Old Florin Town SPA	$\pm 274$ units
<i>Total</i>	$\pm 4,345$ units

In addition to the required Community Plan Amendment and corresponding Rezone for the Project, the Project would require amendments to the County's General Plan to ensure consistency between the General Plan land use designations and proposed zoning districts. Of the total  $\pm 248.33$  acres proposed to be rezoned with the Project,  $\pm 115.23$  acres would be amended to the Medium Density Residential (MDR) land use designation and  $\pm 71.72$  acres would be amended to the High Density Residential (HDR) land use designation. The remaining  $\pm 61.38$  acres would not require a General Plan land use designation amendment.

Additionally, the Sacramento County Zoning Code (Zoning Code) would be amended to ensure compliance with State housing law. Distinct area plans (i.e., special planning areas [SPAs], Corridor Plan areas, and neighborhood preservation areas [NPAs]), which are an extension of the Zoning Code, that contain candidate rezone sites would also be amended to ensure consistency with State requirements for density and classifying sites within these distinct area plans as available affordable housing sites.

#### **PROJECT OBJECTIVES:**

The purpose of the Project is to address the housing needs of the County and to meet the requirements of State law. The objectives of the Project are to:

- Comply with California Government Code Sections 65583 and 65583.2;
- Implement Program A1 to increase the vacant land inventory and facilitate development;
- Provide zoning and land use designations for at least 3,300 lower-income housing units to meet the RHNA and a buffer to accommodate the "no net loss" provision requirements; and
- Provide zoning and land use designations for moderate income housing units.

## **ENVIRONMENTAL/LAND USE SETTING:**

The Project is located in Sacramento County, which lies within the Central Valley of California. The County includes 7 incorporated cities, and the remaining unincorporated portions of the County is divided into 14 community planning areas. Most of these community planning areas are in the urbanized core in the western, northwestern or northern portion of the County, where the majority of the candidate rezone sites are proposed (Plate NOP-1). The southwestern, eastern and southern portions of the County are more agricultural and rural residential. Many portions of the developed County are within the historic floodplains of the three major rivers (Sacramento, American, and Cosumnes Rivers) and are protected by a system of levees.

## **PROBABLE ENVIRONMENTAL EFFECTS/SEIR FOCUS:**

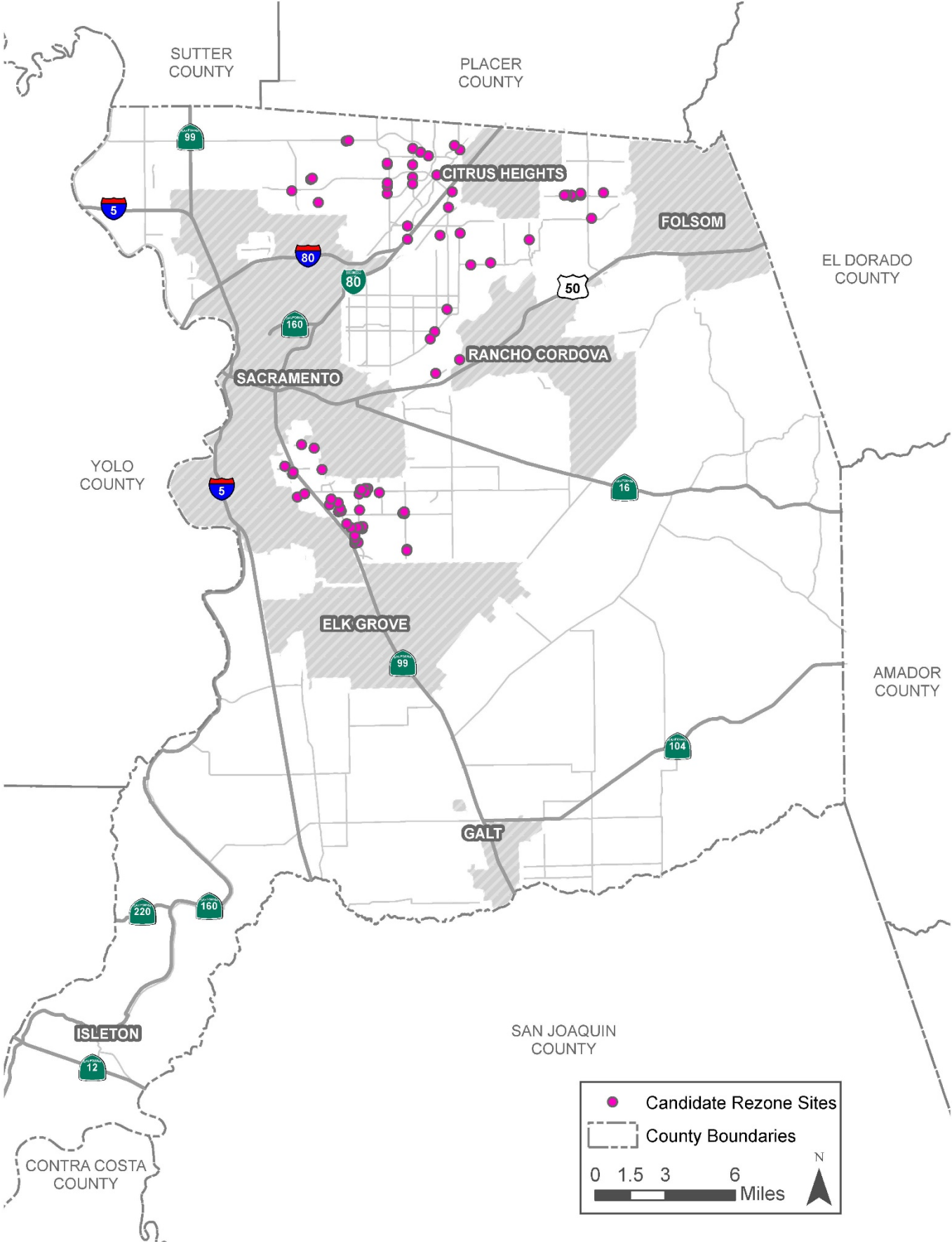
The analysis in the SEIR will describe conditions as compared to the *Sacramento County General Plan Update Final Environmental Impact Report* (General Plan FEIR), *Fair Oaks Boulevard Corridor Plan and Roadway Project Final Environmental Impact Report* (Fair Oaks Boulevard Corridor Plan FEIR), *North Watt Avenue Corridor Plan Final Environmental Impact Report* (North Watt Avenue Corridor Plan FEIR), and *Old Florin Town Special Planning Area Final Environmental Impact Report* (Old Florin Town SPA FEIR) (collectively referred to as prior FEIRs), describe the legal and regulatory framework relevant to the Project, describe standards of significance to be used in the analysis, and describe analysis methodologies. The SEIR will evaluate whether implementing the Project would potentially result in one or more new or more severe significant environmental effects compared to the impacts identified in the prior FEIRs. The following issue areas will be addressed in the SEIR: transportation, air quality, climate change, energy, land use, aesthetics, noise and vibration, tribal cultural resources, population and housing, public services/recreation, utilities, and wildfire.

Because the Project involves changes to existing General Plan designations and zoning for sites that are currently designated and zoned for development, the prior FEIRs sections that evaluated the potential for ground disturbance to result in physical adverse effects to natural resources would not alter the prior FEIR's evaluation of impacts associated with ground disturbance. The County anticipates that the Project would not alter the analysis and conclusions of the prior FEIRs on the following environmental issue areas: agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and mineral resources. These issue areas will be discussed in an "Effects Adequately Addressed in the Prior FEIRs" section.

## **INTENDED USES OF THE SEIR:**

The Sacramento County Planning Commission and the Board of Supervisors will use the information contained in the SEIR to evaluate the Project and render a decision to approve or deny the requested land use and zoning changes.

Plate NOP-1: Candidate Rezone Sites





**Todd Smith, Planning Director**  
Planning and Environmental Review



**Troy Givans, Director**  
Department of Community  
Development

COUNTY OF SACRAMENTO  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING AND ENVIRONMENTAL REVIEW DIVISION  
AGENCY SCOPING MEETING

**DECEMBER 22, 2023**

**TO: ALL INTERESTED PARTIES**

**SUBJECT: AGENCY SCOPING MEETING FOR THE DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE SACRAMENTO COUNTY REGIONAL HOUSING NEEDS ALLOCATION (RHNA) REZONE PROJECT (SCH# 2023060304; COUNTY CONTROL No. PLNP2020-00042)**

Sacramento County (County) will be the Lead Agency under the California Environmental Quality Act (CEQA) for preparation of a Subsequent Environmental Impact Report (SEIR), consistent with Section 15162 of the State CEQA Guidelines, for a project known as the Sacramento County Regional Housing Needs Allocation (RHNA) Rezone Project (Project). The SEIR will address new information or changes not included in the previously certified environmental documents for which candidate rezone sites are located in.

The Project description, location, and the probable environmental effects are contained in the attached materials and may also be viewed online at:

<https://planning.saccounty.gov/PlansandProjectsIn-Progress/Pages/Countywide-Rezone-Program.aspx>

The Notice of Preparation (NOP) was sent to responsible and trustee agencies and involved federal agencies, pursuant to Section 15082 of the CEQA Guidelines, on December 22, 2023. The 30-day public comment period ends on January 22, 2024. Written comments can be submitted via mail (Attn: Jessie Shen, Senior Planner; Department of Community Development, Planning and Environmental Review Division; 827 7<sup>th</sup> Street, Room 225, Sacramento, CA 95814), electronic mail ([CEQA@saccounty.net](mailto:CEQA@saccounty.net)), or oral comment during the scoping meeting (information follows). Agencies should comment on the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project.

A scoping meeting tailored to agencies for the Project will be held on Thursday, January 4, 2024 from 10:00 AM to 12:00 PM (noon) virtually via Zoom. Interested parties can join the meeting at:

<https://saccounty-net.zoomgov.com/j/1615249340?pwd=K3pLbE1LOFV0dTRsM0c0c2tGbUZTQT09>

Agencies with specific questions about the Project should contact Jessie Shen, Senior Planner, at 916.875.3711 or [shenj@saccounty.gov](mailto:shenj@saccounty.gov) for further information.

