

APPENDIX RTC-1

**Central Valley Regional Water Quality Control Board****RECEIVED****SEP 07 2018****County of Sacramento
Planning and Environmental Review**

30 July 2018

Todd Smith
County of Sacramento
827 7th Street, Room 225
Sacramento, CA 95814

CERTIFIED MAIL
7014 3490 0001 3008 3753

**COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL
IMPACT REPORT, NEWBRIDGE SPECIFIC PLAN PROJECT, SCH# 2013012028,
SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 30 July 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the NewBridge Specific Plan 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,

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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/.

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 Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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/.

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

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.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 (USACOE). If a Section 404 permit is required by the USACOE, 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

¹ 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.

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 USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE 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 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.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE 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 Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

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 Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. 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 Risk 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

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

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or 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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.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:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Senior Environmental Scientist

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



Sent Via E-Mail

August 10, 2018

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

**Subject: NewBridge Specific Plan General Plan Amendment and Community Plan
Amendment / DEIR / PLNP2010-00081**

Dear Sacramento County Environmental Coordinator:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the NewBridge Specific Plan General Plan Amendment and Community Plan Amendment's (Project, SCH PLNP2010-00081). 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.

It is our desire that the Project DEIR will acknowledge any Project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on smud.org for more information regarding transmission encroachment:
- <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>
- <https://www.smud.org/en/Corporate/Do-Business-with-SMUD/Land-Use/Transmission-Right-of-Way>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency
- Climate Change
- Cumulative impacts related to the need for increased electrical delivery

SMUD would like to offer the following project specific comments:

Note - page number is identified as actual Word page number. New and or desired language is highlighted.

- **Page 84:** Please add “distribution” to list of lines needed.
- **Page 308:** Transmission Lines – please change this title to *Electric Lines* and add “sub-transmission” after 69kV.
Pole bolted and pad mounted electrical transformers are located along the 12kV distribution lines.
- **Page 571: SACRAMENTO MUNICIPAL UTILITY DISTRICT**
The locations of existing and proposed dry utilities are shown on Plate PU-5. There are existing overhead sub-transmission lines (69kV) electrical distribution lines along Jackson Road and Sunrise Boulevard; only those lines along Jackson Highway are located within the Project area. There is a SMUD distribution substation at the northwest corner of Jackson Road and Sunrise Boulevard. The existing SMUD distribution substation will need to be expanded or replaced by a new distribution substation located west of the Folsom South Canal, depending on construction constraints at the time of development. If a new distribution substation is constructed, the existing distribution substation will be removed after the new location is in service. There are also four 230kV overhead transmission lines that traverse through the northern portion of the Project area. Two of the lines are owned by SMUD and two lines are owned by PG&E. In order to serve the electricity needs of the Project, SMUD will need to install new 69kV sub-transmission lines along Eagles Nest Road and Kiefer Boulevard.

The new 69kV sub-transmission lines along Eagles Nest and Kiefer Boulevard will be overhead lines. The placement of the poles that are located adjacent to the West Zinfandel Preserve (parcel W-30) will be coordinated with regulatory agencies to avoid sensitive habitat. The new line along Kiefer Boulevard will be incorporated into the landscape easement. A detailed analysis cannot be provided at this time, as construction-level designs have not been developed at this time. SMUD would act as lead agency on the electrical utility upgrades and prepare an environmental analysis consistent with CEQA. Electrical distribution lines (12kV) within the NSP will be placed underground in conjunction with roadway development and project phasing if the proposed new distribution substation is situated next to or close to existing or new 69kV sub-transmission lines. All of the on-site electrical line construction would be within areas already assumed to be impacted by the overall Project; however, if electrical lines need to cross Frye Creek, construction methods would have to comply with SSHCP avoidance and minimization measures or individual permits from regulatory agencies.
- **Page 835:** Based on the size and land uses included within each project, SMUD has estimated the following future energy demand:
 - Mather South Community Master Plan - 27 megawatts (MW)
 - Jackson Township Specific Plan - 44 MW

- NewBridge Specific Plan - 21 MW
 - West Jackson Highway Master Plan - 223 MW
- **Page 836:** Each of the eight distribution substations would be approximately up to 1.5 acres in size and would be energized by connecting to 69,000 (69kV) sub-transmission lines that are supplied by the proposed Jackson Bulk Substation (described in detail below) and existing SMUD Bulk Substations. Bulk substations typically step down transmission line voltage of 230,000 Volts (230 kV) to sub-transmission voltage of 69 kV through power transformers. The distribution substations would in turn step down the electricity supply to 12,000 (12kV) for delivery to residential neighborhoods. Each distribution substation would include up to two transformers, eight capacitor banks, two battery systems, two metal clad switchgears, and 2 poles with a disconnect switch per pole. Substations will require access road(s) of at least 20-feet wide if the access roads are straight, and 24-feet if there are turns required.

SPECIFIC AND COMMUNITY PLAN INFRASTRUCTURE

The following section describes the existing and required electrical infrastructure that would be required within each of the four specific and community master plan areas. The approximate locations of the proposed new electrical infrastructure are illustrated on Plate CU-1 and Plate CU-2. Additional 69kV routes may be required depending upon the final locations of the new distribution substations.

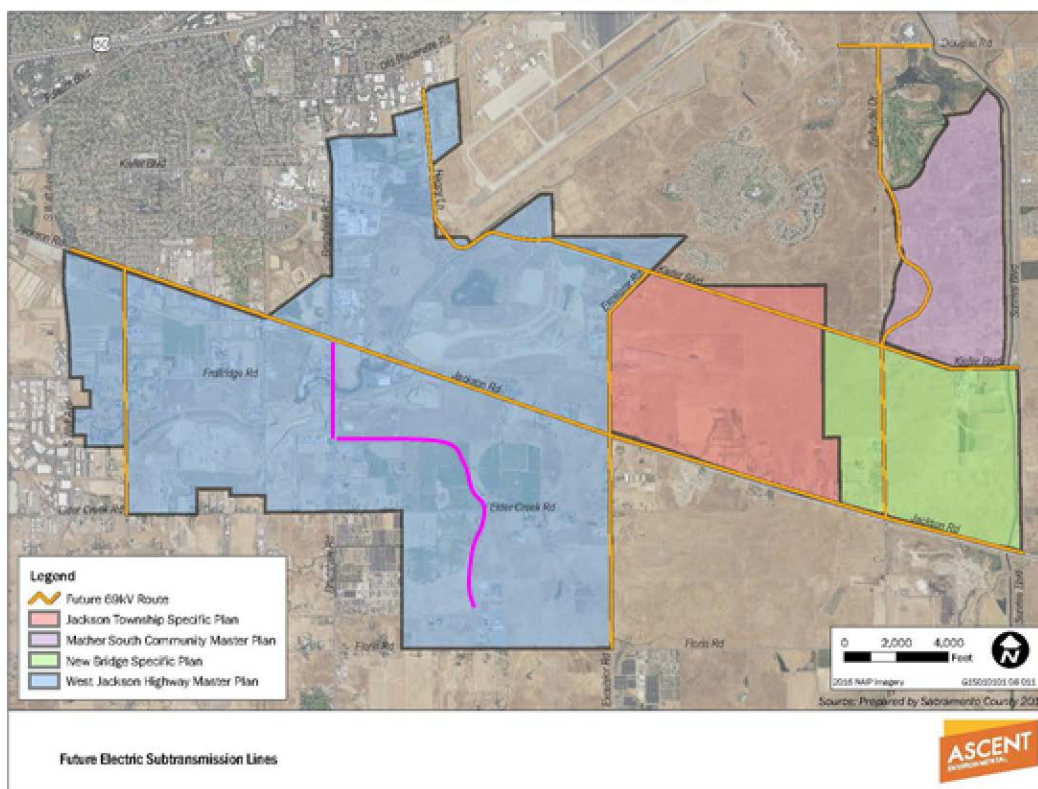
- **Page 838: NEW BRIDGE SPECIFIC PLAN AREA**
The NewBridge Specific Plan Area would require one new distribution substation between Jackson Road and Sunrise Boulevard in the P/QP parcel (S-60). There is an existing SMUD distribution substation at this location that will need to be expanded or replaced by a new distribution substation located west side of the Folsom South Canal, depending on construction constraints at the time of development. If a new distribution substation is constructed, the existing distribution substation will be removed after the new location is in service. The four 230kV transmission lines described above also traverse the NewBridge Plan area in an easement that runs along the north central portion. There are additionally, two existing 69kV sub-transmission lines in the plan area, one located along the north side of Jackson Road and one on the east side of Sunrise Boulevard. The cumulative projects would require two new 69kV sub-transmission routes within the project area, including one on the west side of Eagles Nest Road between Jackson Road and Kiefer Boulevard, and one on the south side of Kiefer Boulevard between the western NewBridge plan boundary and Sunrise Boulevard.

The project may also result in the removal of an existing distribution substation east of Bradshaw Rd on the north side of Kiefer Blvd if no longer required by the existing customer, in the vicinity of Kiefer Boulevard and Bradshaw Road.

- **Page 839: Future Sub-transmission lines**

Please include the purple line below as yellow. This will be additionally, a future 69kV route.

Plate CU-2: Future Subtransmission Lines



NewBridge DEIR

18-13

PLNP2010-00081

- **Page 842: BULK SUBSTATION**

The bulk substations will step down transmission line voltage of 230 kV to sub-transmission voltage of 69 kV, for distribution to the distribution substations located within the four communities and masterplan areas. The bulk substation area would be graded and partially covered in crushed gravel, except where concrete foundations for the control building, transformers, circuit breakers and other equipment, oil containment, metal clad switchgear, and paved access roads would be built.

- **Page 843:** The bulk substation will also include circuit breakers and circuit switchers to receive and distribute electricity. Circuit breakers would be approximately 25-foot tall and would contain sulfur hexafluoride (SF6) or other insulating medium. Sound levels would not exceed 140 decibels measured at a distance of 50-feet around the perimeter of the circuit breaker. Noise generated by the circuit breaker is typically intermittent.

- **Page 844:** Please change *Transmission Lines* to **Electrical Lines**

Transmission and sub-transmission lines would be required in order to receive electricity from the grid at the Jackson Bulk Substation and distribute to the distribution substations.

CUMULATIVE IMPACT ANALYSIS

Implementation of the four proposed specific and community master plans would result in a substantial increase in the regional demand for energy and the subsequent need to develop new supportive infrastructure (i.e., one bulk substation, eight distribution substations, two expanded distribution substations, transmission lines, sub-transmission lines, and accessory infrastructure).

- **Page 845: Potential Impacts; Aesthetics and Visual Resources;** ...The proposed bulk substation would be typical of other bulk substations in the region and would include a two-story control building, transformers (approximately 35-feet tall), power circuit breakers (approximately 25-feet tall), a network of steel structures to support electrical equipment (up to 100-feet tall), and overhead conductors entering the substation from the interconnecting sub-transmission and transmission overhead lines (up to 130-feet tall).
- SMUD operates two 230 kV electric transmission lines within an easement. Construction within the transmission easement is prohibited without the prior consent of SMUD. Developer shall submit plans to SMUD's Real Estate Services Department to begin the consent process.

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed Project. Please ensure that the information included in this response is conveyed to the Project planners and the appropriate Project proponents.

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this Project. Again, we appreciate the opportunity to provide input on this DEIR. 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
Regional & Local Government Affairs
Sacramento Municipal Utility District
6301 S Street, Mail Stop A313
Sacramento, CA 95817
nicole.goi@smud.org

Cc: Rob Ferrera

From: [Lee Leavelle](#)
To: [CPAC-Cordova](#)
Cc: bonnie@breca.org; [Little, Alison](#)
Subject: Control Number, PLNP2010-00081 NewBridge Specific Plan
Date: Friday, August 17, 2018 1:26:30 PM

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

Ladies and Gentlemen:

Thank you for your time at the CPAC meeting yesterday evening, August 16, 2018.

I am writing because I am concerned about the first item on the agenda and the fact that a vote was taken last night to recommend this item with "no comment." I fear that an important error on the agenda has been overlooked, despite the fact that it was pointed out in public comment. Perhaps I failed to make my point clear.

Under the heading of Request, item 2.a, General Plan Amendment to amend the Land Use Diagram to:, please note the omission of any High Density Housing (HDR). When I made my comment to point this out the gentleman making the presentation pointed out on the exhibit that HDR is included in the project and said so. He, in fact, apologized that it was not mentioned in the agenda item. I am concerned that the verbiage in the agenda item will be cut and pasted into your recommendation and that subsequent documents will follow suite, eliminating any requirement for HDR.

How can we be certain that this does not happen?

As you are well aware there is a desperate need for HDR in Sacramento County, we need to work together as a community to ensure that this need is met. If it is overlooked this time it will establish a precedent and make it easier for subsequent development to eliminate a requirement for HDR.

Please make sure that a requirement for HDR is included in the amendment to the General Plan and the NewBridge Specific Plan.

Once again, thank you for your service to our community, it is appreciated.

Sincerely,

Lee Leavelle
9644 Linda Rio Drive,
Sacramento, CA 95837

Little. Alison

From: Michael and Gay Dittrich Jones <h2ogay@pacbell.net>
Sent: Friday, August 17, 2018 2:51 PM
To: Smith. Todd
Cc: Lee Leavelle; CPAC-Cordova; bonnie@breca.org; Little. Alison
Subject: Re: Control Number, PLNP2010-00081 NewBridge Specific Plan

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

Thank you both for your prompt communications.

Two official comments were stated and hopefully, indeed, are recorded.

One was my comment about the need for an additional vehicle connection to Sunrise over the canal. A long standing comment from Corpac with the realization it would be a long timeline.

The second was from Erin to ensure safe bicycle connections when neighborhood roads merge with major roadways. Attention to smooth, safe "feeders" is very important.

Todd, would you please forward this to my fellow Corpac members.

Thanks again to all who attended, public, staff and applicants.

Gay Jones

Sent from my iPhone

> On Aug 17, 2018, at 1:55 PM, Smith. Todd <smithtodd@saccounty.net> wrote:

>

> Lee,

>

>

> Thank you for writing to clearly express your concerns. County staff agrees, and I want to make sure you know the General Plan policy requirements for the Newbridge Specific Plan include High Density Housing. The Newbridge Specific Plan includes appropriate land use designations for HDR consistent with General Plan policies. If the Board of Supervisors approves the project, future development within the boundaries of the Specific Plan must be consistent with the land use designations. We will make sure the project description accurately characterizes all the proposed land uses in our staff reports moving forward, and your email comments will be included in the public record.

>

> Thanks again for your participation,

>

> Todd Smith

>

> Principal Planner

>

> Sacramento County

>

> Office of Planning and Environmental Review

>

> (916) 874-6918

>

> _____

> From: Lee Leavelle <happy2ride@sbcglobal.net>
> Sent: Friday, August 17, 2018 1:26:22 PM
> To: CPAC-Cordova
> Cc: bonnie@breca.org; Little. Alison
> Subject: Control Number, PLNP2010-00081 NewBridge Specific Plan
>
> EXTERNAL EMAIL: If unknown sender, do not click links/attachments.
>
> Ladies and Gentlemen:
> Thank you for your time at the CPAC meeting yesterday evening, August 16, 2018.
> I am writing because I am concerned about the first item on the agenda and the fact that a vote was taken last night to recommend this item with "no comment." I fear that an important error on the agenda has been overlooked, despite the fact that it was pointed out in public comment. Perhaps I failed to make my point clear.
> Under the heading of Request, item 2.a, General Plan Amendment to amend the Land Use Diagram to:, please note the omission of any High Density Housing (HDR). When I made my comment to point this out the gentleman making the presentation pointed out on the exhibit that HDR is included in the project and said so. He, in fact, apologized that it was not mentioned in the agenda item. I am concerned that the verbiage in the agenda item will be cut and pasted into your recommendation and that subsequent documents will follow suite, eliminating any requirement for HDR.
> How can we be certain that this does not happen?
> As you are well aware there is a desperate need for HDR in Sacramento County, we need to work together as a community to ensure that this need is met. If it is overlooked this time it will establish a precedent and make it easier for subsequent development to eliminate a requirement for HDR.
> Please make sure that a requirement for HDR is included in the amendment to the General Plan and the NewBridge Specific Plan.
> Once again, thank you for your service to our community, it is appreciated.
> Sincerely,
> Lee Leavelle
> 9644 Linda Rio Drive,
> Sacramento, CA 95837
> COUNTY OF SACRAMENTO EMAIL DISCLAIMER:
> This email and any attachments thereto may contain private,
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> If you are not the intended recipient, please contact the sender
> immediately and permanently delete the original and any copies of this
> email and any attachments thereto.
>

Little. Alison

From: Smith. Todd
Sent: Thursday, August 23, 2018 1:24 PM
To: Little. Alison
Subject: FW: Comments on the NewBridge Specific Plan Project (SCH: 2013012028)

Please save in P drive.

Todd Smith, Principal Planner

Office of Planning and Environmental Review
 827 7th Street, Room 225, Sacramento, CA 95814 | (916) 874-6918 (direct)
www.per.sacounty.net



From: PER-CEQA
Sent: Thursday, August 23, 2018 1:23 PM
To: Smith. Todd
Cc: Hawkins. Tim
Subject: FW: Comments on the NewBridge Specific Plan Project (SCH: 2013012028)

From: Wood, Dylan A@Wildlife [mailto:Dylan.A.Wood@wildlife.ca.gov]
Sent: Thursday, August 23, 2018 11:21 AM
To: PER-CEQA
Cc: Wildlife R2 CEQA
Subject: Comments on the NewBridge Specific Plan Project (SCH: 2013012028)

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

Attn: Todd Smith

Dear Mr. Smith,

The California Department of Fish and Wildlife (CDFW) received and reviewed the **Draft Environmental Impact Report** for the **NewBridge 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:

Notification to CDFW is required, pursuant to Fish and Game Code section 1602 if a project proposes activities that will substantially divert or obstruct the natural flow of water; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

The draft EIR describes activities that may have the effects (listed above) to vernal pools and seasonal wetlands on the Project site. These activities may be subject to Notification under Fish and Game Code section 1602; therefore, CDFW recommends that the EIR disclose obtaining a Lake or Streambed Alteration Agreement. CDFW approval of projects subject to Notification under Fish and Game Code section 1602 is facilitated when the environmental documentation

discloses the impacts to and proposes measures to avoid, minimize, and mitigate impacts to perennial, intermittent, and ephemeral rivers, streams, and lakes, other features, and any associated biological resources/habitats present within the project study area. CDFW relies on the Lead Agency environmental analysis when acting as a responsible agency if it is necessary to issue a Lake or Streambed Alteration Agreement for a project. Addressing CDFW comments ensures that the environmental document appropriately addresses project impacts and facilitating the approval of the project. Please visit <https://www.wildlife.ca.gov/Conservation/LSA> for more information about obtaining a Lake or Streambed Alteration Agreement.

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.

Sincerely,

Dylan Wood
California Department of Fish and Wildlife
Environmental Scientist
(916) 358-2384

Every Californian should conserve water. Find out how at:



SaveOurWater.com · Drought.CA.gov



Sacramento Metropolitan Fire District

10545 Armstrong Ave., Suite 200 • Mather, CA 95655 • Phone (916) 859-4300 • Fax (916) 859-3702

August 29, 2018

SENT VIA EMAIL

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

Subject: Comment Letter for the NewBridge Specific Plan (NSP)

To Whom It May Concern:

The Sacramento Metropolitan Fire District (District) has reviewed the NewBridge Public Facilities Financing Plan (PFFP) and Urban Services Plan (USP) and has the following comments:

Public Facilities Financing Plan

Comment #1 - The project proponent states Parcel N-60 is the planned site for a fire station within the project area. On January 2, 2018, the District submitted a comment letter requesting a change in location to the southeast corner of the project to satisfy 1st Due response coverage. The District acknowledges Parcel N-60 could potentially serve as a temporary site if NewBridge commences development ahead of the Mather South project. However, the District intends to build a station within Mather South that will provide 1st Due coverage to the northern portion of the NewBridge project. Therefore, Parcel N-60 will not serve the District's need for a permanent station site.

Comment #2 – In the Funding Sources section of the Fire Protection narrative, the proponent states, "The Developer will be required to dedicate land for the fire station site. The developer may receive credits against the SMFD Fire Fee for all or a portion of the site acquisition costs." The District's Capital Fire Facilities Fee includes property acquisition. The District prefers to collect the impact fees in total and purchase station sites at the fair market value of the land rather than developers dedicating sites.

Urban Services Plan

Comment #1 – As previously stated, Parcel N-60 could serve as a temporary site but is not a suitable location for a permanent facility. The NSP should depict a permanent station site in the southwest corner of the project.

Comment #2 – By calculating the District's operating costs on a per capita basis, the project proponent assumes the District's costs are almost entirely variable in nature; however, the District's costs are mostly fixed. In the January 2, 2018 comment letter, the District noted a new engine will need to be placed into service during Phase B. The USP estimates the project will produce approximately \$1.5 million (2017\$) in annual revenue for fire service by the end of Phase A. The District estimates its annual cost to operate an engine is \$2.9 million. Additionally, the USP needs to demonstrate the project can financially support its pro rata share of a Battalion Chief and truck company which cost \$1.2 million and \$3.4 million respectively. These additional resources are essential components of the District's 1st Alarm response.

If you have any questions, please feel free to contact me at (916) 859-4517 or via email at frye.jeff@metrofire.ca.gov.

Sincerely,



Jeff Frye
Economic Development Manager

Attachment: SMFD Comment Letter dated January 2, 2018



Date: September 4, 2018

To: Sacramento County Office of Planning and Environmental Review

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

Subject: SCWA Comments on the NewBridge Specific Plan DEIR Control
Number: PLNP2010-00081

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

1. The large diameter transmission main from the domestic water tanks resulting from the Phase B NSA Project (NSA Terminal Tanks) to the intersection of Kiefer Blvd and Eagles Nest Road will be developer built with a credit/reimbursement agreement with SCWA. Once the NSA Terminal Tanks are installed, the transmission main connecting the NSA Terminal Tanks to this intersection will be required to provide water service to NewBridge.
2. The Phase A NSA Project is complete.
3. Connection to the existing water supply transmission infrastructure at the intersection of Kiefer and Sunrise Boulevards will be required for the project. Portions of infrastructure (pipelines) connecting to this project including the P-1 Sunrise Blvd. Pipeline and the P-3A Shortened Kiefer Blvd. will be required and may be off-site.
4. Table PU-5 lists the Normal Year 2020 difference as 35,779, which should be updated to the correct number from Table 7-4 in the Water Supply Master Plan Amendment of 34,799.
5. The Sacramento County Water Agency worked closely with the NewBridge team to develop the Draft Zone 40 Water Supply Master Plan Amendment for

the NewBridge Project, which is Appendix PU-1 of the Draft Environmental Impact Report.

6. The Sacramento County Water Agency (SCWA) does not have any expertise in hardpan restoration and therefore cannot check a hardpan restoration treatment for adequacy during the plan checking process. SCWA would be opposed to any hardpan restoration treatment that limits excavation access or causes an undue increase in cost to access underground assets for future maintenance activities.

Cc: electronic file: P:\Shared Folders\Wsplandev\Zone 40\Newbridge\Public Facilities Financing Plan



County of Sacramento
Public Works & Infrastructure
Department of Waste Management & Recycling

Doug Sloan, Director

Date: September 5, 2018

To: Sacramento County Environmental Coordinator

From: Dave Ghirardelli, Department of Waste Management and Recycling

SUBJECT: NewBridge Specific Plan Draft Environmental Impact Report

Staff from the Sacramento County Department of Waste Management and Recycling (DWMR), which owns the Kiefer Landfill nearby to the proposed project, have reviewed the Draft Environmental Impact Report and have the following comment:

The project will bring sensitive receptors into proximity to Kiefer Landfill, a source of odors, noise, and dust. Doing so will impact the continuing function of this critical facility, which serves the waste disposal needs of Sacramento County. Mitigation is necessary in the form of Restrictive Covenants, or some similar mechanism such as a Nuisance Easement, recorded in perpetuity on deeds for all parcels created in the NewBridge Specific Plan Area, stating that property owners acknowledge the preexistence and proximity of the Kiefer Landfill and release rights to seek corrective action to the inevitable nuisances associated with a landfill such as dust, odors, and noise.

Thank you and please feel free to contact me at 875-4557 if you have any questions.

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

9-6-2018

RECEIVED

SEP 11 2018

**County of Sacramento
Planning and Environmental Review**

Re: Draft Environmental Impact Report for Newbridge
Specific plan Control Number PLNP 2010-00081

To Whom it may concern;

I am opposed to the Newbridge proposed project. This project is outside the Urban Policy Area and seeks to expand the Urban Policy Area. This is not a good idea since it will cause further loss of farmland in Sacramento County.

I attended every Sacramento County Planning Commission Hearing and every Sacramento County Board of Supervisors Hearing regarding the General Plan. All the comments I heard from both bodies indicated the desire to preserve farmland in Sacramento County. Therefore, this proposed project should not be approved since it will cause further loss of valuable farmland. Demand for locally-sourced food continues to swell in Sacramento. More than a quarter of Sacramento County's farmland vanished between 1996 and 2016' according to State Department of Conservation data. The more farmland that's taken out, the less locally grown food is available for restaurants, farmers markets, and local markets.

In addition, the project site contains habitat for vernal pool crustaceans, western spadefoot toads, Legenere (a wild flower), tricolored blackbirds, Swainsons Hawks, and many other wildlife species. The loss of 295.6 acres of Swainsons Hawk foraging habitat on this site is significant. Also Burrowing Owl habitat will be lost if this project is allowed to proceed.

This entire project site was not surveyed, therefore other important biological and cultural impacts have likely been left out of this Draft Environmental Impact Report. There are remnants of historic homesteads and farms dating back to the 1800's.

This Proposed project will create significant new sources of greenhouse gas, and the project will exceed Sacramento County thresholds for the transportation sector in 2020 and 2030.

Traffic impacts caused by this project cannot be mitigated. Upon build out, traffic noise from roadways may likely exceed County General Plan Policies for noise levels. Street lights and security lights will cause light pollution and ruin the night sky.

If this project is allowed to proceed, the view of rolling grasslands will be permanently altered. Once the land is destroyed, it will be lost to future generations.

The project site contains wetlands, vernal pools, swales, creeks, and stock ponds. The payment into a mitigation bank cannot replace the loss of these resources.

The City of Sacramento has built thousands of new housing units in the past 2 years, with more planned. It is not necessary to ruin all the rest of our open space and farmland in Sacramento County.

Sincerely, Roxanne Fuentez
Sacramento, CA



September 7, 2018

SENT VIA EMAIL

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

**RE: NewBridge Specific Plan Draft Environmental Impact Report
(Control Number: PLNP2010-00081; State Clearinghouse No. 2013012028)**

Dear Mr. Hawkins:

Thank you for providing an opportunity for the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) to review and comment on the NewBridge Specific Plan (NSP) Draft Environmental Impact Report (DEIR). 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. We offer the following comments to ensure air quality impacts are adequately analyzed, disclosed and mitigated.

Short-term Construction Emissions of Criteria Air Pollutants and Precursors

Enhanced Exhaust Control Practices

Several notification timeframes listed in Mitigation Measure AQ-1 shown on page 6 of the Executive Summary and page 5-24 of the Air Quality Chapter, as well as page 5-13, are either missing or are more stringent than the Sac Metro Air District's current Enhanced Exhaust Control Practices¹. To maintain consistency with the referenced Enhanced Exhaust Control Practices and the language used in Mitigation Measure CU-3, we recommend:

- adding the following sentences to Mitigation Measure AQ-1
*The project representative shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The project representative shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least **four** business days prior to the use of subject heavy-duty off-road equipment. The SMAQMD's Equipment List Form can be used to submit this information.*

¹ Sacramento Metropolitan Air Quality Management District. CEQA Guide. *Enhanced Exhaust Control Practices* (October 2013). <http://www.airquality.org/LandUseTransportation/Documents/Ch3EnhancedExhaustControlFINAL10-2013.pdf>

- replacing the following existing phrase in Mitigation Measure AQ-1
"...the lead agency and District shall be notified within 48 hours of identification of non-compliant equipment...."

with the following new phrase for consistency

...non-compliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly.

Construction Mitigation Fee Program

Page 5-14 of the Air Quality Chapter discusses the air quality construction mitigation fee and the current rate of \$30,000/ton. Please note that there is also an administrative fee associated with the mitigation and the price of mitigation increases based on the current cost-effectiveness rate established by the California Air Resources Board's Carl Moyer Incentive Program. Please ensure the mitigation requires the use of the current mitigation fee rate and the associated administrative fee to be calculated at the time of construction.

Climate Change & Greenhouse Gases (GHG)

Sac Metro Air District appreciates the detailed discussion of the fair-share reductions outlined in the Greenhouse Gas Reduction Plan (GHGRP) and DEIR's Mitigation Measure CC-1, shown in the Executive Summary and the Climate Change Chapter.

Section 7 of the NSP Development Standards and the Air Quality Mitigation Plan (AQMP) state required energy conservation measures, such as requiring all residential, commercial and office buildings to be designed and constructed to accommodate an electric-only option and requiring energy-efficient appliances in all residential units. To ensure consistency between the DEIR, GHGRP, AQMP and NSP Development Standards, and to clarify that the suite of quantifiable GHG reductions measures listed in the GHGRP GHG-1 and DEIR's Mitigation Measure CC-1 should exceed the existing requirements, we recommend rephrasing the 3rd bulleted example measure in Mitigation Measure CC-1 with following language, and also adding this language to the GHGRP GHG-1:

All-electric ENERGY STAR appliances, including water heaters and HVAC systems, in residential and non-residential development projects;

Page 7-12 of the DEIR and page 19 of the GHGRP list inherent design features that are not considered mitigation measures but would reduce the operational GHG emissions. Since the intent of the design feature is to reduce GHG emissions, Sac Metro Air District recommends:

replacing the following existing sentence

"Restriction of wood-burning devices (i.e., only natural gas fireplaces permitted, if any);"

with the following new sentence

Restriction of wood-burning devices and natural gas fireplaces (i.e., only electric fireplaces permitted);

Other Comments Not Related to the Technical Adequacy of the DEIR

Exposure of Sensitive Receptors to Toxic Air Contaminants from Mobile Sources

Sac Metro Air District appreciates the reference to our Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, which was the

current guidance at the time the Notice of Preparation for this DEIR was released. Please note that we have updated our guidance for locating sensitive receptors near high volume roadways with the Mobile Sources Air Toxics (MSAT) Protocol². The MSAT Protocol with its interactive online tool is intended to assist land use jurisdictions within Sacramento County in:

- (1) assessing the potential increased cancer risk of siting projects with sensitive receptors near high volume roadways and railways; and
- (2) determining whether exposure reduction measures should be incorporated into the project to protect future populations at a project site.

Thank you for your consideration of these comments. If you have any questions, please contact me at 916-874-6267 or JChan@airquality.org.

Regards,



Joanne Chan
Air Quality Planner/Analyst

- c: Paul Philley, Program Supervisor – CEQA & Land Use Section, Sac Metro Air District
Karen Huss, Air Quality Planner/Analyst – CEQA & Land Use Section, Sac Metro Air District
Rachel DuBose, Air Quality Planner/Analyst – CEQA & Land Use Section, Sac Metro Air District

² Sacramento Metropolitan Air Quality Management District. Mobile Sources Air Toxics Protocol (July 2018).
<http://www.airquality.org/businesses/ceqa-land-use-planning/mobile-sources-air-toxics-protocol>



September 10, 2018

CEQA@saccounty.net

County of Sacramento

Office of Planning and Environmental Review

827 7th Street Room 225

Sacramento, CA 95814

**RE: NewBridge 14-028
Draft Environmental Impact Report PLNP2010-00081
Comments by Cordova Recreation and Park District**

Dear Ms. Hack,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the NewBridge project. We have taken the opportunity to review the prepared document and offer the following comments.

Aesthetics

It is our understanding that the lights planned for the parks within the NewBridge project will have to comply with the International Dark Sky standards. Please explain what that will mean to the planned lit ball fields and other park amenities that may be lit.

Cultural

On page 8-21, the document states that prior to the approval of a General Plan Amendment or a Specific Plan, an intensive cultural study of the affected properties must be performed. Since both a General Plan Amendment and a Specific Plan are being proposed for the property now, why has no cultural study been done for the South and Lower West areas? If there is no land use change, when will the study be required? Furthermore, mitigation measure CR-2 does not read the same in the summary mitigation chart as it does in chapter 8.

Soils

It has been described in several places that the soil in the project area is not prime for agriculture. Please explain whether or not the soils in the project area are suitable for normal park landscaping. If the soils are not suitable, has the DEIR assumed the importation of suitable topsoil and evaluated those impacts?

Hazards and Hazardous Materials

We have reviewed the maps showing the location of the current effluent pond belonging to the Rendering Plant and believe that at least one of the future park sites may be located on the same property. Please verify whether or not our observation is correct, and that it is the responsibility of the developer/applicant to conduct any clean up measures that must be taken to clear the property from potential hazards created by the ponds. The Cordova Recreation and Park District will not accept any property which has not be cleared and is not free of encumbrances.

Noise

The District is concerned about the evaluation of noise impacts onto the future residential portions of the project. It is known that there will be organized sporting events held within the future park sites and that those events will create noise. It is further noted that the Sacramento County Noise Ordinance exempts parks from compliance with the provisions in the ordinance. Therefore, please confirm that the park sites within the NewBridge project do not have to comply with Mitigation Measure NO-2.

Utilities and Service Systems

Page 14-20 of the DEIR states that parks will have turf limitations, low water plants and smart irrigation central control. The District confirms this broad design parameter but wants it to be known that there will be turf used within the parks.

Appendix PS-1 NSP PFFP July 2018 and PS-2 NSP PFFP July 2018

The District submitted comments relative to the Public Facilities Finance Plan and the Urban Services Plan on September 4, 2018. The comments are attached.

The District appreciates the County's commitment to planning environmentally responsible and sustainable communities and we look forward to future engagement in this project. Please continue to forward documentation related to this project to the District. Please don't hesitate to contact me if you have any questions.

Sincerely,



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

CC: Patrick Larkin, District Administrator for Cordova Recreation and Park District

Attachment: USP and PFFP comments, 3 pages total

Date: 9/4/2018
To: SPECIAL DISTRICTS, Office of Development & Code Services
From: Cordova Recreation and Park District
Subject: **Review Status Form of the Draft Report – NewBridge Specific Plan -
URBAN SERVICES PLAN**

Cordova Recreation and Park District has reviewed the applicable services and operations, including cost and revenue information, in the NewBridge Specific Plan Urban Services Plan (the Urban Services Plan) prepared by Development Planning & Financing Group, Inc. (DPFG) dated July 2018.

☐

APPROVED AS SUBMITTED

There are no comments or concerns from our agency. Special Districts is authorized to proceed with securing Board of Supervisor approval of the Urban Services Plan.

☒

COMMENTS ATTACHED

The Urban Services Plan is not complete. Please revise and amend the Urban Services Plan to address the attached comments.

NAME AND TITLE (PRINTED): Matthew Goodell, Finance Manager

SIGNATURE:



DATE: 9/4/2018

Date: 9/4/2018

To: SPECIAL DISTRICTS, Office of Development & Code Services

From: Cordova Recreation and Park District

Subject: **Review Status Form of the Draft Report – NewBridge Specific Plan -
PUBLIC FACILITIES FINANCING PLAN**

Cordova Recreation and Park District has reviewed the applicable facilities included in the Capital Improvement Program, including the list of projects, the project scopes, cost estimate and phasing, in the NewBridge Specific Plan Public Facilities Financing Plan (the Financing Plan) prepared by Development Planning & Financing Group, Inc. (DPFG) dated July 2018.



APPROVED AS SUBMITTED

There are no comments or concerns from our agency. Special Districts is authorized to proceed with securing Board of Supervisor approval of the Financing Plan.



COMMENTS ATTACHED

The Financing Plan is not complete. Please revise and amend the Financing Plan to address the attached comments.

NAME AND TITLE (PRINTED): Matthew Goodell, Finance Manager

SIGNATURE:



DATE: 9/4/2018

PAGE	CURRENT (PFFP)	COMMENT
59	Footnote: \$455,697 neighborhood	\$472,648 (2018)
59	Footnote: \$676,976 community	\$702,159 (2018)
77	Existing CFD: Cordova Park Maintenance Assessment	
77	Existing CFD: Cordova Recreation Park District - CFD No. 2016-01	
81	New CFD: Cordova Recreation and Park District Park Maintenance CFD	<i>This assessment will replace the two existing.</i>
78	Annual maintenance costs of \$859,866	<i>These figures are based on 2015 costs.</i>
81	Table 36: Annual maintenance costs of \$859,866	<i>These figures are based on 2015 costs.</i>
82	Table 37: Annual maintenance costs of \$859,866	<i>These figures are based on 2015 costs.</i>
87		<i>IMPLEMENTATION does reflect the potential change and updates in inflation (general)</i>

PAGE	CURRENT (USP COMMENTS)	COMMENT
17	8. Page 28, 4th paragraph, last sentence: The reference to Cordova Recreation and Park District is not clear—is this the new service CFD mentioned further down the page or an existing special taxing district?	<i>Per the comment above, the CRPD intentions will be to have a new CFD that replaces the existing assessments.</i>
	<p>The text was revised to include a list of special taxes and assessments that are currently charged. The Cordova Recreation Park District (CRPD) CFD No. 2016-1 is an existing district. The Project is located within the boundaries of CRPD CFD No. 2016-1.</p>	

PAGE	CURRENT (USP)	COMMENT
21-23	Table 8, 9 and 10: Maintenance costs reflect 2015 rates.	<i>Inflation should be incorporated into these figures and anticipated updates in future reports.</i>



T 510.836.4200
F 510.836.4205

410 12th Street, Suite 250
Oakland, Ca 94607

www.lozeaudrury.com
richard@lozeaudrury.com

Via Email and Overnight Mail

September 10, 2018

Leighann Moffitt, Planning Director Office of Planning and Environmental Review County of Sacramento 827 7th Street, Room 225 Sacramento, CA 95814 moffittl@saccounty.net	Sacramento County Environmental Coordinator County of Sacramento 827 7th Street, Room 225 Sacramento, CA 95814 CEQA@saccounty.net
Donna Allred, Clerk/Recorder Sacramento County Clerk/Recorder P.O. Box 839 Sacramento, CA 95812 dyers@saccounty.net	Alison Little, Associate Planner Todd Smith, Principal Planner Office of Planning and Environmental Review County of Sacramento 827 7th Street, Room 225 Sacramento, CA 95814 littlea@saccounty.net smithtodd@saccounty.net

**Re: Comment on NewBridge Specific Plan (SCH#2013012028)
Environmental Impact Report**

Dear Ms. Moffitt, Ms. Allred, Ms. Little, Mr. Smith and the County Environmental Coordinator:

I am writing on behalf of the Laborers International Union of North America, Local Union 185 and its members living in the County of Sacramento ("LiUNA"), regarding the Draft Environmental Impact Report ("DEIR") prepared for the Project known as NewBridge Specific Plan (SCH#2013012028) located in the Vineyard community of unincorporated Sacramento County, southeast of Mather Airport, and just west of the City of Rancho Cordova. The proposed Project is bounded on the east by Sunrise Boulevard (the City of Rancho Cordova and County boundary line); to the south by Jackson Road; to the north by Kiefer Boulevard; and the west boundary is 2,000 feet west of Eagles Nest Road. ("Project"). APNs: 067-0050-048, 067-0080-013,-014,-015,-016,-025,-029,-030,-037, and -047; 067-0090-002,-005,-018,-019, and -021; 067-0120-018, -059,-060,-066, and -067.

September 10, 2018

Comment on NewBridge Specific Plan (SCH#2013012028), EIR

Page 2 of 3

After reviewing the DEIR, we conclude that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. Commenters request that the County of Sacramento Planning and Environmental Review Department, and your staffs address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000, et seq., prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

We hereby request that the County of Sacramento ("County") send by electronic mail, if possible or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the County and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the County, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
 - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
 - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
 - Notice of any Final EIR prepared pursuant to CEQA.
 - Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

September 10, 2018

Comment on NewBridge Specific Plan (SCH#2013012028), EIR

Page 3 of 3

In addition, we request that the County send to us via email, if possible or U.S. Mail a copy of all Planning Commission and/or Board of Supervisor meetings and/or hearing agendas related to the Project.

Please send notice by email, if possible or U.S. Mail to:

Richard Drury

Theresa Rettinghouse

Lozeau Drury LLP

410 12th Street, Suite 250

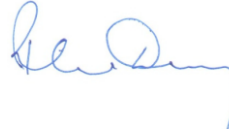
Oakland, CA 94607

510 836-4200

richard@lozeaudrury.com and theresa@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Richard Drury

California Native Plant Society

September 12, 2018

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

VIA EMAIL

Subject: Draft Environmental Impact Report
Newbridge Specific Plan
Control Number: PLNP2010-00081
State Clearing House Number: 2013012028

To Whom It May Concern,

The California Native Plant Society 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, the California Environmental Quality Act, and other resource protection laws.

The Sacramento Valley Chapter of CNPS has been highly involved in participating in and commenting upon land use decisions at all levels that affect vernal pool ecosystems in Sacramento County. Chapter volunteers served on the South Sacramento Habitat Conservation Plan (SSHCP) steering committee and various subcommittees. Chapter volunteers serve on a stakeholders group to determine land use planning for the former Mather Air Force Base and its vernal pool grassland ecosystem. Chapter volunteers participated in the General Plan revision and the Visioning exercises for the eastern part of the county. Chapter volunteers serve on local land trust boards, steering committees, and management committees. Chapter volunteers have testified at innumerable planning commission, board of supervisors, and city council meetings on projects that impact vernal pool resources.

The Sacramento Valley Chapter of CNPS has long viewed the region including the area referenced in the Newbridge Specific Plan as the "Yellowstone" of vernal pool landscapes in Sacramento County. The following comments are based on our knowledge of the wetland and endangered species resources in the vicinity of the proposed project and our understanding of the resource protection laws and their associated public review process.

On September 11, the Sacramento County Board of Supervisors voted unanimously to adopt the SSHCP. The Newbridge DEIR includes several alternative mitigation measures depending upon whether or not the SSHCP is realized. Given the likelihood that the SSHCP will be approved and implemented in the near future, we have focused our comments on the mitigation measures that would be implemented under the adopted SSHCP.

GENERAL COMMENTS

Various documents listed different deadlines for comments on this Draft Environmental Impact Report. We have chosen to submit our comments by the date listed in the September 4, 2018 notice of the



Dedicated to the preservation of California native flora

Planning Commission meeting. This emailed announcement listed September 13, 2018 as the deadline for written comments.

The California Environmental Quality Act (CEQA) requires full disclosure of environmental impacts for the whole project regardless of whether they are detrimental or beneficial. CNPS would like to thank the County for including the complete *Mitigation & Monitoring Plan* as an appendix to the Draft Environmental Impact Report (DEIR). Inclusion of this document, instead of deferring its preparation to some later date, has allowed us to review the entirety of the project including the environmental impacts of required wetland mitigation.

SPECIFIC COMMENTS

Western Spadefoot

Conclusions drawn on pages 6-56 and 6-57 regarding impacts to western spadefoot are not supported by evidence. If it occurs, loss of western spadefoot breeding habitat on the Newbridge Project site would be significant. There are less than a handful of extant populations within the Urban Development Area of Sacramento County and these occur on the very periphery of its range. Larval surveys must be conducted to determine if any breeding habitat occurs on the site. Should breeding habitat be identified on the project site, additional mitigation measures must be implemented to ensure that impacts are reduced to a less than significant level. These measures will also need to be implemented during any compensatory mitigation construction within the preserves as per the *Mitigation & Monitoring Plan*.

Even if there are no breeding sites on Newbridge, there is a known population to the immediate north that is proposed for protection. Several avoidance and minimization measures (AMMs) outlined in the SSHCP must be implemented on the Newbridge Project to reduce indirect effects to the adjacent protected population. These AMMs shall be implemented during construction of the project and also during implementation of the *Mitigation & Monitoring Plan*.

Invertebrates

Mitigation Measure BR-12 states that no action is required if an occupied vernal pool is totally avoided. However, the *Mitigation & Monitoring Plan* submitted as Appendix BR-2 calls for modification of several avoided vernal pools as part of the overall compensatory mitigation plan. Surveys must be conducted for the shrimp and Ricksecker's water scavenger beetle prior to any earth movement related to the compensatory mitigation plan. Should any of the vernal pool invertebrate species be found in areas where disturbance is planned, a monitoring program needs to be designed and implemented in order to demonstrate that the compensatory mitigation is in fact beneficial to these species.

Plants – *Legenere limosa*

The Newbridge DEIR identifies *Legenere* as known to occur in the project site in two vernal pools. These pools are proposed to be protected within the onsite preserves. Unfortunately, the document and its appendices fail to specifically identify the location of these populations. Additionally, the *Mitigation & Monitoring Plan* contains no mention of this rare plant or any avoidance measures to be implemented during the compensatory mitigation construction. Impacts to this species will be less than significant only after appropriate protection measures are included in the mitigation plan.

Plants – Orcutt grasses

While there are no known occurrences of Orcutt grasses on the Newbridge Project, a portion of the project contains designated Critical Habitat for *Orcuttia viscida*. While this area of the project site is proposed for protection, it will be subject to grading in order to implement the *Mitigation & Monitoring Plan*.

for the compensatory mitigation being proposed for the project. This will constitute modification of Critical Habitat albeit temporary. In order to ensure that the temporary disturbance does not adversely affect designated Critical Habitat, an invasive species prevention and removal plan will be implemented as part of the *Mitigation & Monitoring Plan*.

SUMMARY

On behalf of CNPS, I appreciate the opportunity to provide comments on the Draft Environmental Impact Report for the Newbridge Specific Plan.

Please keep me informed of activities related to projects in this area that might impact vernal pool grasslands and endangered species habitat.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carol W. Witham', with a stylized, flowing script.

Carol W. Witham
California Native Plant Society
Sacramento Valley Chapter Treasurer
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Sacramento CA 95816
(916) 452-5440; (916) 761-7886
carolwwitham@gmail.com



September 13, 2018

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

Dear Coordinator:

These comments are submitted on behalf of the Environmental Council of Sacramento (ECOS) on the NEWBRIDGE SPECIFIC PLAN DRAFT ENVIRONMENTAL IMPACT REPORT (Control Number: PLNP2010-00081). ECOS is a coalition of environmental and civic organizations with a combined membership of more than 52,000 citizens throughout the Sacramento Region. Our mission is to achieve regional and community sustainability and a healthy environment for existing and future residents.

ECOS is vitally concerned about the preservation of natural resources both in developed and undeveloped areas. Economic pressures from climate change, international competition, and a host of other sources demand that this region maintain the highest possible quality of life in order to attract and create the most desirable and successful opportunities for our residents. Numerous surveys and research analyses support the importance of access to nature for optimal health and quality of life, especially for children. Smart urban development and preservation of natural resources go hand in hand, and this DEIR, more than many, reflects the complexities of this parcel in both regards.

Alternatives

Alternative 5 (No Project) is found not to be the most environmentally friendly, yet Table AL-5 clearly shows its environmental superiority over all the other alternatives.

Air Quality

Alternative 1 contains the same number of dwelling units on a smaller footprint, so that “air quality impacts would remain similar”. But the smaller footprint should be more conducive to efficient transit, yet this well-known phenomenon is not factored into the analysis.

Alternative 5 would allow the SRC to continue operations. Are we to assume that reduction of existing odor production is another justification for the project?

Land use

This area should be treated in the same fashion as the remainder of the Jackson Corridor. ECOS has long indicated that the County must establish a logical and progressive schedule for the development of the Jackson Corridor, consistent with [mitigation measures LU-1 - LU-3 in the EIR](#) for the Sacramento County General Plan.

For example:” LU-1. 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 in to 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.

Without such a schedule for the entire area, the development pattern will be a free-for-all and the resulting development will exemplify that. Further, the development will not be consistent with the mitigation measures **required** in the CEQA review for the Sacramento County General Plan. A scheduled plan for the entire Jackson Corridor area must be prepared before any development proceeds. The Board of Supervisors has been reluctant in the past to apply any meaningful logical progression to new development, including in the General Plan, despite the mitigation measures that the County **committed to** as part of CEQA review for its general plan. ECOS continues to believe this to be a massive error in judgement, one that should not be repeated in this DEIR. Failure to establish such a schedule pits project against project for, among other things, allowable greenhouse gas emissions (as per SB 375's Sustainable Community Strategy), and allows "the market" to set the County's priorities, instead of the Board setting them.

We do not believe this project meets all criteria PC-1 through PC-10 in LU-120, and therefore does not qualify for adjustment of the UPA. In particular, we are having trouble understanding how the project is consistent with SACOG's Blueprint when a substantial amendment is needed to achieve this "consistency". This amendment would change the timing of developing here from "after 2030" to "before 2030." SACOG projects the NEED for future development of this area. Nothing in the proposal demonstrates why that "future" is "now". We assume it's because the developer is ready now, rather than that the NEED has suddenly arisen.

LU-120 lists the 10 criteria that must be met to expand the UPA.

PC-1. We do not see a vision for connectivity based upon anything other than wishful thinking. Certainly transit connectivity has no visible means of support in this proposal.

PC-5 Transit-oriented Design (TOD) is required. Without a plan for how the transit would be supported, we do not agree that this criterion is being met.

PCC-7 It is not possible to confirm the cost-neutrality of this proposal without a more completely described method of supporting transit.

PC-9 consideration of regional planning efforts is not satisfied when the only way the project is said to be "consistent" with Blueprint is if it is amended. That sounds more like **inconsistency** to us.

Consistency with Blueprint also is said to be satisfied by proximity to the "existing community" of SunRidge Specific Plan, only after taking great pains to identify how connectivity to truly adjacent developments are limited by a wetland preserve and the vernal pool preserve at Mather. In the end, adjacency is established by neither the north side nor the east side of the proposed development, but rather ONE POINT (the corner of the property).

Project also includes a "multi-modal transportation system", but does not demonstrate how the financial viability of the system will be accomplished. It's an idea, not a plan, and therefore does not satisfy LU-34, etc. After all, without a T, there is no TOD.

Biological Resources

This comment letter incorporates by reference the comment letter prepared by the California Native Plant Society.

This project must rely on the SSHCP for endangered species coverage and follow its conservation strategy and mitigation guidelines. In the absence of the SSHCP, it must follow the Record of Decision for the Sunridge Properties project.

Traffic and Circulation

Providing adequate transit service to this project, and other projects in the Jackson Corridor, must be a critical component of this Specific Plan to achieve the objectives of the General Plan. Only through the provision of a robust transit system can vehicle miles traveled be reduced and green house 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 (attached).

In reviewing the DEIR, what we find is a very vague and in our view unenforceable mitigation measure TC-4.

MITIGATION MEASURE TC-4: TRANSIT SYSTEM 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 TC-4: TRANSIT SYSTEM 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.

This project is part of the Jackson Corridor Development Area, so the project area should be treated the same as the other projects in the area. As advocated by ECOS in the past, the other projects in the Corridor have agreed to establish a Transportation Services District with a per dwelling unit equivalent assessment for transportation services. This approach is critical to the development of this entire area and is crucial to reducing ozone precursors and greenhouse gas emissions.

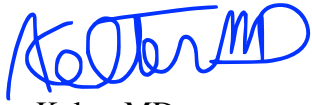
Without the mitigation measures described here and under **Land Use** [above], this DEIR must be considered incomplete and inadequate, since these and other feasible mitigation measures have not been applied.

Conclusion

ECOS supports development along Jackson Highway to the extent that it is based on demonstrable need above and beyond infill development of existing vacant parcels in the County that are closer to existing commercial corridors, better connected to transit, contiguous with existing development, and thereby provide much-needed support to RT. This appears to us to require a logical progression of development, generally from west-to-east, since the western portion is closest to existing transit routes and the City of Sacramento.

Thank you for the opportunity to submit these comments.

Respectfully Submitted,



Alex Kelter MD
Chair, Land Use Committee

From: [Lockhart, Don](#)
To: [PER-CEQA](#)
Cc: [Smith, Todd](#)
Subject: LAFCo DEIR Comments (NewBridge Specific Plan DEIR))LAFCo#M-47)
Date: Thursday, September 13, 2018 4:11:26 PM

NewBridge Specific Plan

Control Number: PLNP2010-00081

State Clearinghouse Number: 2013012028

Thank you for providing the Draft Program EIR for the above noted project, to the Sacramento Local Agency Formation Commission (LAFCo) for review and comment. As described in the Project Description, the project would include annexation of the 1100 +/- -acre affected territory into the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD) to provide wastewater services to the Project. Both of the respective districts Spheres of Influence are co-terminus with County General Plan Urban Services Boundary.

Project Description – The project description needs to explicitly include all required LAFCo actions and entitlements. The project description needs to include a discussion regarding the role and sequence of LAFCo in the decision-making process.

A. Environmental Issues - The DEIR should address the following issues of statutory concern to LAFCo.

Population, Employment and Housing – The evaluation should discuss the presence and potential loss of affordable housing within the project area and, if there would be any loss, what affect the loss would have on a countywide basis. LAFCo is required to ensure that there be no net loss of targeted housing resources on a countywide basis. While such resources are may not be located within the study area, the EIR sections discussing Population and Housing should explicitly state this fact and determine that there would be no impact. If targeted housing resources are located, or planned for the project area, the EIR should evaluate whether the project would maintain such resources or continue to allow their potential development. If not, the EIR should explain how this loss of affordable housing would affect the County's provision of targeted housing types, and propose mitigation to ensure that the County remains able to meet their regional housing needs allocation (RHNA) for the adequate provision of housing affordable to all household income levels.

Public Services – The DEIR states that the evaluation of public services would meet LAFCo requirements. To meet this standard, the evaluation should focus on the following issues, including whether any physical facilities would need to be improved, constructed or expanded to serve the project, including those outside of the project site, whose construction potentially could have environmental effects. If so, the secondary effects of expanding, improving, constructing and operating such

facilities should be evaluated. These would include any necessary offsite wastewater service infrastructure. Secondly, the evaluation should assess whether the districts have (1) the service capability and capacity to serve the project area, and (2) whether they can provide services to the project area without adversely affecting existing service levels elsewhere in their service area.

The analysis may benefit from consideration of the required annexation Plan for Services regarding the financing and timely provision of sustainable wastewater services - collection, conveyance and treatment, with no adverse impact to existing ratepayers.

Natural Resources - Agricultural Lands – The CEQA analysis must adequately include the evaluation of agricultural resources to provide information to allow LAFCo to make findings with respect to applicable LAFCo statutory criteria, and Sacramento LAFCo local policies and standards. To permit LAFCo to complete this evaluation, the analysis should include a discussion of any current agricultural uses and activities within and adjacent to the project area, including the presence of any lands protected by Williamson Act contracts or within a Farmland Security Zone. The evaluation should also discuss the characteristics of soils found within the area (NRCS land use capability classification and storie index rating [from soil survey], and FMMP classification [from DOC Important Farmlands Map]) to determine the presence or absence of “prime agricultural land” as defined by Government Code §56064. Areas of prime agricultural land should be displayed on a map. In addition to soils information, if agricultural uses are present, for each use or operation the EIR should determine if the use supports, at a minimum, one Animal Unit (AU)/acre or has returned, or would return if planted with fruit or nut bearing trees, an agricultural value of at least \$400/acre for 3 of the last 5 years. Describe the location and determine the acreage of such areas. (See GC §56064) If there are lands protected by Williamson Act contracts or within a Farmland Security Zone, determine the status, location, and acreage of such lands (active, renewal, non-renewal contract status), and if non-renewal, the expiration date of the contract(s). If the project would result in the loss of prime agricultural land or protected agricultural lands, evaluate the trend of agricultural land loss countywide and in adjacent areas of Placer County, and what portion of the overall inventory and loss that this project represents. The analysis should propose mitigation to reduce any potential impacts to important agricultural resources to a less-than-significant level.

LAFCo is required to make findings regarding five tests of “prime agricultural land” as defined by GC §56064. The analysis needs to provide information regarding such lands to permit LAFCo to make these findings as a responsible agency.

Natural Resources - Open Space - The analysis should include an evaluation of any open space resources as defined by GC §65560 that are located within or adjacent to the project area. Such resources should be depicted on a map. If the project would result in the loss of open space resources, the analysis needs to evaluate the trend of open space loss countywide, and what portion of the overall inventory and loss that this project represents. The analysis should propose mitigation to reduce any potential impacts to open space resources to a less-than-significant level.

Environmental Justice - State law requires LAFCo to consider the extent to which the project will promote environmental justice. “Environmental justice” means the fair

treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The analysis should provide sufficient evidence to permit LAFCo to make a determination regarding this issue

Floodplain Areas – The scope of the analysis of hydrology and water quality/stormwater quality set forth in the analysis should include an evaluation of the County's and the project's compliance with the requirements of the Central Valley Flood Protection Plan, and with the regulations of all other applicable Federal, State, and regional agencies.

Land Use and Planning – The analysis of topics to be evaluated within Land Use should to include a consistency evaluation with not only the SACOG Blueprint, but also the current Metropolitan Transportation Plan/Sustainable Communities Strategy.

Also, the following edits are suggested to the text on page 15-10:

Local Agency Formation Commissions (*LAFCo's*) are *independent (in many counties, including Sacramento)* countywide commissions, required in each California County. LAFCo's govern the formation of new agencies, incorporation of new cities and districts, consolidation or reorganization of special districts and/or cities, as well as municipal service reviews and sphere of influence updates, and annexations of cities and special districts. The broad goals of the Sacramento LAFCo's directive are to ensure the orderly formation of local governmental agencies, to preserve agricultural and open space lands, and to discourage urban sprawl. LAFCo's must, by law, create Municipal Service Reviews and update, *as necessary*, Spheres of Influence for each independent local governmental jurisdiction within their countywide jurisdiction.

We look forward to working with your office in the continued environmental review of the NorthBridge project. Please do not hesitate to contact me if you have any questions regarding our comments.

Don Lockhart, AICP

Executive Officer

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Don.Lockhart@SacLAFCo.org

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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 recreational 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. Mitigation 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 *Border 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. Mitigation 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

TAYLOR & WILEY

A PROFESSIONAL CORPORATION

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Letter 17

JOHN M. TAYLOR
JAMES B. WILEY
JESSE J. YANG
KATE A. WHEATLEY
MATTHEW S. KEASLING

October 1, 2018

Sent via CEQA@saccounty.net

Planning and Environmental Review

Sacramento County

827 7th Street, Room 225

Sacramento, CA 95814

RE: Comments on Draft Environmental Impact Report – Newbridge Specific Plan

(Control Number PLNP 2010-00081 and State Clearinghouse Number: 2013012028)

Planning and Environmental Review:

We are writing to you on behalf of Tsakopoulos Investments and Stonebridge Properties to provide comments on the Newbridge Specific Plan Draft Environmental Impact Report (DEIR). While we would have preferred not to submit comments, regrettably events have left us with no other option. Why? Because the issued DEIR and other related documents were made public without the necessary coordination with other projects located along the Jackson Corridor. Had that coordination occurred, we would probably not be submitting comments. But since it did not, we are compelled to speak.

Our concerns are numerous but predominantly relate to issues of uniformity among the analytical and mitigation approaches being taken in the various Jackson Corridor environmental documents, either now prepared or under preparation. All of this ultimately relates to whether the four Jackson Corridor projects will have consistent and equitable mitigation obligations. As it currently stands, those mitigation obligations are likely to be neither consistent nor equitable. Moreover, to the extent there is a lack of uniformity, the important information providing function of California Environmental Quality Act (CEQA) will not be fully achieved. That ought not be allowed to occur.

Although we understand the Newbridge proponents desire to move forward expeditiously, that desire should not to be permitted at the expense of other impacted parties, including our clients and the public generally. The Jackson Corridor endeavor has involved a long and difficult process for everyone involved, largely as a result of the cumulative impact requirements stemming from CEQA. In addition, implementation of the various new General Plan policies approved in December 2011 has elongated the process. The length and difficulty of the process, however, is no reason to now disregard the County's

responsibility to ensure that public policies pertaining to the development of the Jackson Corridor are formulated and implemented in a fair and equitable manner. Indeed, that is especially so where what is under consideration, when the four projects are collectively taken into account, is development which will span many decades.

Our comments are as follows:

Global Comment

- At the time the DEIR was published, the preparers of the document had readily available cumulative traffic analysis incorporating changes to the Mather South Project and the West Jackson Project. Yet that analysis was not employed, with the preparers choosing instead to rely upon clearly outdated and inaccurate information. This is particularly troubling since the various project changes were substantial, involving as they did changes to road networks and job centers. For example, in the Mather South Project, there is no longer a university proposed, which seriously alters traffic impacts. Similarly, the amount of land dedicated to job centers in the West Jackson Project has been significantly reduced. As a result, the cumulative traffic analysis overstates the overall traffic impacts of the four projects, which, in turn, results in an inaccurate picture of cumulative effects. Furthermore, it also skews the accuracy of fair-share traffic mitigation obligations associated with the four projects. Oddly, the updated information was available in early 2018, well before the July 30, 2018 publication of the Newbridge DEIR. In any event, the by-product of not using that readily available data is that the published document now contains information which is not today accurate, with the result being that the analysis is defective not only with respect to traffic, but also with regard to other key subject areas, such as air quality, climate change and noise. To rectify these problems the DEIR must now be revised employing the best currently available information.

Aesthetics

- We are making this comment to ensure that all four Jackson Highway projects are treated uniformly in their environmental analysis of aesthetics. That being said, the DEIR finds the impact to aesthetics is Significant and Unavoidable and that there is no mitigation available. However, there are mitigation measures available, although they may not reduce the impact to less than significant. Measures such as open space preservation and specific plan design guidelines that provide strategies for tree planting and screening are just a few measures that have been used on past projects to lessen this type of impact. They are to be considered in this situation as well.

Air Quality

- The DEIR analysis uses two different versions of the CalEEMod model - 2013 for the Air Quality analysis and 2016 for Climate Change analysis. This lack of consistency should be corrected or an explanation for it should be provided and the use of the CalEEMod models should be applied uniformly among all four projects.
- There is no analysis regarding the demolition of the rendering plant which would result in impacts to air quality. This lack of analysis should be remedied since it is clear that no

development is likely to occur within the specific plan absent the demolition and removal of the rendering plant.

- The Air Quality analysis does not address toxic air contaminants for demolition and construction related activities. Other documents have consistently done so.
- As discussed above in the global comment, the best available traffic information should be employed for the cumulative air quality analysis. Corrective analysis is necessary.

Biological Resources

- The DEIR fails to provide even a general description of wetlands for the lower west side of the specific plan, even though (as with traffic) the information was readily available through the South Sacramento Habitat Conservation Plan and/or arials. To elaborate, the applicant has requested that the Urban Policy Area be moved to accommodate the project. That being the case, the DEIR should have discussed the biological impacts of doing so. Its failure to do so must be corrected.
- The DEIR does not address biological impacts associated with offsite water improvements, the construction of which may be required to implement the specific plan.

Climate Change

- Again, a different CalEEMod model was used than that employed for the Air Quality Analysis.
- A uniform approach should be used for determining the impacts of Climate Change for the four projects along the Jackson Corridor.
- The use of a 2020 full build-out of the project is not a realistic measure of its impact and is misleading. It is highly unlikely that any building will even commence prior to 2020.
- The DEIR indicates that construction thresholds have not been developed. However, although the County may have not adopted thresholds, the Sacramento Metropolitan Air Quality Management District has published thresholds. They should be employed uniformly among all Jackson Corridor projects.
- Once again, as discussed above in the global comment, the cumulative analysis is not based upon the best available traffic information.

Hydrology

- The DEIR does not define a climate change impact and instead defers analysis of this issue to future entitlements. In doing so, it fails to address potential climate related onsite and offsite flooding impacts.
- Although we recognize that the hydrology on the Newbridge site may be less complicated than other projects, a uniform approach among the four projects is still necessary with respect to the employed assumptions, i.e., the same rainfall assumptions, the same flows from upstream assumptions, the same climate change assumptions, etc.

Noise

- We are making this comment to ensure that all four Jackson Corridor projects are treated uniformly in their environmental analysis of noise. The DEIR finds the impact for cumulative offsite noise to be Significant and Unavoidable with no mitigation available. However, there clearly is mitigation available, although it might not reduce the impact to less than significant. Measures such as rubberized asphalt, setbacks, and sound walls are examples of suggested mitigation from prior projects.
- Again, as discussed in the global comment, the cumulative analysis is not based upon the best available information since the outdated traffic analysis was employed.
- The noise impacts to the specific plan area from the adjacent mining operation should be analyzed similar to the analyses being prepared for the Jackson Township and West Jackson plans addressing noise from the Sacramento Raceway.

Public Utilities

- Water Supply – It appears that the DEIR water supply infrastructure improvements are not consistent with those discussed in the EIR under preparation for the Jackson Township Project. Specifically, there is no discussion of the need to connect through Mather South to the future storage tanks. This inconsistency needs to be resolved.
- It is our understanding that the other EIRs along the Jackson Corridor will have a separate Energy chapter. At a minimum, there should be uniform energy related analysis provided for all the Jackson projects.

Transportation

- The DEIR Transportation Mitigation Program description is incomplete.
- As noted repeatedly above, the cumulative analysis is not based upon the best available information.
- The cumulative transit analysis is inaccurate as circulation patterns and service assumptions have been modified in the revised cumulative traffic analysis.

Finally, there are similar consistency and uniformity issues - which give rise to fairness concerns- within other Newbridge documents including the Urban Services Plan and Finance Plan. These should be corrected and made uniform so as to assure consistency and mitigation fairness among the four projects.

Very Truly Yours,



James B. Wiley

cc: Michael Penrose
Leighann Moffitt

Todd Smith

Angelo G. Tsakopoulos

Randy Sater

Mike Isle

Grant Taylor

John Taylor

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)

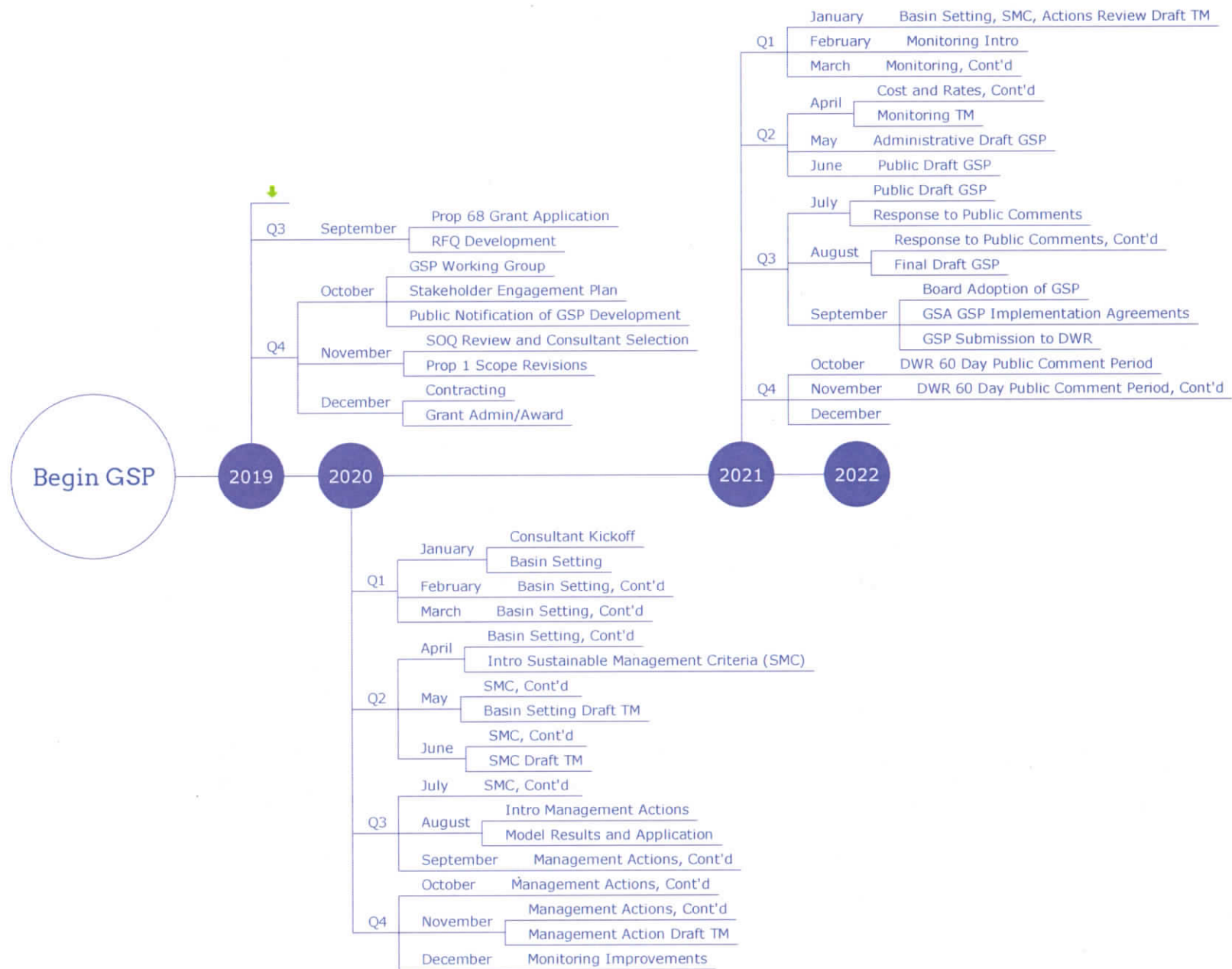
As you can see by SCGA-6 monitoring well located on Eagles Nest Road between Florin and Grantline Roads the groundwater has dropped 50 feet in 15 years. (See attached SCGA-6 2019 and Monitoring Well Location Map) Note that the groundwater elevation has been below the WF low threshold for many years, 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

Draft SCGA GSP Development Milestones for Discussion Purposes Only ^{Letter 18 # 7}



**SACRAMENTO COUNTY WATER AGENCY
CALIFORNIA****32****APPROVED**
BOARD OF DIRECTORS

JAN 09 2018

By *Fluence Evans*
Clerk of the BoardFor 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

Supervisory
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.

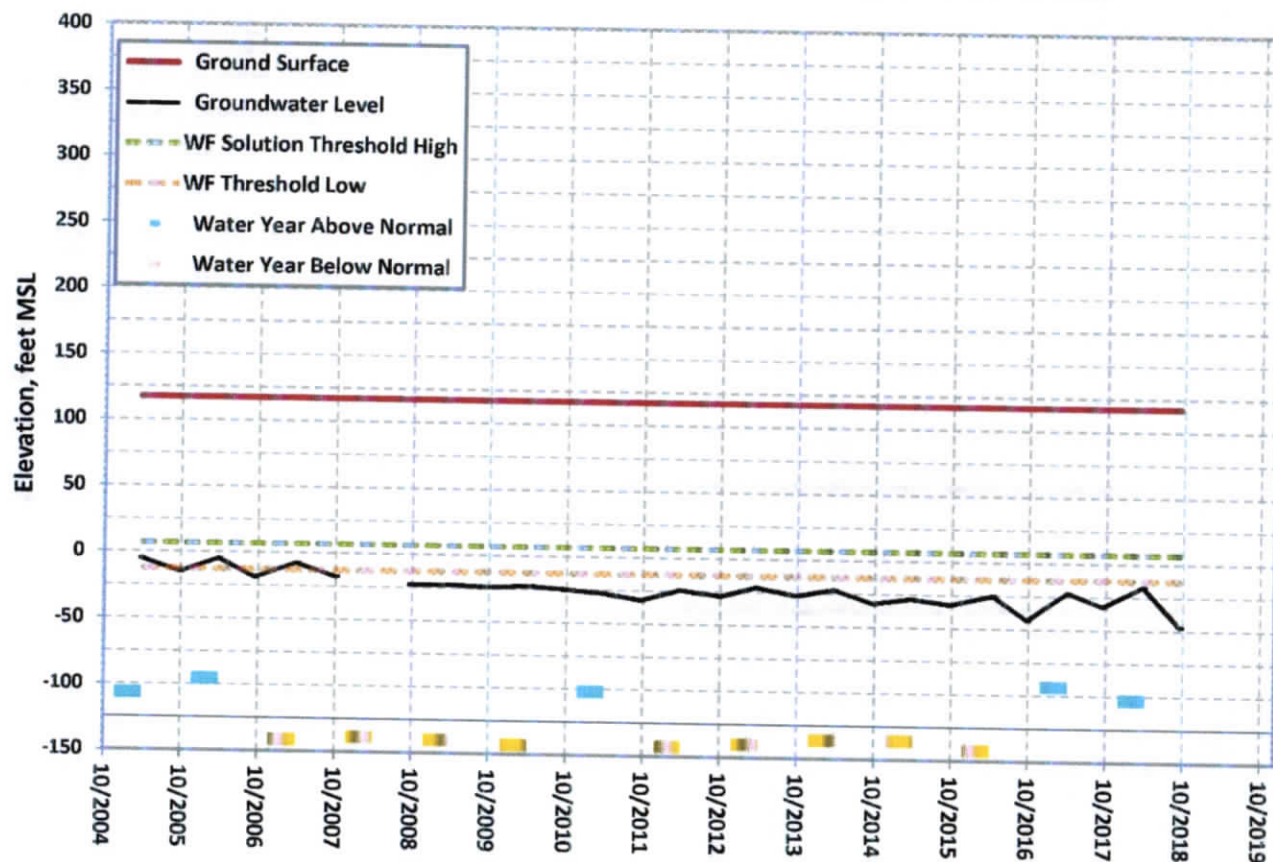
SGMA directs DWR to identify groundwater basins and subbasins in conditions of critical overdraft. DWR identified such basins in Bulletin 118, 1980 and Bulletin 118, Update 2003. DWR issued an updated draft list of critically over drafted basins in July 2015. Neither of the two subbasins that supply 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 <i>improve</i> impact assessments to private domestic groundwater pumps.
	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



Rest
Engles Nest Road
South of Florin

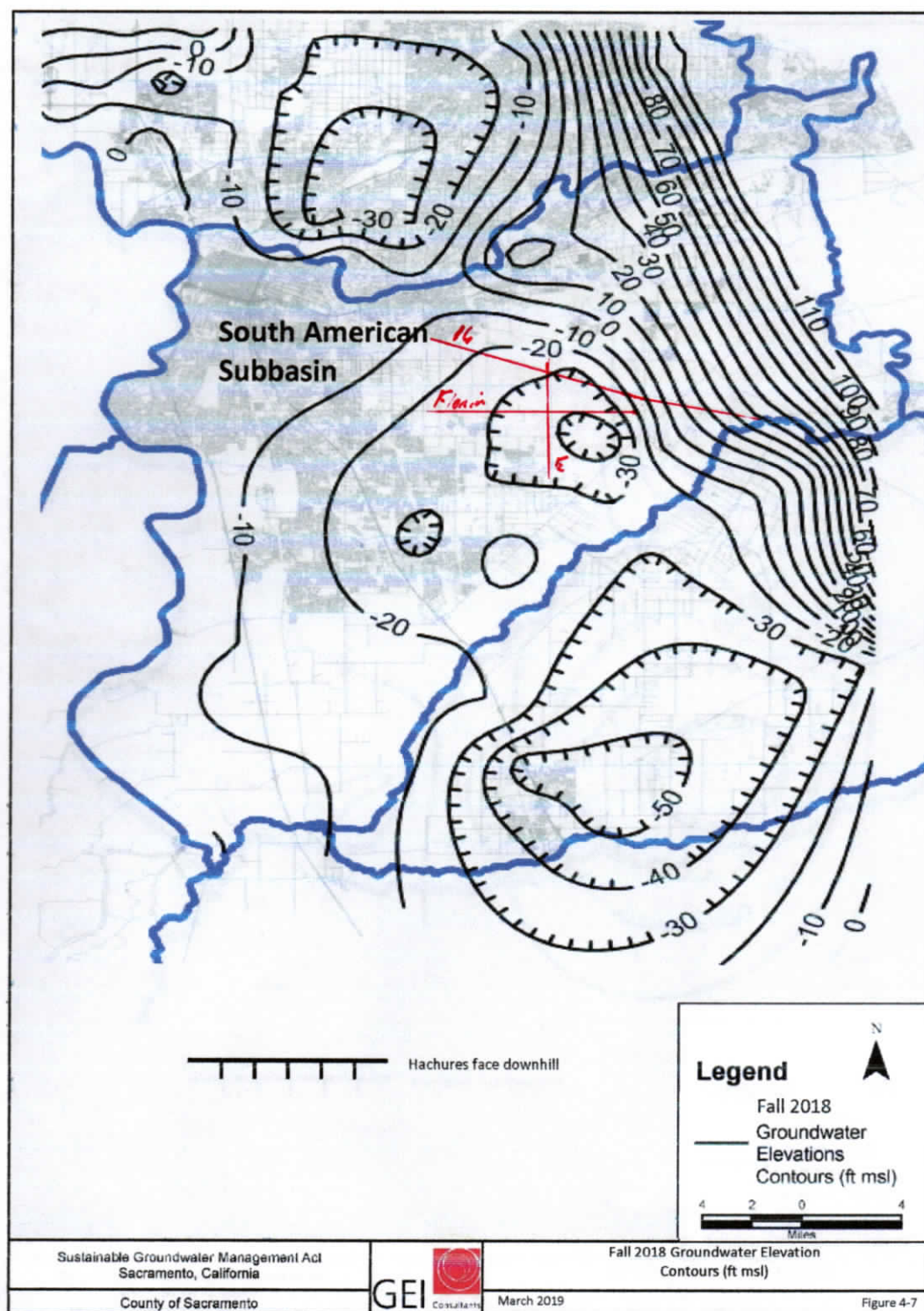
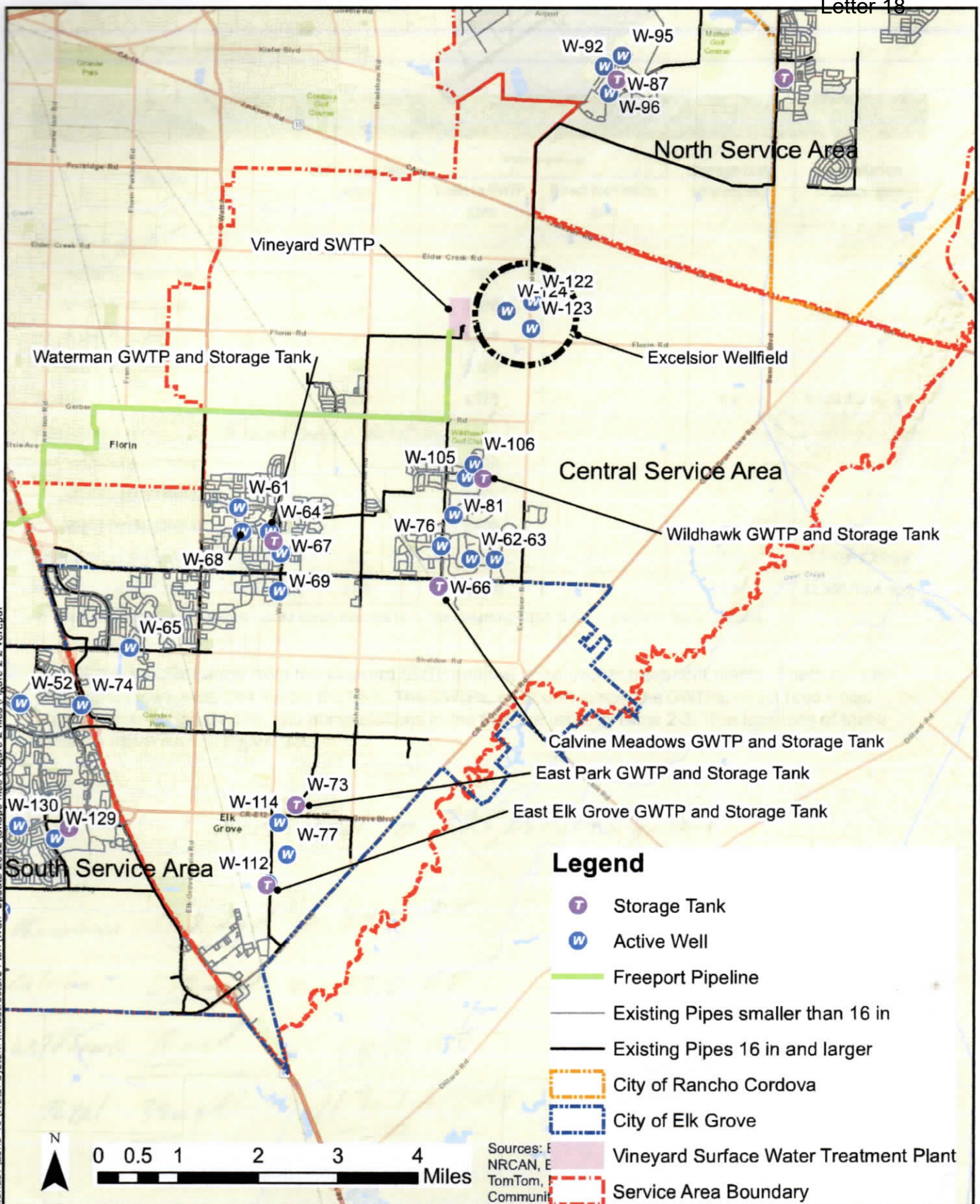



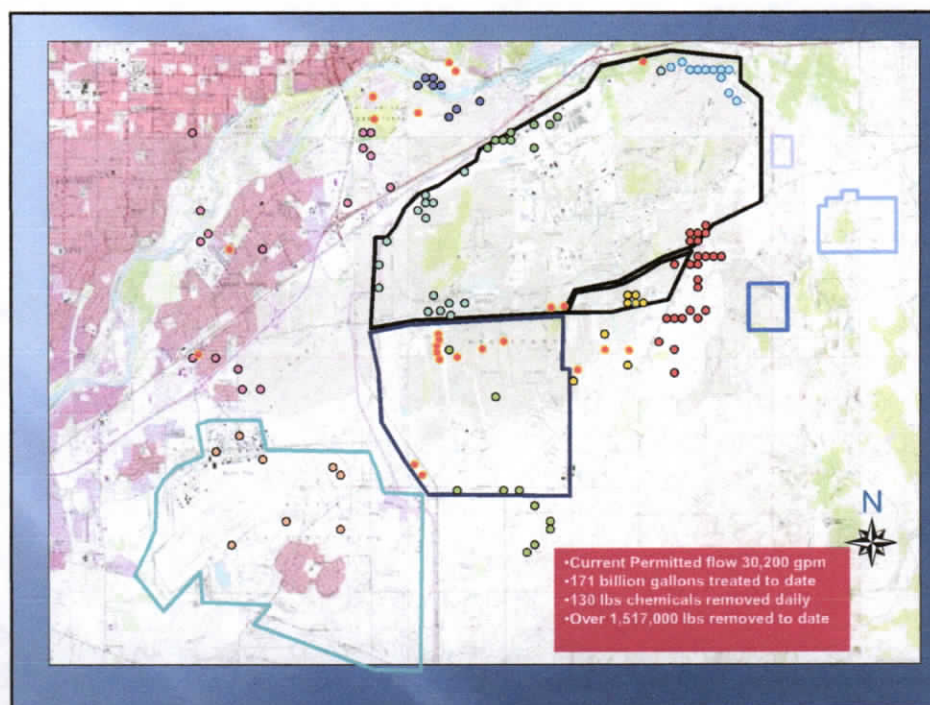
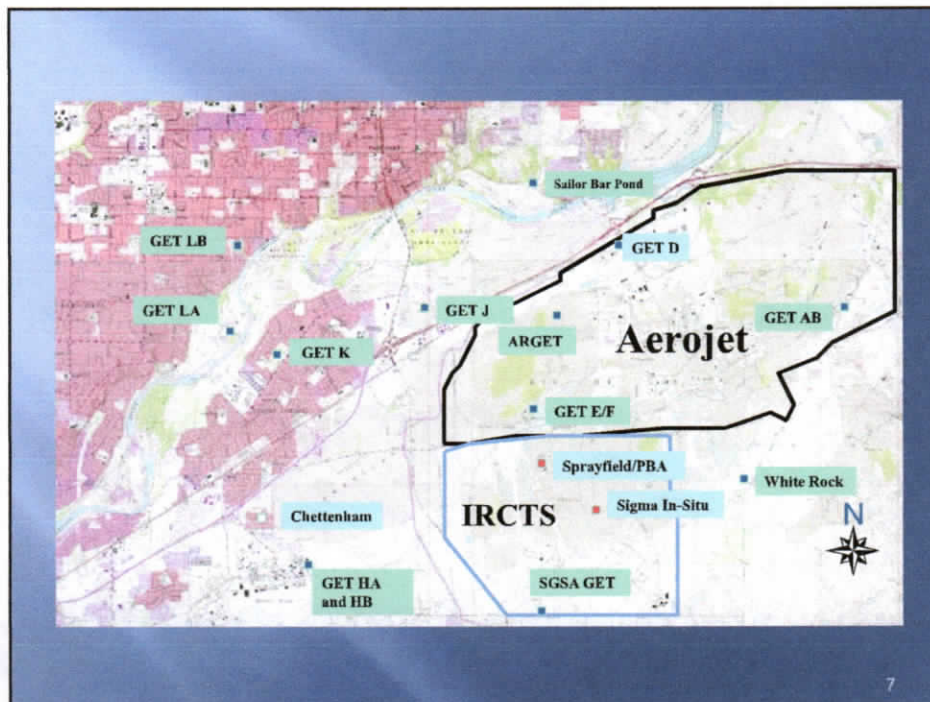
Figure 4-7. Fall 2018 Groundwater Elevations Contours with Monitoring Wells (ft msl)

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



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

Zone 40 WSP



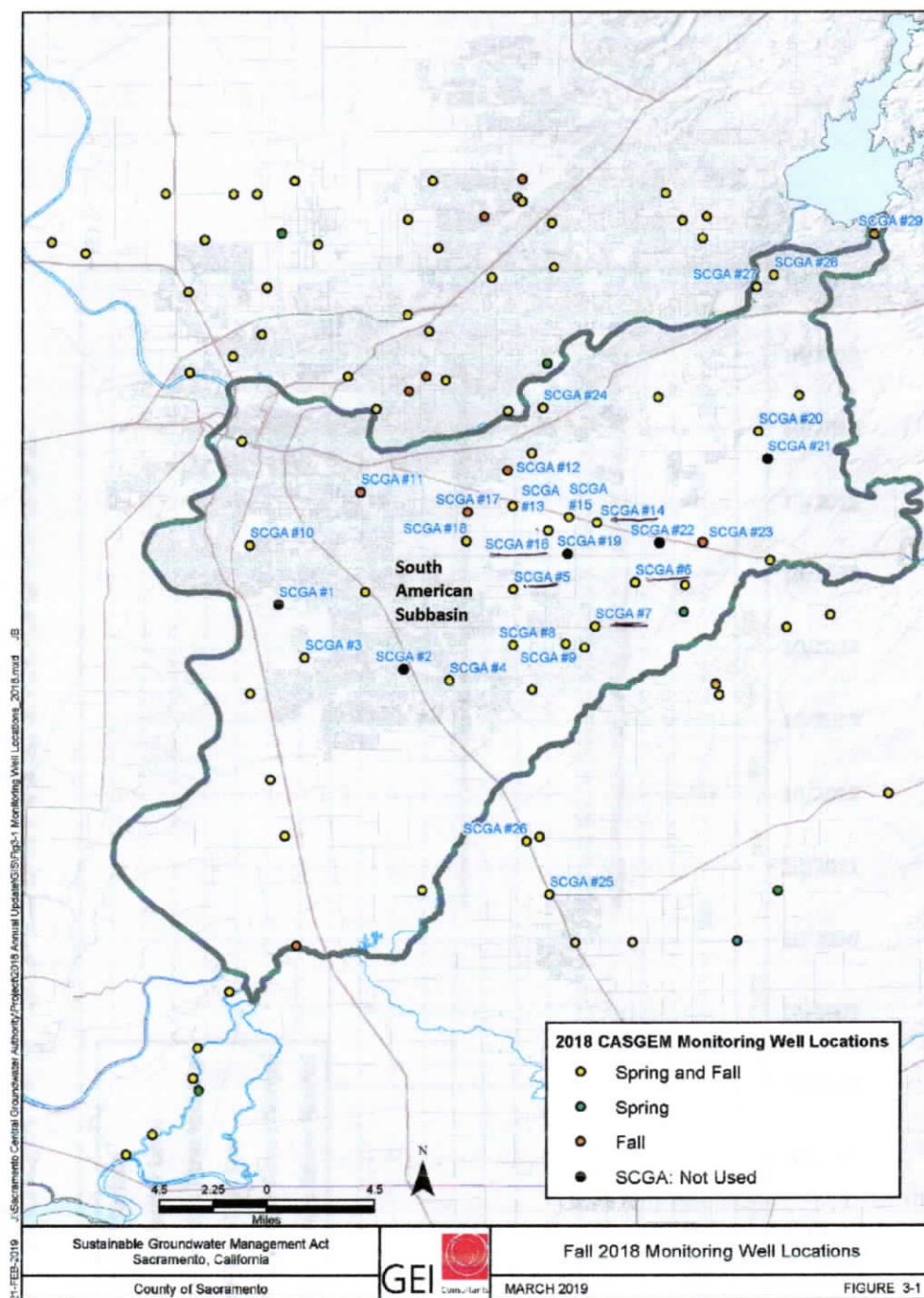


Figure 3-1 Spring and Fall 2018 Monitoring Well Locations

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

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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: NewBridge Specific Plan Project (State Clearinghouse #2013012028, County
Control Number PLNP2010-00081) -- 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 NewBridge Specific Plan Project (NewBridge 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-N** and hereby incorporated by this reference.

Many of the comments discussed in **Exhibits A-N** apply equally to the County's evaluation of environmental impacts associated with the NewBridge 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-N** during its evaluation

Sacramento County, Office of Planning and
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December 19, 2019
Page 2

of environmental impacts associated with the NewBridge 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 NewBridge 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-N** 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

¹ Please note that we are concurrently submitting a similar letter with respect to the DEIR for the Mather South Community Master Plan Project (State Clearinghouse #2014062087, County Control Number PLNP2013-00065).

² With respect to the evaluation of impacts to biological resources/wetlands associated with the NewBridge 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**).

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Page 3

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

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

³ With respect to the evaluation of GHG emissions associated with the NewBridge 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 NewBridge Project, please also consider the comments raised by the Mather Alliance (**Ex. B.**).

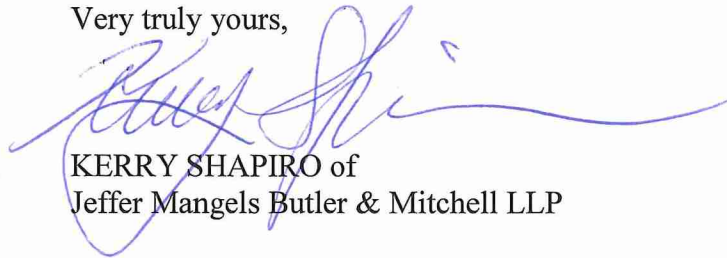
⁵ With respect to the evaluation of transportation and traffic impacts associated with the NewBridge Project, please also consider the comments raised by: (i) the Mather Alliance (**Ex. B.**); (ii) the California Highway Patrol (**Ex. I.**); (iii) Lisa Infusino (**Ex. J.**); and (iv) the City of Rancho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

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

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December 19, 2019
Page 4

We would also like to reiterate points raised in the October 1, 2018 comment letter submitted by James Wiley of Taylor & Wiley with respect to the Newbridge Specific Plan DEIR. (See **Exhibit N.**) As explained in that letter, the County must use the best available information that adequately and accurately informs the decision makers of the impacts associated with the project and cumulative conditions. As noted previously, the traffic analysis used for the Newbridge Specific Plan is an outdated study that is not based upon the same cumulative analysis as used for Mather South Community Master Plan and Jackson Township Specific Plan. In addition, all the projects should be using the same air quality thresholds and climate change thresholds.

Very truly yours,



KERRY SHAPIRO of
Jeffer Mangels Butler & Mitchell LLP

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

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:
NewBridge Specific 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 Fuentes.
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.
N.	October 1, 2018 letter from James Wiley of Taylor & Wiley.

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



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 (Alternative 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](#)

Mr. Tim Hawkins
 Jackson Township Specific Plan DEIR
 October 30, 2019

- 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*

Mr. Tim Hawkins
Jackson Township Specific Plan DEIR
October 30, 2019

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 NO_x 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 NO_x 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.

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 reduction¹ 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.

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).

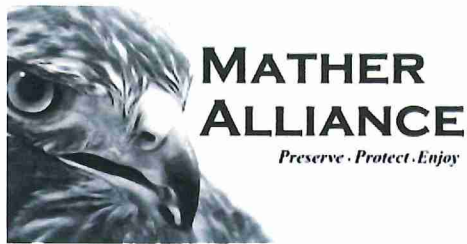
SRC predates most of the other development in the surrounding area. Consequently, as to the newer developments, if SRC is operating within the limits of its SMAQMD permit and the SMAQMD receives odor complaints, the SMAQMD has no authority to take an enforcement action against the facility.

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/>

Mather Alliance

November 14, 2019

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



 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” as 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



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 borders 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.

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

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.

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.

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.

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 elements²⁶ 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

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

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

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 verbatim³⁶, 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.

³⁴ Lincoln Place Tenants Association v. City of Los Angeles, 130 Cal.App.4th 1000 (2005); 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”.

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.agendonet.saccounty.net/sirepub/cache/2/emepcnorglw2cee14jq2z1uy/560924310232019060119351.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

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 be 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 meaning⁴⁵. 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 to 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 thresholds 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 of 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

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 in 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

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;

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 undelivered:

- 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.

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

Homegrown Habitat, Supporting Bees, Birds and Butterflies and the rest of Nature

Sacramento Valley Top Habitat Plants SacValleyCNP.org

Bloom	Common Name	Scientific Name	Life Cycle	Height	WUCOL	Sun	Notes
Early	<u>Western Redbud</u>	<i>Cercis occidentalis</i>	P	10'-20'	L	S/PS	Drought-tolerant; also tolerates semi-riparian conditions
	<u>Red Willow</u>	<i>Salix laevigata</i>	P	30'-50'	H	FS	Wetland-semi riparian; tolerates clay soils; fast grower, semi-deciduous
	<u>Arroyo Willow</u>	<i>Salix lasiolepis</i>	P	7'-35'	H	FS	Likes marshes/wet areas; spreads by root runners; deciduous
	<u>Sandbar Willow</u>	<i>Salix exigua</i>	P	10'-23'	H	FS	Constant moisture; spreads by basal shoots to any moisture
	<u>Valley Oak</u>	<i>Quercus lobata</i>	P	60'-100'	L	FS	Fast growing (20' in 5 years); drought tolerant
	<u>Scrub Oak</u>	<i>Quercus berberidifolia</i>	P	15'-20'	L	FS/PS	Smaller, drought tolerant, likes medium fast drainage
	<u>Buck Brush</u>	<i>Ceanothus cuneatus</i>	P	5'-12'	VL	FS	Needs fast drainage; fast to moderate growth, evergreen
	<u>California Everlasting</u>	<i>Pseudognaphalium californicum</i>	P	3'	VL/L	FS	Semi deciduous, may like some afternoon shade in summer
	<u>California Blackberry</u>	<i>Rubus ursinus</i>	P	6'	M/H	FS/PS/S	Requires substantial moisture, wide spreading
	<u>Dutchmans Pipe</u>	<i>Aristolochia californica</i>	P	20'	L/M	S/PS	Deciduous vine, grows in moist woods along streams
	<u>Baby Blue Eyes</u>	<i>Nemophila menziesii</i>	A	.25'	L	FS/PS	Annual herb
	<u>Chinese Houses</u>	<i>Collinsia heterophylla</i>	A	.5'	M	S/PS	Annual purple flowering herb, good in containers
	<u>Lacy Phacelia</u>	<i>Phacelia tanacetifolia</i>	A	3'	VL/L	FS	Tolerates clay soils; good plant for biological pest control
	<u>Miners Lettuce</u>	<i>Claytonia perfoliata</i>	A	1.3'	L/M	PS	Edible spreading annual herb; in the valley, does best in part shade
Early-Mid	<u>Blue Elderberry</u>	<i>Sambucus nigra</i> var. <i>cerulea</i>	P	20'-30'	M	FS	Easy to grow, fast growing deciduous shrub/tree; host plant for endangered Valley Elderberry Longhorn Beetle
	<u>Interior Live Oak</u>	<i>Quercus wislizenii</i>	P	15'-50'	VL	S/PS	Medium to large evergreen, moderate grower
	<u>Blue Oak</u>	<i>Quercus douglasii</i>	P	16'-82'	VL	FS/PS	Slow grower deciduous, supports many species
	<u>Toyon</u>	<i>Heteromeles arbutifolia</i>	P	12'	L	FS/PS	Evergreen shrub easy to grow, white flowers early summer, red berries in fall
	<u>Shining Willow</u>	<i>Salix lasiandra</i>	P	3'-30'	M/H	FS/PS	Winter deciduous riparian plant, good for restoration projects
	<u>Mountain Mahogany</u>	<i>Cercocarpus betuloides</i>	P	8'-20'	VL/L	FS/PS	In the valley this plant will do better with PM shade
	<u>Hollyleaf Redberry</u>	<i>Rhamnus ilicifolia</i>	P	9'	L	PS	PM shade in the valley, siting is critical for success
	<u>California Broom/Deerwe</u>	<i>Acmispon glaber</i>	P	3'	VL	FS	Not too showy subshrub with high habitat value
	<u>Skunkbush, Fragrant Sum</u>	<i>Rhus aromatica</i>	P	8'	L	FS/PS	Winter deciduous shrub, may like PM shade in valley
	<u>Chaparral Honeysuckle</u>	<i>Lonicera interrupta</i> (hispidula)	P		VL/L	FS/PS	Hardy, woody chaparral shrub/vine, summer flowering, edible/bitter berries
	<u>Silver Bush Lupine</u>	<i>Lupinus albus</i>	P	3'	L	FS/PS	Requires good drainage, PM shade in valley
	<u>Foothill Penstemon</u>	<i>Penstemon heterophyllus</i>	P	5'	L	FS/PS	Perennial evergreen herb. May need pm shade in valley
	<u>Sonoma Sage</u>	<i>Salvia sonomensis</i>	P	1.3'	VL	PS	Moderately drought tolerant if given part shade
	<u>Purple Needlegrass</u>	<i>Stipa pulchra</i>	P	3'	VL/L	FS	CA state grass, perennial with deep roots
	<u>California Poppy</u>	<i>Eschscholzia californica</i>	A	.5'	VL/L	FS	CA State flower, tolerates clay soil, readily reseeds
	<u>Elegant Clarkia</u>	<i>Clarkia unguiculata</i>	A	.5'	L	FS/PS	Showy pink flowers, reseeds readily
	<u>Globe Gillia</u>	<i>Gillia capitata</i>	A	1'	L/M	FS	Showy pink to lavender flowers
	<u>Miniature Lupine</u>	<i>Lupinus bicolor</i>	A	1.3'	L	FS	Showy purple and white flowers, plant with CA poppies
	<u>Sky Lupine</u>	<i>Lupinus nanus</i>	A	2'	L	FS	Chaparral annual herb

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 Coffeeberry	Frangula californica var. tometi	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	
	Sheep Monkeyflower	Erythranthe guttata	A	5'	M/H	FS/PS	Aquatic annual plant; good in ponds or rain gardens
Mid-Late	Narrowleaf Milkweed	Asclepias fascicularis	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 Primrose	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 Buckwheat	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	Symphoricarpos 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 umbellatum	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	Eriocaulon 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 FEIR¹, 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".	-	✗ <u>The below listed measures were not included fully or accurately in the GP (see below).</u>

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".	<p>√ Measure was included in the GP and Phase 1 CAP was adopted - but;</p> <p>✗ <u>Measures were not included fully or accurately</u> . 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).</p>
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..."	<p>✗ Not included in Phase I CAP. Included in GP, but implementation would have produced inventories for 2011, 2014, 2017. <u>Only one inventory has been done</u> to-date (for base year 2015). No Inventory now underway.</p>
Green Building Pgm	CC-2.A.b. "... County shall adopt a Green Building Program by 2012, ... updated a minimum of every 5 years".	—	<p>✗ Not included in Phase 1 CAP or GP. <u>No such measure implemented.</u></p>
CLIMATE CHANGE PGM - to include ...	CC-2.A.c. "The County shall enact a Climate Change Program that includes:"	[GP "Sustainability Program"]	<p>✗ Not included in Phase I CAP. A related measure appears as GP LU-115, Measure I., "Sustainability Program". Of the three</p>

**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). <u>No substantive listed measures have been implemented.</u>
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. <u>No such fee or other funding source has been adopted.</u>
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, <u>not implemented</u>).
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. <u>No such discussion provided.</u>
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. <u>No Phase 2 CAP has been prepared</u> and no such work is currently underway or budgeted.

² Misabeled 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	<p>X Any County oversight has not yet achieved compliance with mitigation commitments; including those listed above and <u>no such</u>:</p> <ul style="list-style-type: none"> • <u>Phase 2 CAP</u> • <u>Phase 1 CAP update</u> • <u>triennial GHG inventories</u> • <u>fee/funding source</u>
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.

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 Threshold s	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 CO₂e)

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 CO₂e	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

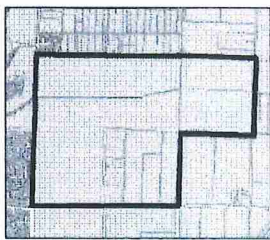
Sector	2020 Thresholds 2011 FEIR	2020 Thresholds Project EIRs (Tables 1-4)
Residential Energy	1.30 per capita	1.33 per capita
Commercial & Industrial Energy	8.08 per 1K sq ft	7.87 per 1K sq ft
Transportation Use	4.56 per capita	2.67 per capita
Trucks	---	0.10 per 100 VMT

Attachment 3

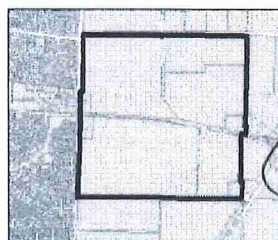
- *Proximity to existing urbanized areas:* Proposed UPA expansions/Master Plan processes must have significant borders that are adjacent to the existing UPA or a city boundary. As a guideline, “significant borders” generally means that the length of the boundary between the existing UPA or city boundary and the proposed UPA expansion/Master Plan should be 25 percent of the length of the boundary of the UPA expansion area.



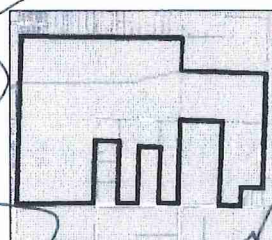
Logical, comprehensive, and cohesive planning boundaries: Proposed UPA expansions/Master Plan processes must consist of a contiguous set of parcels that have a regular outside boundary consistent with the logical planning boundary illustrations below. All parcels within this boundary must be included in both the proposed UPA expansion and proposed Master Plan area.



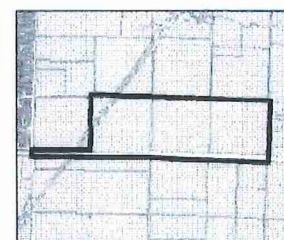
Example of logical planning boundary.



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.

Table 2: **DRAFT** Inputs to Cost Estimation for Additional Transit Service

Scenario	Additional Bus Revenue Hours (Weekdays)		Additional Busses Needed (Weekdays)	
	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)

Scenario	O&M Cost per Year		Capital Cost per Year		Total Cost per Year	Dwelling Units	Cost per DU	Farebox Revenue		Cost per Year minus Farebox	Cost per DU
	Regular Bus	Shuttle Bus	Regular Bus	Shuttle Buss				Estimated Revenue	Percent of O&M Cost		
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

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

66

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 Sacramento-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 ---

While 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 its 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).”

Surely 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 which 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>

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.

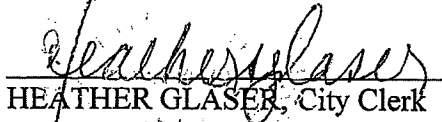
The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 29th day of May, 2018.



RICK MULLEN, Mayor

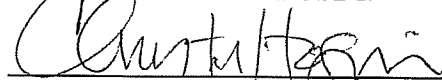
ATTEST:



HEATHER GLASER, City Clerk
(seal)

Date: May 29, 2018

APPROVED AS TO FORM:

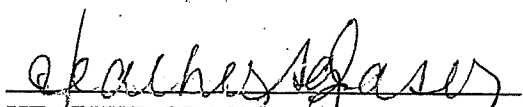


CHRISTI HOGIN, City Attorney

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)

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.

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

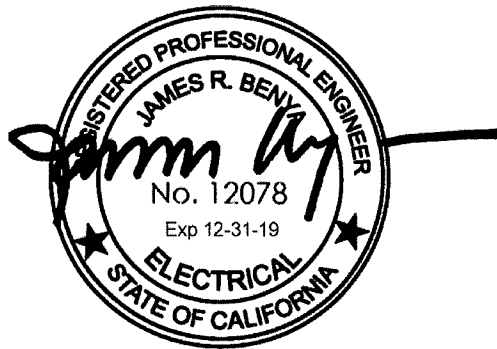


EXHIBIT H

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

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

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

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

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

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



 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.

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

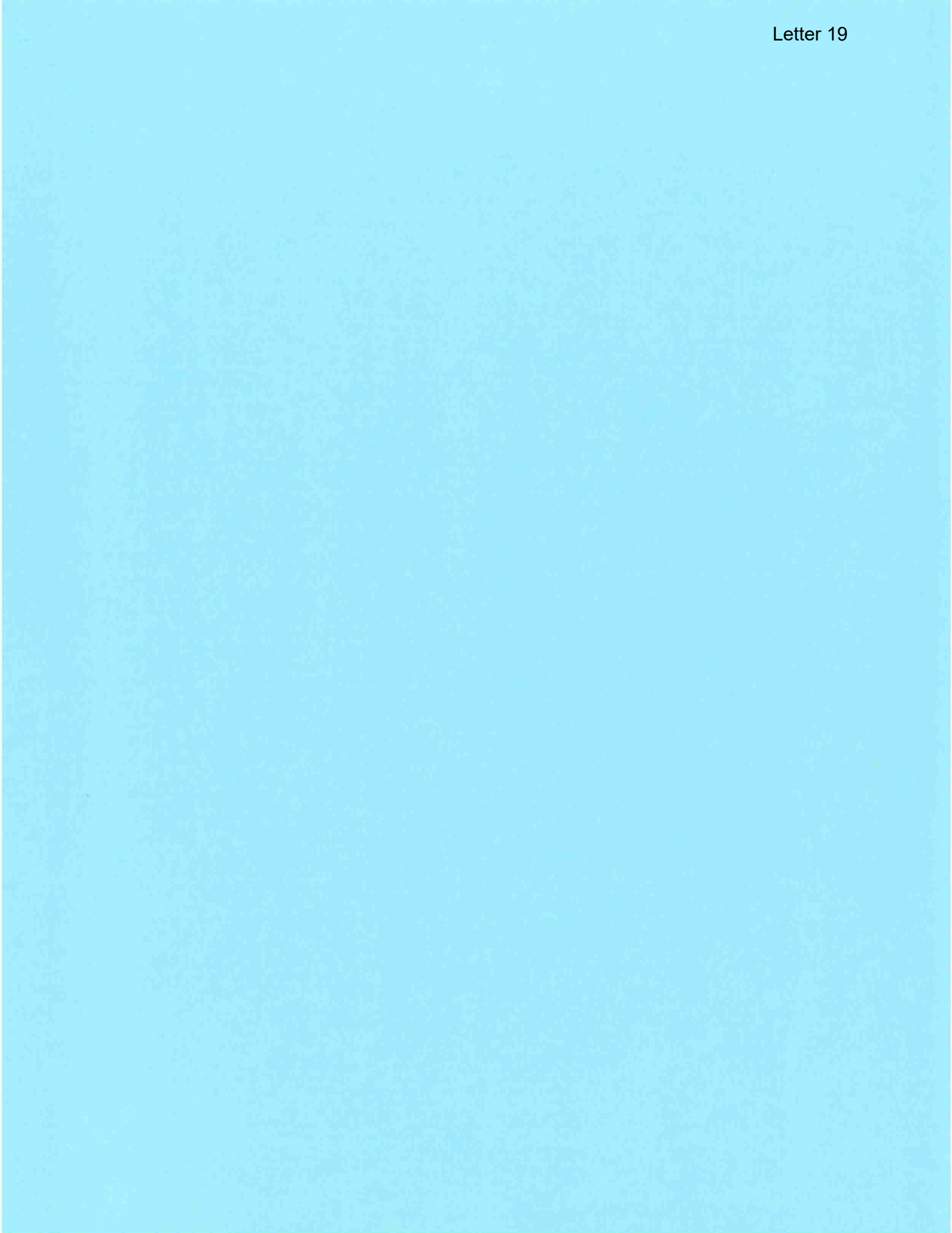
EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

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 of 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

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

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

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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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

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.

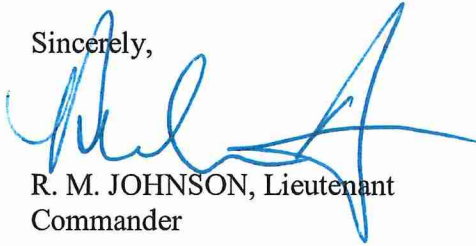
The aforementioned roadways currently experience traffic congestion during commute hours, and without proper traffic management engineering prior to the development of the proposed community, traffic congestion will significantly increase. This project could have a negative impact on our operations due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



County of Sacramento
Page 2
October 28, 2019

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. M. Johnson', with a stylized flourish extending to the right.

R. M. JOHNSON, Lieutenant
Commander

cc: State Clearing House
Valley Division
Special Projects Section

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, McGary**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:**☐ 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: _____

Governor's Office of Planning & Research

SEP 16 2019

STATE CLEARINGHOUSE

Development Type:☒ Residential: Units 8,043 Acres 577.5☒ Office: Sq.ft. 731,806 Acres 33.6

Employees _____

☒ Transportation: Type 104.6 acres of primary roadways☒ Commercial: Sq.ft. 837,300 Acres 76.9

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____ Acres _____

Employees _____

☐ Power: Type _____ MW☒ Educational: 100 acres for elementary/middle/high schools☐ Waste Treatment: Type _____ MGD☒ Recreational: 78.3 acres of community & neighborhood park☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____ MGD☐ 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

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



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,

A handwritten signature in blue ink that reads "Albert Stricker".

Albert Stricker, P.E.
Director, Public Works Department

Attachment: September 2018 letter, NewBridge Specific Plan



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 recreational 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. Mitigation 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 *Border 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. Mitigation 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



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

County of Sacramento Email Disclaimer: This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by other than the County of Sacramento or the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.



**SACRAMENTO COUNTY WATER AGENCY
CALIFORNIA****32****APPROVED
BOARD OF DIRECTORS**

JAN 09 2018

Fluence Evans
Clerk of the BoardFor 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

Supervisory
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.

ATTACHMENT I
WATER SUPPLY ASSESSMENT
Mather South

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.

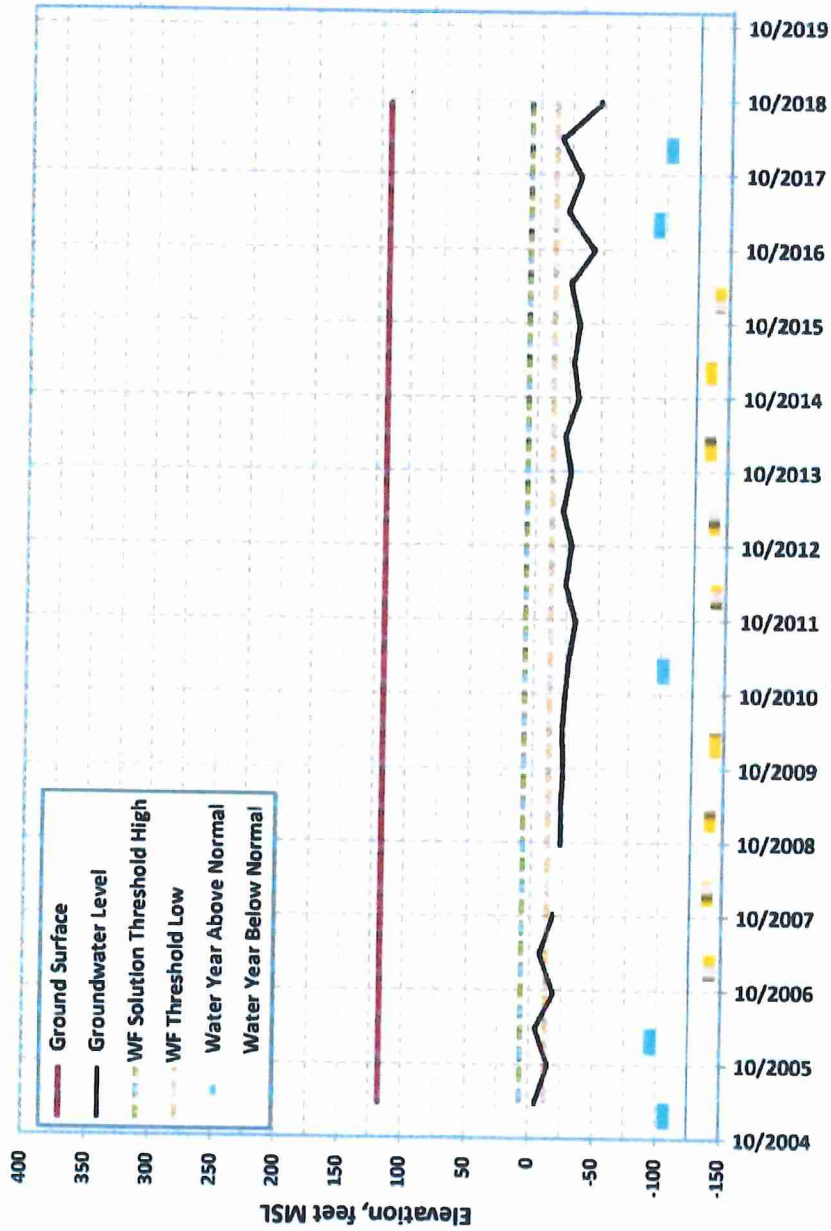
SGMA directs DWR to identify groundwater basins and subbasins in conditions of critical overdraft. DWR identified such basins in Bulletin-118, 1980 and Bulletin 118, Update 2003. DWR issued an updated draft list of critically over drafted basins in July 2015. Neither of the two subbasins that supply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

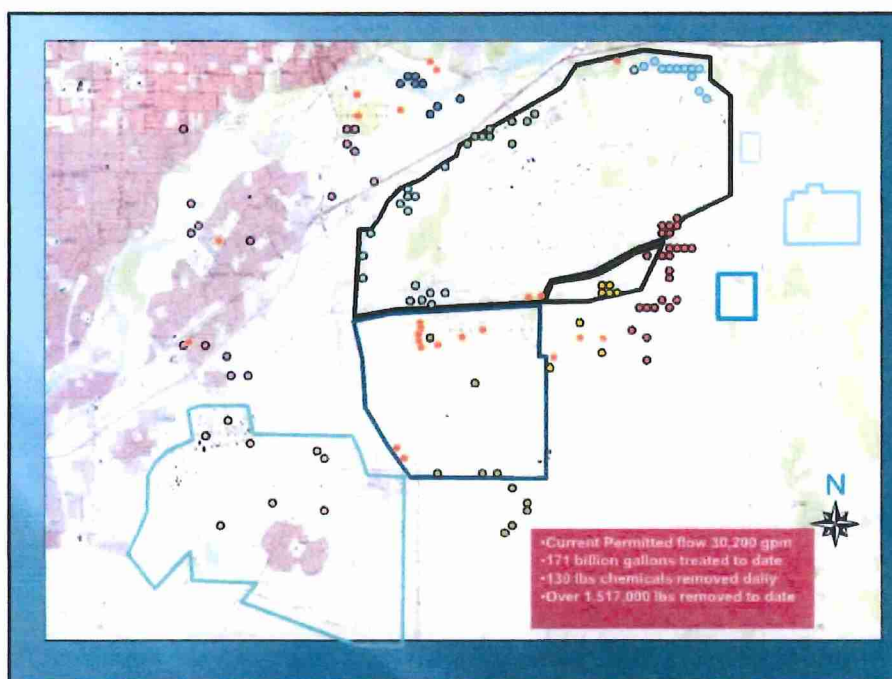
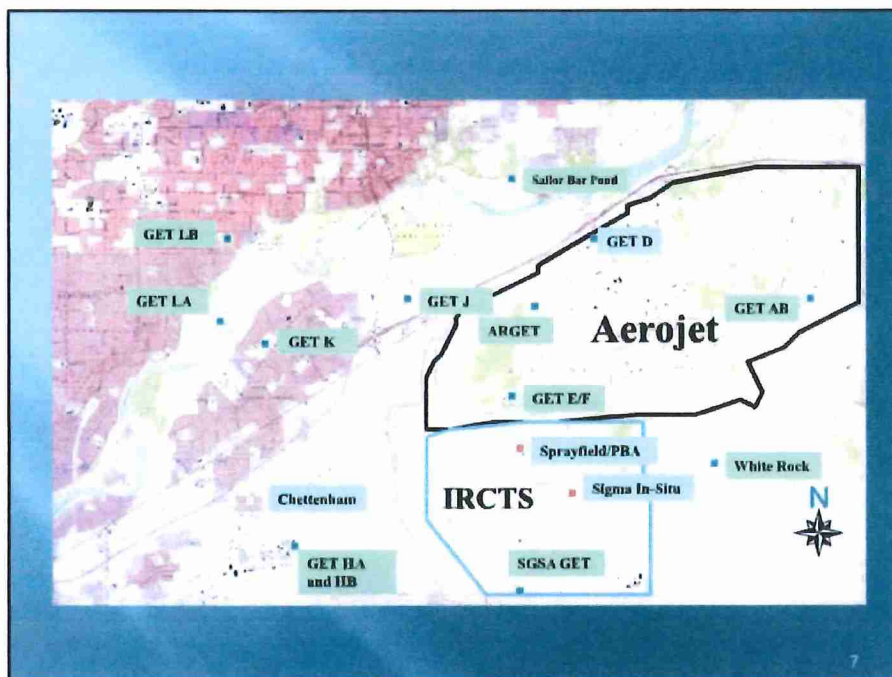
Table 4-1. Monitoring Actions and Trigger Points (continued)

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 <i>improve</i> 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.

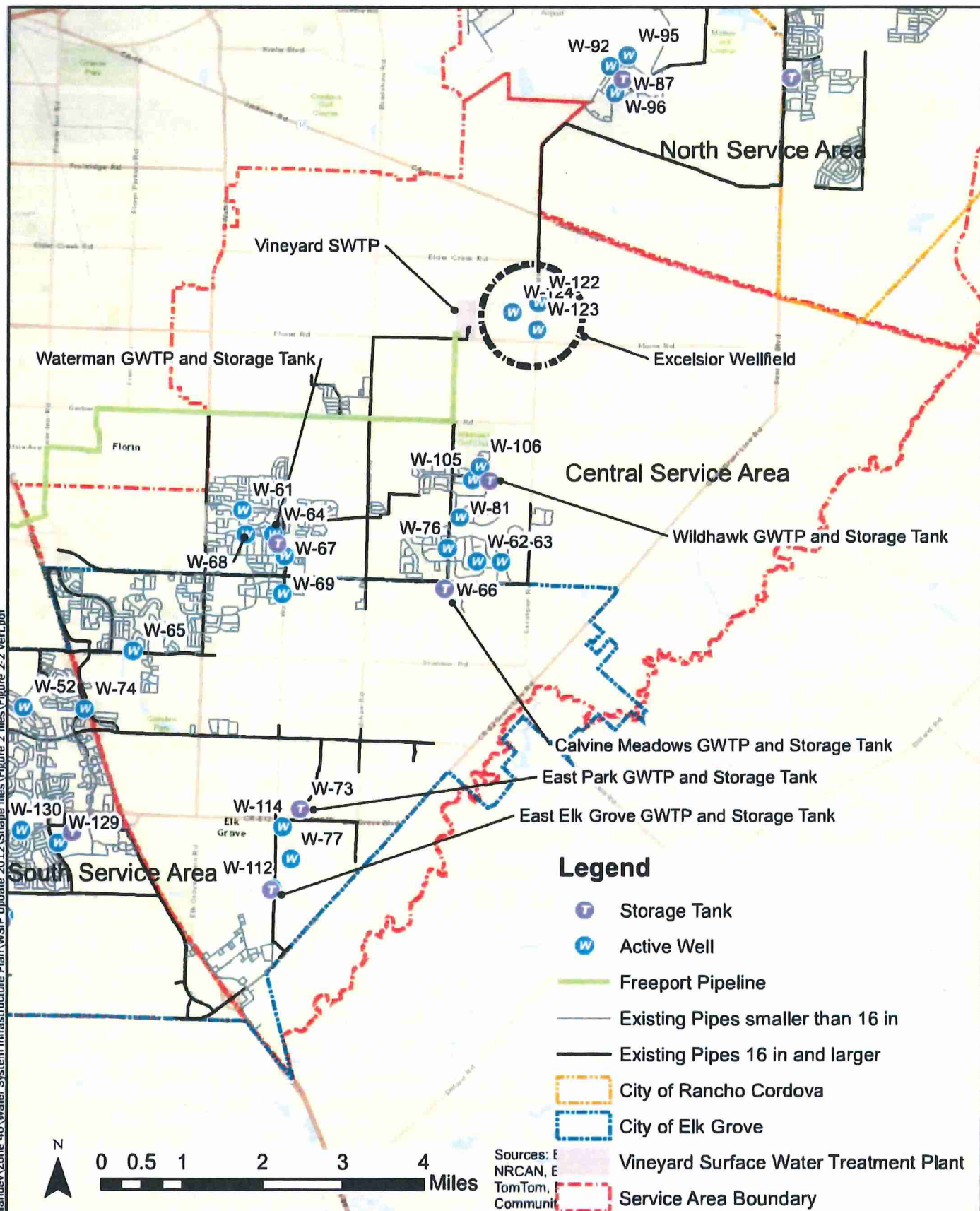
SCGA-6 / 384798N1212614W001



East
Eagles Nest Road
South of Florin



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



DATE 11/12/14	PROJECT 143542	SITE	Water System Infrastructure Plan Update Existing Supply Facilities - CSA	Figure 2-2
 BROWN AND CALDWELL A DIVISION OF SACRAMENTO COUNTY WATER AGENCY		TITLE		

Zone 40 WSP

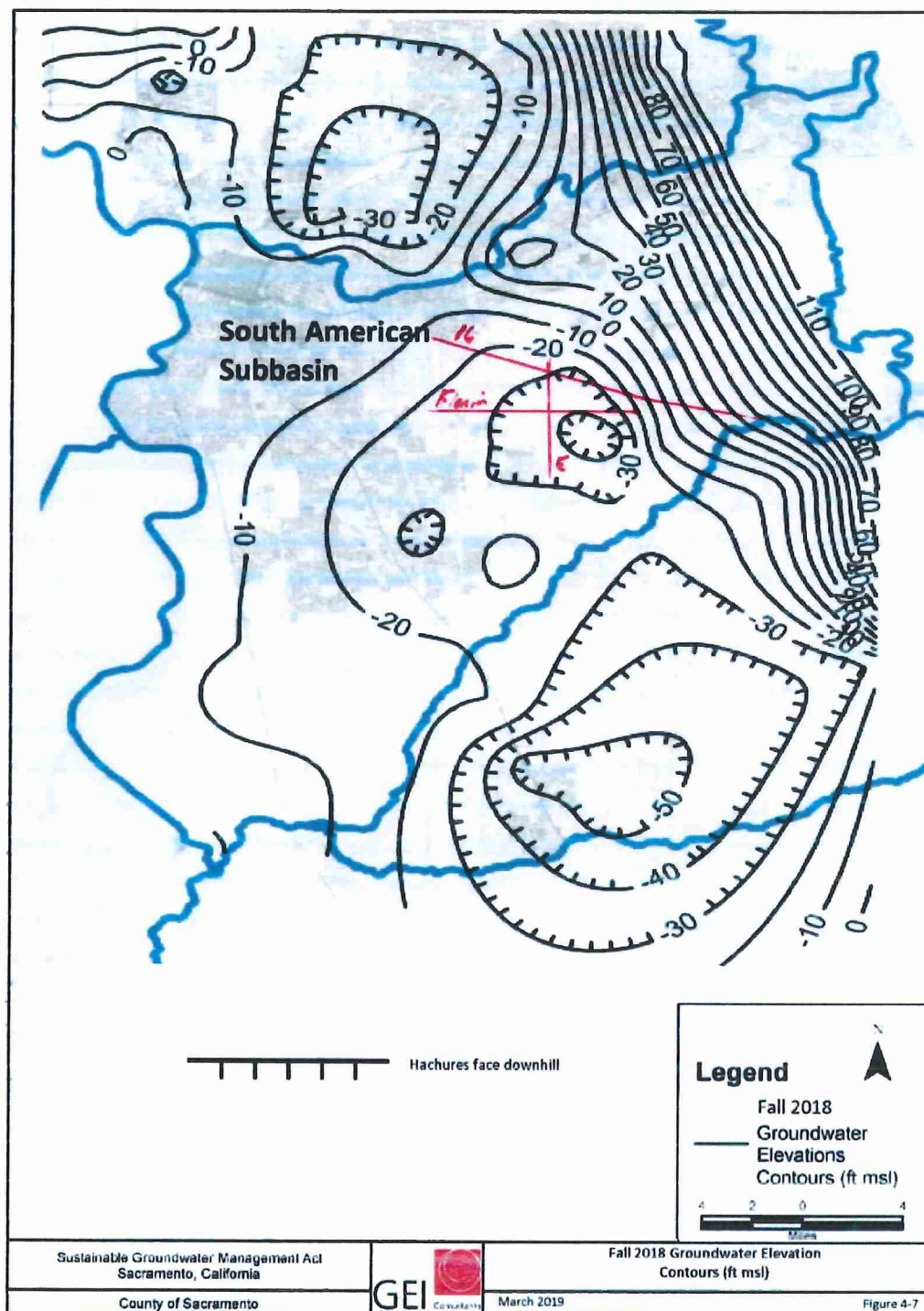


Figure 4-7 Fall 2018 Groundwater Elevations Contours with Monitoring Wells (ft msl)

SCGA 2018 SGMA Annual Report
March 2019

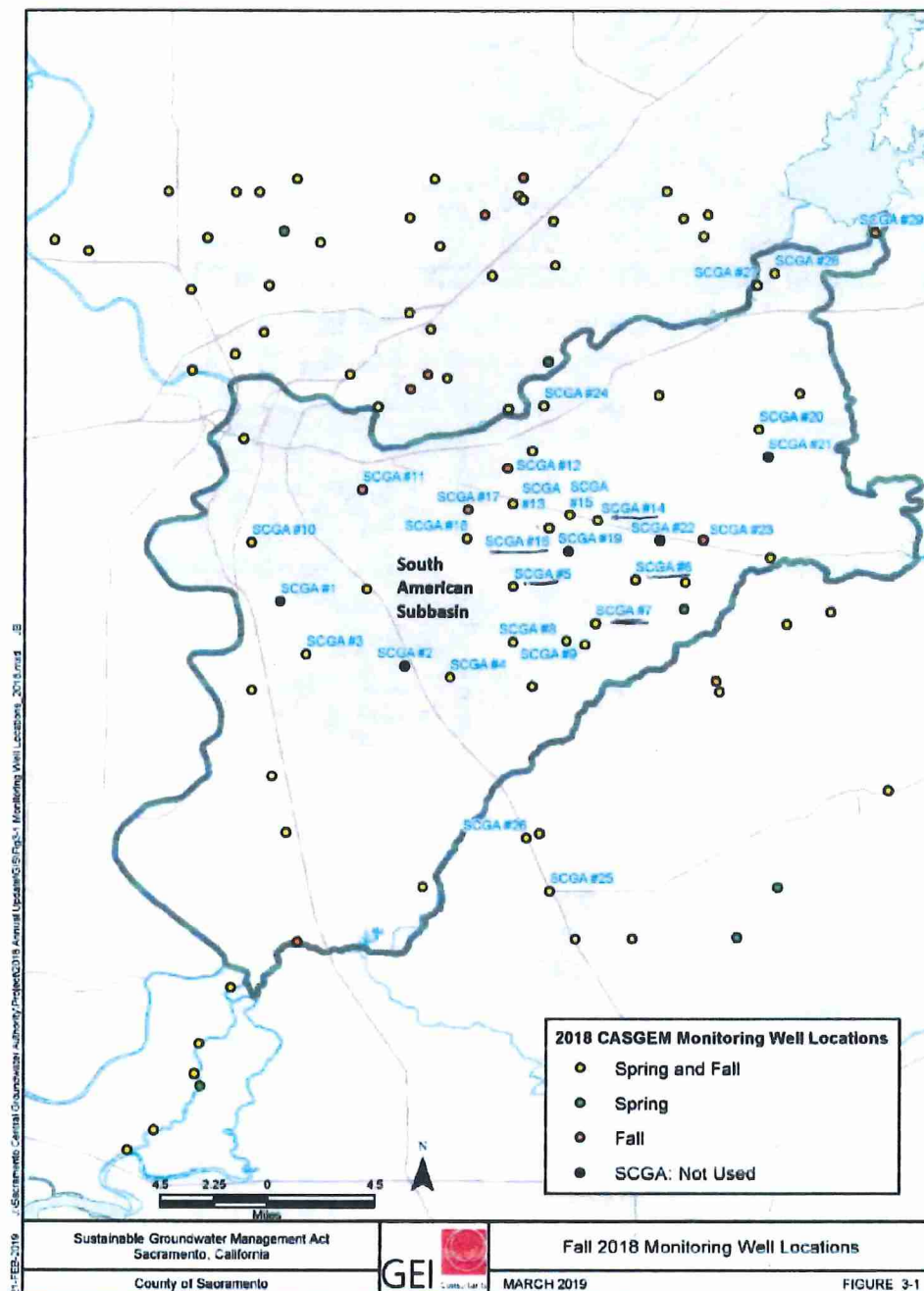


Figure 3-1 Spring and Fall 2018 Monitoring Well Locations

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



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 infrastructure 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.

EXHIBIT N

EXHIBIT N

TAYLOR & WILEY

A PROFESSIONAL CORPORATION

ATTORNEYS

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TELEPHONE: (916) 929-5545
TELEFAX: (916) 514-8942

JOHN M. TAYLOR
JAMES B. WILEY
JESSE J. YANG
KATE A. WHEATLEY
MATTHEW S. KEASLING

October 1, 2018

Sent via CEQA@saccounty.net

Planning and Environmental Review

Sacramento County

827 7th Street, Room 225

Sacramento, CA 95814

RE: Comments on Draft Environmental Impact Report – Newbridge Specific Plan

(Control Number PLNP 2010-00081 and State Clearinghouse Number: 2013012028)

Planning and Environmental Review:

We are writing to you on behalf of Tsakopoulos Investments and Stonebridge Properties to provide comments on the Newbridge Specific Plan Draft Environmental Impact Report (DEIR). While we would have preferred not to submit comments, regrettably events have left us with no other option. Why? Because the issued DEIR and other related documents were made public without the necessary coordination with other projects located along the Jackson Corridor. Had that coordination occurred, we would probably not be submitting comments. But since it did not, we are compelled to speak.

Our concerns are numerous but predominantly relate to issues of uniformity among the analytical and mitigation approaches being taken in the various Jackson Corridor environmental documents, either now prepared or under preparation. All of this ultimately relates to whether the four Jackson Corridor projects will have consistent and equitable mitigation obligations. As it currently stands, those mitigation obligations are likely to be neither consistent nor equitable. Moreover, to the extent there is a lack of uniformity, the important information providing function of California Environmental Quality Act (CEQA) will not be fully achieved. That ought not be allowed to occur.

Although we understand the Newbridge proponents desire to move forward expeditiously, that desire should not to be permitted at the expense of other impacted parties, including our clients and the public generally. The Jackson Corridor endeavor has involved a long and difficult process for everyone involved, largely as a result of the cumulative impact requirements stemming from CEQA. In addition, implementation of the various new General Plan policies approved in December 2011 has elongated the process. The length and difficulty of the process, however, is no reason to now disregard the County's

responsibility to ensure that public policies pertaining to the development of the Jackson Corridor are formulated and implemented in a fair and equitable manner. Indeed, that is especially so where what is under consideration, when the four projects are collectively taken into account, is development which will span many decades.

Our comments are as follows:

Global Comment

- At the time the DEIR was published, the preparers of the document had readily available cumulative traffic analysis incorporating changes to the Mather South Project and the West Jackson Project. Yet that analysis was not employed, with the preparers choosing instead to rely upon clearly outdated and inaccurate information. This is particularly troubling since the various project changes were substantial, involving as they did changes to road networks and job centers. For example, in the Mather South Project, there is no longer a university proposed, which seriously alters traffic impacts. Similarly, the amount of land dedicated to job centers in the West Jackson Project has been significantly reduced. As a result, the cumulative traffic analysis overstates the overall traffic impacts of the four projects, which, in turn, results in an inaccurate picture of cumulative effects. Furthermore, it also skews the accuracy of fair-share traffic mitigation obligations associated with the four projects. Oddly, the updated information was available in early 2018, well before the July 30, 2018 publication of the Newbridge DEIR. In any event, the by-product of not using that readily available data is that the published document now contains information which is not today accurate, with the result being that the analysis is defective not only with respect to traffic, but also with regard to other key subject areas, such as air quality, climate change and noise. To rectify these problems the DEIR must now be revised employing the best currently available information.

Aesthetics

- We are making this comment to ensure that all four Jackson Highway projects are treated uniformly in their environmental analysis of aesthetics. That being said, the DEIR finds the impact to aesthetics is Significant and Unavoidable and that there is no mitigation available. However, there are mitigation measures available, although they may not reduce the impact to less than significant. Measures such as open space preservation and specific plan design guidelines that provide strategies for tree planting and screening are just a few measures that have been used on past projects to lessen this type of impact. They are to be considered in this situation as well.

Air Quality

- The DEIR analysis uses two different versions of the CalEEMod model - 2013 for the Air Quality analysis and 2016 for Climate Change analysis. This lack of consistency should be corrected or an explanation for it should be provided and the use of the CalEEMod models should be applied uniformly among all four projects.
- There is no analysis regarding the demolition of the rendering plant which would result in impacts to air quality. This lack of analysis should be remedied since it is clear that no

development is likely to occur within the specific plan absent the demolition and removal of the rendering plant.

- The Air Quality analysis does not address toxic air contaminants for demolition and construction related activities. Other documents have consistently done so.
- As discussed above in the global comment, the best available traffic information should be employed for the cumulative air quality analysis. Corrective analysis is necessary.

Biological Resources

- The DEIR fails to provide even a general description of wetlands for the lower west side of the specific plan, even though (as with traffic) the information was readily available through the South Sacramento Habitat Conservation Plan and/or arials. To elaborate, the applicant has requested that the Urban Policy Area be moved to accommodate the project. That being the case, the DEIR should have discussed the biological impacts of doing so. Its failure to do so must be corrected.
- The DEIR does not address biological impacts associated with offsite water improvements, the construction of which may be required to implement the specific plan.

Climate Change

- Again, a different CalEEMod model was used than that employed for the Air Quality Analysis.
- A uniform approach should be used for determining the impacts of Climate Change for the four projects along the Jackson Corridor.
- The use of a 2020 full build-out of the project is not a realistic measure of its impact and is misleading. It is highly unlikely that any building will even commence prior to 2020.
- The DEIR indicates that construction thresholds have not been developed. However, although the County may have not adopted thresholds, the Sacramento Metropolitan Air Quality Management District has published thresholds. They should be employed uniformly among all Jackson Corridor projects.
- Once again, as discussed above in the global comment, the cumulative analysis is not based upon the best available traffic information.

Hydrology

- The DEIR does not define a climate change impact and instead defers analysis of this issue to future entitlements. In doing so, it fails to address potential climate related onsite and offsite flooding impacts.
- Although we recognize that the hydrology on the Newbridge site may be less complicated than other projects, a uniform approach among the four projects is still necessary with respect to the employed assumptions, i.e., the same rainfall assumptions, the same flows from upstream assumptions, the same climate change assumptions, etc.

Noise

- We are making this comment to ensure that all four Jackson Corridor projects are treated uniformly in their environmental analysis of noise. The DEIR finds the impact for cumulative offsite noise to be Significant and Unavoidable with no mitigation available. However, there clearly is mitigation available, although it might not reduce the impact to less than significant. Measures such as rubberized asphalt, setbacks, and sound walls are examples of suggested mitigation from prior projects.
- Again, as discussed in the global comment, the cumulative analysis is not based upon the best available information since the outdated traffic analysis was employed.
- The noise impacts to the specific plan area from the adjacent mining operation should be analyzed similar to the analyses being prepared for the Jackson Township and West Jackson plans addressing noise from the Sacramento Raceway.

Public Utilities

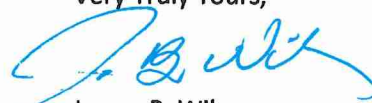
- Water Supply – It appears that the DEIR water supply infrastructure improvements are not consistent with those discussed in the EIR under preparation for the Jackson Township Project. Specifically, there is no discussion of the need to connect through Mather South to the future storage tanks. This inconsistency needs to be resolved.
- It is our understanding that the other EIRs along the Jackson Corridor will have a separate Energy chapter. At a minimum, there should be uniform energy related analysis provided for all the Jackson projects.

Transportation

- The DEIR Transportation Mitigation Program description is incomplete.
- As noted repeatedly above, the cumulative analysis is not based upon the best available information.
- The cumulative transit analysis is inaccurate as circulation patterns and service assumptions have been modified in the revised cumulative traffic analysis.

Finally, there are similar consistency and uniformity issues - which give rise to fairness concerns- within other Newbridge documents including the Urban Services Plan and Finance Plan. These should be corrected and made uniform so as to assure consistency and mitigation fairness among the four projects.

Very Truly Yours,



James B. Wiley

cc: Michael Penrose
Leighann Moffitt

Todd Smith
Angelo G. Tsakopoulos
Randy Sater
Mike Isle
Grant Taylor
John Taylor