

Final
**Two Rivers Trail (Phase II)
Environmental Impact Report**



Prepared for:

City of
SACRAMENTO

December 2019

Prepared by:



Final

Two Rivers Trail (Phase II) Environmental Impact Report

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December 20, 2019

Project No. 1610789

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Abbreviations and Acronyms

ADA	Americans with Disabilities Act
APE	Area of Potential Effect
ARFCD	American River Flood Control District
ARPP	American River Parkway Plan
BMPs	best Management Practices
BSA	Biological Study Area
SR 80	Capital City Freeway
Caltrans	California Department of Transportation
CCR	California Code of Regulations
CDFW	California Department of Fish & Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFGC	California Fish and Game Code
cfs	Cubic feet per second
City	City of Sacramento
CPTED	Crime Prevention Through Environmental Design
CSUS	California State University at Sacramento
CVFPB	Central Valley Flood Protection Board
CWA	Clean Water Act
DBH	diameter at breast height
DWR	Department of Water Resources
EIR	Environmental Impact Report
ESA	Endangered Species Act
FORB	Friends of the River Banks
FOSL	Friends of Sutter's Landing Park
GPS	global positioning system
HASPs	Health and Safety Plans
IS/MND	initial study/mitigated negative declaration
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring and Reporting Plan
NEPA	National Environmental Policy Act
NES	Natural Environment Study
NOP	Notice of Preparation
NRMP	Natural Resource Management Plan
proposed project	Two Rivers Trail Phase II Project

RM	River Mile
RWQCB	Central Valley Regional Water Quality Control Board
SMUD	Sacramento Municipal Utility District
SWRCB	State Water Resources Control Board
UPRR	Union Pacific Railroad
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
VELB	valley elderberry longhorn beetles

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Executive Summary

ES.1. Introduction

The City of Sacramento (City) proposes to construct approximately 3.4 miles of new Class 1 bicycle and pedestrian trail comprising 6 segments (proposed project) along the south bank of the American River as part of the larger Two Rivers Trail Project (Phases I and II) that extends from Tiscornia Park at Jibboom Street to the H Street Bridge in Sacramento, California (see **Figure ES-1**). Phase I of this trail has been completed and includes the segment from Tiscornia Park to the intersection of North 12th Street and State Route 160. Phase II (proposed project and the subject of this environmental impact report) includes the segments from the Sacramento Northern Bikeway Trail (at North 18th Street) through Sutter's Landing Regional Park to the H Street Bridge (see **Figures ES-2** and **ES-3**).

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before acting on those projects or programs. Where there is substantial evidence that a project may have a significant effect on the environment, the agency shall prepare an environmental impact report (EIR) (CEQA Guidelines, Section 15164[a]). An EIR is an informational document that will inform public agency decision makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

CEQA requires that a draft EIR be prepared and circulated for public review. Following the close of the public review period, the lead agency prepares a final EIR, which includes the comments received during the review period (either verbatim or in summary), and responses to the significant environmental issues raised in those comments. Prior to taking action on a proposed project, the lead agency must certify the EIR and make certain findings.

This document and the Draft EIR that was circulated for public review on August 1, 2019 through September 16, 2019 (45-day public review period) is intended to constitute the Final EIR for the City of Sacramento's Two Rivers Trail (Phase II) Project (proposed project). However, certification of the Final EIR rests with the City Council; therefore, additional materials may be added or modified by the City prior to the time of certification. (CEQA Guidelines §15090.)

The information presented in this Final EIR is being provided in accordance with the requirements of the CEQA Guidelines and includes the following chapters:

- Chapter 1, "Introduction," discusses the purpose of this document, public review process, CEQA requirements, and use of this document.
- Chapter 2, "Response to Comments on the Draft EIR," includes a copy of each of the comment letters received during the 45-day public review period and contains the written responses to the individual comments received.

- Chapter 3, “Corrections and Revisions to the Draft EIR,” contains minor changes and edits to the text of the Draft EIR made in response to the comments. These changes correct minor errors and provide clarifications and amplifications to the information previously provided; the changes do not constitute significant new information or result in any new significant impacts.

ES.2. Project Overview

The proposed multi-use trail design would meet California Department of Transportation (Caltrans) Class 1 bikeway design criteria and would also be based on the State Water Code Title 23 standards for recreation trails on levees and the American River Flood Control District (ARFCD) Recreational Trails Policy (ARFCD 2002). The trail would generally consist of an 8-foot-wide paved path with a 2-foot-wide compacted shoulder on the inner side and a similar 6-foot-wide shoulder on the waterside to provide space for walking and jogging adjacent to the paved portion of the trail, bringing the total trail cross section along most of its length to 16 feet wide. However, due to space limitations in some locations, the waterside shoulder of the trail would be narrowed to 4 feet wide. The trail would be paved and engineered to be load-bearing.

The proposed project is comprising of 6 segments which are briefly described below and shown in **Figures ES-2** and **ES-3**.

Segment 1 is approximately 0.4 miles long. It begins at the existing Sacramento Northern Bikeway Trail at North 18th Street and ends 0.3 miles west of Sutter’s Landing Park (see **Figure ES-2**). At North 18th Street, the trail would run along the toe of the levee crossing under the Union Pacific Railroad (UPRR) and continue for another 0.3 miles.

Segment 2 is approximately 0.6 miles long. This segment begins at the eastern terminus of Segment 1 and continues to Sutter’s Landing Regional Park (see **Figure ES-2**). Two trail alignments are under consideration for Segment 2. The preferred trail alignment, Alternative 1, which is approximately 0.7 miles in length, would diverge from the levee immediately at the end of the first segment and extend south for approximately 0.3 mile and then turn southeast and extend another approximately 0.4 mile to 28th Street at the entrance to Sutter’s Landing Regional Park across the street from McKinley Village Way. The other alignment for Segment 2 (Alternative 2) is approximately 0.55 miles in length. It would extend east from the end of the first segment for another approximately 0.15 mile before diverging from the levee to the south. This leg of Segment 2 would then continue south approximately 0.25 mile, until it intersected with the preferred alignment, or would turn southeast 0.1 mile sooner and follow the north side of an existing solar array for approximately 0.15 mile before terminating in the parking lot adjacent to the dog park and across the street from the existing trail within Sutter’s Landing Regional Park.

Segment 3 is approximately 0.3 miles long and begins on the east side of Sutter’s Landing Park at the end of the recently completed trail segment. From here, the trail would run along an existing bench at the toe of the levee, first crossing under another portion of the UPRR and eventually under the Capital City Freeway (SR 80) where Segment 4 begins (see **Figure ES-3**).

Segment 4 is also approximately 0.25 miles long (see **Figure ES-3**) and would begin just east of the Capital City Freeway. This segment is proposed as a “levee-top” trail alignment, which may extend past the current boundary of Segment 5 should the ARFCD be able to grant additional trail variances to the waterside toe alignment proposed for the remaining portions of the trail.

Segment 5 is 1.4 miles long and passes Paradise Beach and Glenn Hall Park (see **Figure ES-3**).

Segment 6 begins at the east end of Segment 5 along the levee toe, is approximately 0.3 miles long, and includes a transition back to the levee crown where the trail would connect to the existing paved trail near the H Street Bridge (see **Figure ES-3**). While there is a bench along the toe in this segment, the bench is much narrower than in other locations requiring a reduced path width to limit impacts.

ES.3. Project Objectives

The objectives of the proposed project are to:

- Provide a vital recreation link between the Jedediah Smith Trail on the north side of the American River Parkway, the Sacramento River Parkway, the Sacramento Northern Bikeway Trail, the future Ueda Parkway trails, and the 20th Street bike connection to the Central City;
- Provide alternative transportation access for commuters and residents in the eastern part of the City, California State University, Sacramento (CSUS), Central City, North Sacramento, East Sacramento, and Richards Boulevard area;
- Provide opportunities for educating trail users through interpretive signage, establishing a connection to the river, and the Parkway;
- Provide an acceptable project to all authoritative agencies;
- Complete the project in a manner that minimizes environmental impacts to the Parkway, given the proposed project's location within the environmentally sensitive Parkway; and
- Where feasible, design trail access points to comply with the requirements of the Americans with Disabilities Act (ADA).

ES.4. Project Alternatives

CEQA requires that an EIR describe and evaluate a range of reasonable alternatives to a project or to the location of a project that would feasibly attain most of the basic project objectives and avoid or substantially lessen significant project impacts (CEQA Guidelines section 15126.6). The alternatives to the proposed project considered in this Draft EIR were developed based on information gathered during the development of the proposed project and during the EIR scoping process.

Alternative 1: October 2018 Initial Study Alternative

This alternative was analyzed in the October 2018 Initial Study and includes 3.4 miles of new Class 1 bicycle and pedestrian trail comprised of 6 segments. The trail would generally consist of an 8-foot-wide paved path with a 2-foot-wide compacted shoulder on the inner side and a similar 6-foot-wide shoulder on the waterside to provide space for walking and jogging adjacent to the paved portion of the trail, bringing the total trail cross section along most of its length to 16 feet wide. However, due to space limitations in some locations, the waterside shoulder of the trail would be narrowed to 4 feet wide. The trail would be paved and engineered to be load-bearing.

Alternative 2: Top of Levee Construction – Segments 4 through 6

This alternative includes 3.4 miles of new Class 1 bicycle and pedestrian trail comprised of 6 segments along the same alignment as described in Alternative 1, however, under this alternative, the entire length of Segments 4 – 6 would be constructed along the levee crown.

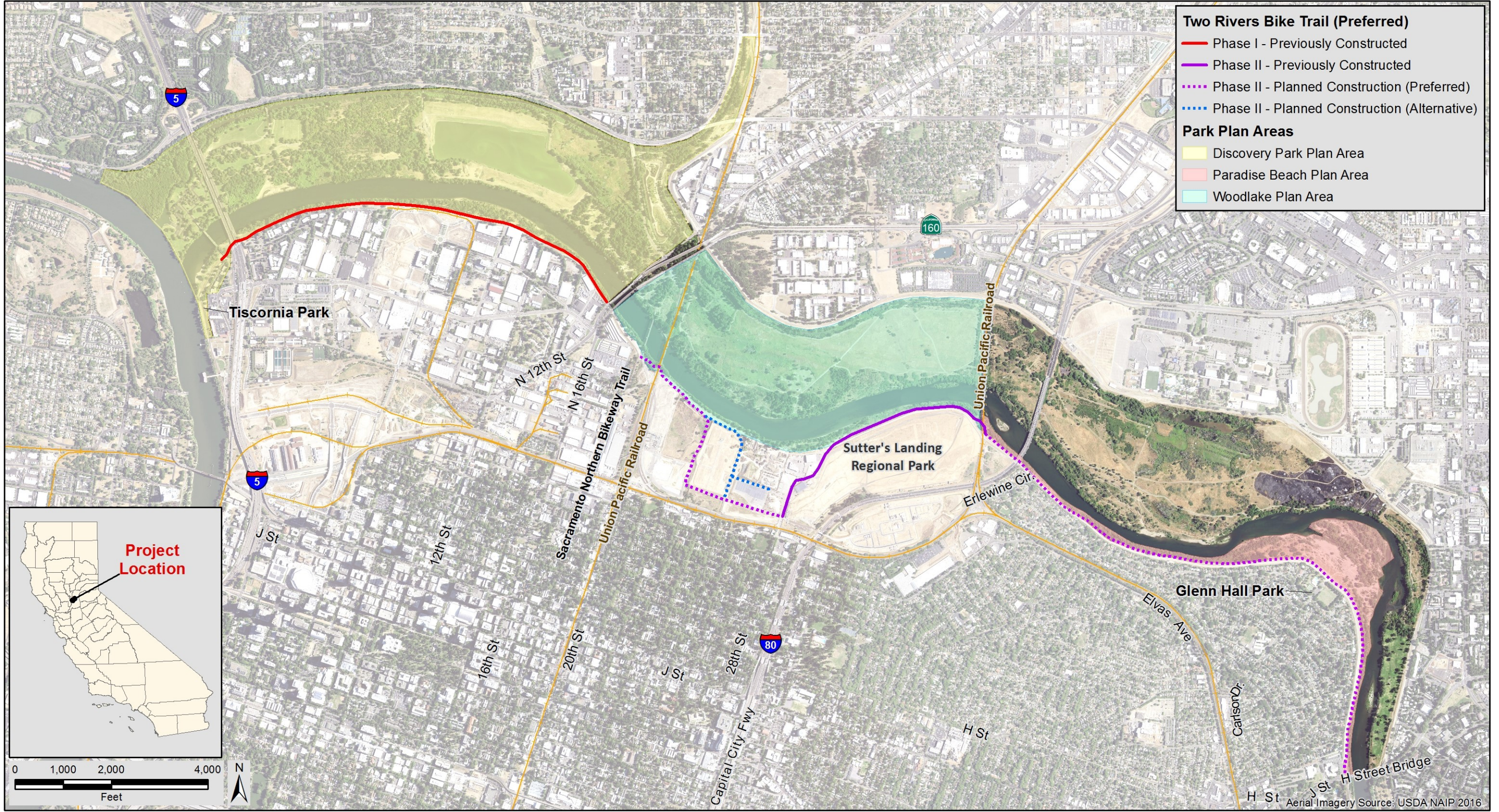
Alternative 3: Extended Top of Levee Segment Alternative

This alternative was suggested during the June 2019 EIR Public Scoping Meeting and is identical to the proposed project, except for a portion of Segment 4. Under this alternative, the trail would move from the levee toe to the top of levee near Jerome Way (approximately river mile #5), rather than near Bevil Street, resulting in a top of levee segment approximately 3x longer than what is included in the proposed project.

Alternative 4: Align Trail Outside of the American River Parkway

This alternative was suggested during review of the Initial Study/Mitigated Negative Declaration (IS/MND) and during the June 2019 EIR Public Scoping Meeting. Under this alternative, no trail would be developed within the American River Parkway. Existing trail use along developed portions of the Two Rivers Trail (Phase I) would use existing City streets to travel between 16th Street or the current trail terminus at Sutter’s Landing Park to reach the East Sacramento/River Park neighborhoods and CSUS. Public comments suggested using the Elvas Avenue Corridor and Carlson Driver as possible travel corridors for bicycles and pedestrians.

Figure ES-1. Project Location



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Source: GEI Consultants, 2019

Figure ES-2. Proposed Trail Alignment - Western Segments



Aerial Imagery Source: USDA NAIP 2016

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Source: GEI Consultants, 2019

Figure ES-3. Proposed Trail Alignment - Eastern Segments



Source: GEI Consultants, 2019

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ES.5. Permits

The following agencies may have permitting or approval authority over the proposed project:

- **American River Flood Control District (ARFCD)** – Encroachment permit for portions of the trail located on or extending across ARFCD facilities; easements for trails over lands owned by ARFCD in fee title.
- **National Marine Fisheries Service (NMFS)** – Federal Endangered Species Act Section 7 Consultation for potential effects to federally listed and proposed (endangered and threatened) anadromous fish species.
- **Public Utilities Commission** – Permission for railroad crossings.
- **United States Army Corps of Engineers (USACE)** – Rivers and Harbors Act Section 14 (408) authorization for alterations to a Federal project levee; Clean Water Act (CWA) Section 404 permit for dredge or fill of waters of the U.S.
- **United States Fish and Wildlife Service (USFWS)** – Federal Endangered Species Act Section 7 Consultation for potential effects to federally listed and proposed (endangered and threatened) plant and wildlife species.
- **Union Pacific Railroad (UPRR)** – Encroachment permit for the portions of the trail passing under a Union Pacific Railroad Bridge.
- **California Department of Transportation (Caltrans)** – Encroachment permit for the portion of the trail passing under SR 80.
- **California Department of Fish & Wildlife (CDFW)** – California Fish and Game Code Section 1602 Streambed Alteration Agreement for construction and alterations within riparian areas.
- **Central Valley Flood Protection Board (CVFPB)** – Encroachment permit for work within the flood control easement.
- **Central Valley Regional Water Quality Control Board (RWQCB)** – CWA Section 401 Water Quality Certification for discharge to surface waters.
- **County of Sacramento, Department of Regional Parks** –approval of 100% construction drawings; Lease Agreement for staging and construction within the Parkway; Map Amendment to convert the trail from future to active status; and Joint Use Agreement.

ES.6. Final EIR Process

The Draft EIR for the proposed project was submitted to the State Clearinghouse (SCH# 2018102058) and released for public and agency review on August 1, 2019. This 45-day public review and comment period concluded on September 16, 2019. During the review period, sixteen (16) letters were received. These letters with comments pertaining to the Draft EIR are included in Chapter 2 of this Final EIR.

This document includes comments and responses to comments on the Draft EIR and, along with the Draft EIR, comprises the Final EIR for the proposed project. Consistent with CEQA Guidelines (§15132) this Final EIR consists of:

- a) The Draft EIR.
- b) Comments and recommendations received on the Draft EIR
- c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- d) The responses of the lead agency to significant environmental points raised in the review and consultation process.
- e) Any other information added by the lead agency prior to certification of the Final EIR.

Items (b) through (d) are included in this document (see chapter 2 of this Final EIR). Item (a) is bound separately. Revisions to the Draft EIR, including minor edits and corrections, made as result of comments received and clarifications and modifications are presented in Chapter 3 of this Final EIR.

Since completion of the public review period on September 16, 2019, the City has reviewed the comments received and prepared written responses to all environmental issues raised. These comments received, the responses, and minor text revisions to the Draft EIR are included as part of the Final EIR record for consideration of the proposed project by the City Council. The responses are available for review by the commenting agencies (beginning on December 20th, 2019) for a period of at least 10 days prior to the public hearing on the proposed project, at which time the certification of the complete EIR will be considered.

The Final EIR will be considered by the City Council when acting on the proposed project. If the proposed project is approved, CEQA requires the City to adopt findings describing how each of the significant impacts identified in the EIR is being mitigated. The findings will also describe the reasons why project alternatives that were analyzed in the EIR have not been adopted if the City Council chooses not to adopt a project alternative. Finally, the City will adopt a Mitigation Monitoring and Reporting Plan (MMRP) that describes how it will ensure the mitigation measures being required of the proposed Project will be carried out.

ES.7. Summary of Potential Impacts and Mitigation

CEQA requires that the environmental analysis contained in the Draft EIR also include a summary of the proposed project and its consequences, including an identification of each potentially significant effect of the proposed project, the level of effect the proposed project may have, as well as any proposed mitigation measures. A full description of each of the proposed impacts and mitigation measures is found in **Chapter 3.0**, with a summary provided below in **Table ES-1**. In responding to comments received on the Draft EIR, Mitigation Measures BIO-6, GEO-1, and HAZ-2 were modified to clarify the text and increase the effectiveness of the measure. These minor edits to Mitigation Measures BIO-6, GEO-1, and HAZ-2 are also identified below (underline text) in the table.

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
3.1 Aesthetics			
Impact AES-1: Adverse Effect on Scenic Vista or Scenic Quality	LTS	No mitigation required	LTS
Impact AES-2: New Sources of Light and Glare	LTS	No mitigation required	LTS
Air Quality and Greenhouse Gas Emissions (from IS/MND)			
Impact AIR-1: Potential for Construction-Related Emissions	LTS	<p>Mitigation Measure AIR-1 Implement Construction-related Emission Control Practices:</p> <p>The City shall ensure that the construction contractor implement all basic construction emission control practices and requirements of SMAQMD Rule 403 during trail construction activities, including the following:</p> <p>Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</p> <p>Cover or maintain at least two feet 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.</p> <p>Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</p> <p>Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</p> <p>Maintain all equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.</p>	LTS
3.2 Biological Resources			
Impact BIO-1: Potential to have a substantial adverse effect, either directly or through habitat modifications, on any species in local or regional plans, policies, or regulations, or regulated by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	PS	<p>Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction</p> <p>Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat</p>	LTS

NI = No Impact B = Beneficial LTS = Less than Significant S = Significant PS = Potentially Significant SU = Significant and Unavoidable

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices	
		Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions	
		Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species	
		Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees	
		The City shall implement the following actions at the completion of construction activities:	
		In accordance with policies stated in the City's General Plan, to compensate for the permanent removal of riparian vegetation associated with the trail construction, the City shall purchase off-site credits at a mitigation bank or replant riparian trees and shrubs at a 1:1 ratio (e.g., 1 acre planted for every 1 acre removed). The replacement plantings shall consist of a variety of native tree species that occur within the riparian vegetative community along the American River corridor such as live oak, Fremont cottonwood, Oregon ash, boxelder, white alder, arroyo willow, and native shrub species such as narrowleaf willow, California rose, and California blackberry. No long-term management of landscaping or watering beyond that needed to initially establish the plants is anticipated to occur.	
		If an onsite or offsite City-responsible mitigation site is used, the City shall accomplish riparian habitat compensation by implementing the following: after completion of the trail design, the City shall total the number, type, and size of all trees and shrubs to be removed and prepare a planting plan that identifies the location of the riparian mitigation plantings and the number, type, and size of plants. The planting plan shall also describe the irrigation and maintenance required to establish and monitor the planting area. Mitigation plantings will be completed between October 15 and December 31 of the year immediately following when impacts occur. All mitigation plantings will be monitored for 3 years. The survival goals established by CDFW will be adhered to, and if the goals are not met, then the City will be responsible for installing replacement plantings. Replacement plants shall be monitored with the same survival and growth requirements for 3 years following planting. The City will be responsible for planting, replanting, watering, weeding, invasive exotic eradication, and any other practice needed to ensure this goal. An annual status report on the	

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Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		<p>mitigation will be provided to CDFW by December 31 of each year. The report will include the survival, percent cover, and height of both tree and shrub species. The number by species of plants and trees replaced, and overview of the re-vegetation effort, and the method used to assess these parameters will also be included. Photographs of the mitigation area will also be included. To ensure success of the mitigation plantings, the City shall prepare and implement an adaptive management plan that identifies specific monitoring tasks, success criteria, and reporting requirements.</p> <p>If mitigation bank credits are purchased, the credits must be purchased at a CDFW-approved site.</p> <p><u>During design of Trail Segments 1 and 2, the City shall perform tree and vegetation field surveys and mitigate impacts to riparian trees and plants at a minimum of a 1:1 ratio prior to the commencement of construction of Trail Segments 1 and 2.</u></p> <p>Responsibility: City of Sacramento / Construction Contractor</p> <p>Timing: Before and at the Completion of Construction Activities</p> <p>Mitigation Measure BIO-7: Monitor During Ground Disturbance and Vegetation Removal</p> <p>Mitigation Measure BIO-8: Avoid Construction Activities within 165 feet of Elderberry Shrubs During Valley Elderberry Longhorn Beetle Flight Season</p> <p>Mitigation Measure BIO-9: Implement Dust Control Measure</p> <p>Mitigation Measure BIO-10: Prohibit Use of Herbicides and Mowing near Elderberry Shrubs</p> <p>Mitigation Measure BIO-11: Compensate for the Permanent Removal and Temporary Disturbance of Valley Elderberry Longhorn Beetle Habitat</p> <p>Mitigation Measure BIO-12: Transplant Elderberry Shrubs</p> <p>Mitigation Measure BIO-13: Provide Escape Ramps or Cover Open Trenches</p> <p>Mitigation Measure BIO-14: Conduct Preconstruction Surveys</p> <p>Mitigation Measure BIO-15: Avoid Loss of Swainson's Hawk Nests</p> <p>Mitigation Measure BIO-16: Obtain Preliminary Jurisdictional Determination and Compensate for Impacts to Waters of the U.S. and State</p>	

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Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact BIO-2: Potential to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	PS	Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions	LTS
Impact BIO-3: Potential to have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	PS	Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions Mitigation Measure BIO-16: Obtain Preliminary Jurisdictional Determination and Compensate for Impacts to Waters of the U.S. and State	LTS
Impact BIO-4: Potential to impact protected trees	PS	Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees	LTS

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		<p>The City shall implement the following actions at the completion of construction activities:</p> <p>In accordance with policies stated in the City's General Plan, to compensate for the permanent removal of riparian vegetation associated with the trail construction, the City shall purchase off-site credits at a mitigation bank or replant riparian trees and shrubs at a 1:1 ratio (e.g., 1 acre planted for every 1 acre removed). The replacement plantings shall consist of a variety of native tree species that occur within the riparian vegetative community along the American River corridor such as live oak, Fremont cottonwood, Oregon ash, boxelder, white alder, arroyo willow, and native shrub species such as narrowleaf willow, California rose, and California blackberry. No long-term management of landscaping or watering beyond that needed to initially establish the plants is anticipated to occur.</p> <p>If an onsite or offsite City-responsible mitigation site is used, the City shall accomplish riparian habitat compensation by implementing the following: after completion of the trail design, the City shall total the number, type, and size of all trees and shrubs to be removed and prepare a planting plan that identifies the location of the riparian mitigation plantings and the number, type, and size of plants. The planting plan shall also describe the irrigation and maintenance required to establish and monitor the planting area. Mitigation plantings will be completed between October 15 and December 31 of the year immediately following when impacts occur. All mitigation plantings will be monitored for 3 years. The survival goals established by CDFW will be adhered to, and if the goals are not met, then the City will be responsible for installing replacement plantings. Replacement plants shall be monitored with the same survival and growth requirements for 3 years following planting. The City will be responsible for planting, replanting, watering, weeding, invasive exotic eradication, and any other practice needed to ensure this goal. An annual status report on the mitigation will be provided to CDFW by December 31 of each year. The report will include the survival, percent cover, and height of both tree and shrub species. The number by species of plants and trees replaced, and overview of the re-vegetation effort, and the method used to assess these parameters will also be included. Photographs of the mitigation area will also be included. To ensure success of the mitigation plantings, the City shall prepare and implement an adaptive management plan that identifies specific monitoring tasks, success criteria, and reporting requirements.</p>	

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Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		<p>If mitigation bank credits are purchased, the credits must be purchased at a CDFW-approved site.</p> <p><u>During design of Trail Segments 1 and 2, the City shall perform tree and vegetation field surveys and mitigate impacts to riparian trees and plants at a minimum of a 1:1 ratio prior to the commencement of construction of Trail Segments 1 and 2.</u></p> <p>Responsibility: City of Sacramento / Construction Contractor Timing: Before and at the Completion of Construction Activities Mitigation Measure BIO-7: Monitor During Ground Disturbance and Vegetation Removal</p>	
3.3 Cultural and Tribal Resources			
Impact CTR-1: Damage to or Destruction of Built Environment Historic Properties	LTS	No mitigation required	LTS
Impact CTR-2: Potential Damage to or Destruction of Previously Undiscovered Archaeological Sites or Tribal Cultural Resources	PS	<p>Mitigation Measure CTR-1: Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Prior to Ground-Disturbing Activities</p> <p>Mitigation Measure CTR-2: Implement Avoidance, Minimization, and Preservation Measures Should Cultural or Tribal Cultural Resources Be Discovered During Construction</p>	LTS
Impact CTR-3: Potential Damage to or Destruction of Human Remains During Construction	PS	Mitigation Measure CTR-3: Implement Post Discovery Procedures in the Event of the Inadvertent Discovery of Human Remains	LTS
3.4 Geology and Soils			
Impact GEO-1: Cause Adverse Effects Related to Earthquake Fault Rupture, Seismic Ground Shaking, Seismic-Related Ground Failure (including landslide, subsidence, or liquefaction, or Be Located On Expansive Soils	PS	<p>Mitigation Measure GEO-1: Perform Final Geotechnical Investigation and Implement Report Recommendations</p> <p>Prior to issuance of a construction contract, in accordance with City requirements (2035 General Plan - Policy EC 1.1.2), the project applicant shall prepare a final geotechnical investigation of the project alignment to determine the potential for ground rupture, earth shaking, and liquefaction due to seismic events, as well as expansive soils problems, and the potential for settlement on former <u>Landfill sites</u>. As required by the City, recommendations identified in the geotechnical report for the proposed project shall be implemented to ensure that the project's design meets Caltrans Class 1 bikeway design criteria and State Water Code Title 23 standards for recreation trails on levees, and <u>27CCR, section 21190(g) requirements for construction related to CIWMB Post-Closure Land Uses.</u></p>	LTS

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		Responsibility: City of Sacramento Timing: Before and During Construction Activities	
3.5 Hazards and Hazardous Materials			
Impact HAZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	PS	Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices	LTS
Impact HAZ-2: Potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment	PS	<p>Mitigation Measure HAZ-1: Prepare a Worker Health and Safety Plan and Implement Appropriate Measures to Minimize Potential Exposure of the Public to Hazardous Materials</p> <p>Mitigation Measure HAZ-2: Obtain Site Closure and Follow Post-Closure Requirements for Past Disposal Sites</p> <p>The City shall implement the following measures for all Segment 2 construction:</p> <ul style="list-style-type: none"> ▪ Construction of the trail segment should not commence until this area is properly closed as per the requirements of the City of Sacramento. ▪ Segment 2 construction and monitoring should be completed under the requirements described in Title 27 of the California Code of Regulations (CCR), Division 2, Subdivision 1, Chapter 3, Subchapter 5, Section 21190 titled "CIWMB-Post-Closure Land Use." ▪ Where cut and fill activities occur in Segment 2, proper measures should be taken to mitigate any landfill material or other hazardous material that is encountered. ▪ <u>Methane monitoring will be conducted during and after construction, in accordance with 27CCR, section 21190 as part of the ongoing monitoring conducted by the City as part of post-closure requirements at nearby closed disposal sites.</u> <ul style="list-style-type: none"> ○ <u>Work plans will be submitted for Local Enforcement Agency (County) approval on advance of any excavation on landfill/disposal sites, for handling, testing, and proper disposal of any unearthed waste. The City's Contractor must also develop a Health and Safety Plan (HASP) that provides for in-hole landfill gas monitoring during excavation, and other worker safety measures. A methane safety threshold that is appropriate for the working space associated with</u> 	LTS

NI = No Impact

B = Beneficial

LTS = Less than Significant

S = Significant

PS = Potentially Significant

SU = Significant and Unavoidable

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		<p><u>trail construction, as detailed in final designs, will be established as a trigger for stopping work and evacuating workers to a safe distance.</u></p> <ul style="list-style-type: none"> ○ <u>Construction and staging of materials, and trail operation and maintenance activities shall not impede required disposal site closure activities, landfill monitoring and maintenance, or block access to or damage landfill infrastructure such as landfill gas control system and monitoring components. The Contractor shall coordinate with the City and County (local enforcement agency) on all work conducted in the vicinity of former landfill and disposal sites along the proposed trail alignment.</u> ▪ If fill material/soils will be brought in, these soils must be certified as clean fill. ▪ The trail will be designed to conform with drainage patterns in the project area and to prevent water collection that could cause seepage of the buried landfill material. <p>Responsibility: City of Sacramento Timing: Before and During Construction</p>	

3.6 Hydrology, Water Quality, and Drainage

Impact HWQ-1: Violate Water Quality Standards or Waste Discharge Standards, Degrade Surface Water Quality, Conflict With Implementation of a Water Quality Control Plan, or Release Pollutants During Flooding	PS	Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices.	LTS
Impact HWQ-2: Result in Erosion or Flood Impacts	LTS	No mitigation required	LTS

3.7 Land Use and Planning

Impact LUP-1: Conflict with Land Use Plans: American River Parkway Plan	NI	No mitigation required	NI
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3.8 Noise

Impact NOS-1: Cause A Temporary or Permanent Increase in Ambient Noise Levels In Excess Of Applicable Standards	LTS	No mitigation required	LTS
Impact NOS-2: Generate Excessive Groundborne Vibration or Groundborne Noise Levels	LTS	No mitigation required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
3.9 Public Services, Recreation, and Utilities			
Impact PSR-1: Public Services: Fire Protection and Emergency Medical Service	LTS	No mitigation required	LTS
Impact PSR-2: Public Services: Police Protection	LTS	No mitigation required	LTS
Impact PSR-3: Recreation: Cause Deterioration of Existing Facilities	LTS	No mitigation required	LTS
3.10 Transportation and Circulation			
Impact TRC-1: Conflict with Plans or Standards: Congestion and Transit Operations	LTS	No mitigation required	LTS
Impact TRC-2: Conflict with Plans or Standards: Pedestrian and Bicycle Circulation	LTS/B	No mitigation required	LTS/B

NI = No Impact

B = Beneficial

LTS = Less than Significant

S = Significant

PS = Potentially Significant

SU = Significant and Unavoidable

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Chapter 1. Introduction

1.1 Overview and Organization of this Document

This document and the Draft EIR that was circulated for public review on August 1, 2019 through September 16, 2019 (45-day public review period) is intended to constitute the Final EIR for the City of Sacramento’s Two Rivers Trail (Phase II) Project (proposed project). However, certification of the Final EIR rests with the City Council; therefore, additional materials may be added or modified by the City prior to the time of certification. (CEQA Guidelines §15090.)

The information presented in this Final EIR is being provided in accordance with the requirements of the State CEQA Guidelines and includes the following chapters:

- **Chapter 1**, “Introduction,” discusses the purpose of this document, public review process, CEQA requirements, and use of this document.
- **Chapter 2**, “Response to Comments on the Draft EIR,” includes a copy of each of the comment letters received during the 45-day public review period and contains the written responses to the individual comments received.
- **Chapter 3**, “Corrections and Revisions to the Draft EIR,” contains minor changes and edits to the text of the Draft EIR made in response to the comments. These changes correct minor errors and provide clarifications and amplifications to the information previously provided; the changes do not constitute significant new information or result in any new significant impacts.

1.2 Comments that Require Responses

Section 15088(c) of the State CEQA Guidelines specifies that the focus of the responses to comments shall be on the disposition of significant environmental issues. Responses are not required on comments regarding the merits of the project or on issues not related to the project’s environmental impacts.

In one or more letters, general statements or opinions concerning the Draft EIR and its conclusions are provided, but without comments regarding the Draft EIR’s specific content. CEQA requires responses on comments concerning the environmental impacts of the project. Thus, if the comments do not address the specific environmental impacts of the project and whether they were properly addressed, responses may not be possible or warranted. Nevertheless, where feasible and relevant, responses have been provided to supply as much information as practical about the proposed project to the public, interested agencies, and decision makers.

1.3 The Environmental Review Process

The environmental review process was initiated with the publication of the Notice of Preparation (NOP) for the Draft EIR on May 21, 2019; a public scoping meeting at the Fremont Presbyterian Church on June 8, 2019 in Sacramento, CA; and early consultation with agencies, organizations, and individuals known to be interested in the proposed project. The Draft EIR was circulated for a 45-day public review period on August 1, 2019, and a public informational meeting on the contents of the Draft EIR and to receive oral and written comments was held at the Fremont Presbyterian Church on August 10, 2019. The public comment period on the Draft EIR closed on September 16, 2019.

This Final EIR document is being released and sent to agencies who commented within the Draft EIR's 45-day review period. Lead agencies are required to provide responses to the commenting agency's comments on draft EIRs at least 10 days before the certification of the Final EIR (Section 15088[b] of the State CEQA Guidelines).

After the 10-day agency review period, the City will review the Draft EIR and this Final EIR document, which together form the complete Final EIR. The City will consider comments provided on this document, the whole of the administrative record, as well as other information pertaining to the Final EIR, and will determine whether the Final EIR should be certified as adequate under CEQA. If so, the City will adopt a resolution certifying the Final EIR, pursuant to Section 15090 of the State CEQA Guidelines.

Once the Final EIR is certified, the City will approve the proposed project. The City will adopt findings of fact, pursuant to Section 15091 of the State CEQA Guidelines, for each significant effect of the proposed project. For each significant environmental effect identified in the EIR, the City must issue a written finding reaching one or more of three permissible conclusions. According to Section 15091 of the State CEQA Guidelines, the three possible findings are:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

In addition, when the City approves the proposed project, the City will adopt a separate MMRP—consistent with Section 15097 of the State CEQA Guidelines—that describes when each of the mitigation measures adopted for the project will be implemented, identifies who is the responsible implementing party, and provides a mechanism for monitoring their implementation.

Chapter 2. Response to Comments on the Draft EIR

This section of the Final EIR contains comment letters received during the public review period for the Draft EIR, which began on August 1, 2019 and concluded on September 16, 2019. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared addressing comments on environmental issues received from reviewers of the Draft EIR.

2.1 Summary of Comment Letters

The public agencies, organizations, and individuals that submitted comments on the Draft EIR are listed below in **Table 2-1**. As shown in the table, each comment letter has been designated by a specific number that will be used to refer to particular comments and responses.

Table 2-1. Comment Letters Received During The Draft EIR Review Period

Commenting Entity	Date Received	Comment Letter #
Public Agencies		
Regional SAN	August 13, 2019	Letter 1
County of Sacramento Environmental Management Division	August 27, 2019	Letter 2
American River Flood Control District (David Aladjem)	September 16, 2019	Letter 3
Sacramento County Regional Parks Department	September 16, 2019	Letter 4
Sacramento Metropolitan Air Quality Management District	September 16, 2019	Letter 5
Sacramento Municipal Utility District	September 16, 2019	Letter 6
Organizations		
Save Don't Pave (Amanda Morrow)	September 16, 2019	Letter 7
Save Don't Pave (Soluri Meserve)	September 16, 2019	Letter 8
Sierra Club – Sacramento Group	September 16, 2019	Letter 9
Friends of Sutter's Landing and Friends of the River Banks	September 16, 2019	Letter 10
Individuals		
J. Scott Coatsworth	August 5, 2019	Letter 11
Mark Heilman	August 23, 2019	Letter 12
Nancy McKenzie	September 3, 2019	Letter 13
David Boyer	September 12, 2019	Letter 14
Stephanie Jentsch	September 16, 2019	Letter 15
Kate Riley	September 16, 2019	Letter 16

2.2 Response to Comments

Each of the comment letters identified above in **Table 2-1** are provided on the following pages, with responses to each letter, in the form of individual responses and referrals to master responses (see **Section 2.2.1**, below). The content of each letter has been divided into individual comments. To assist in referencing these letters and comments, each comment letter has been assigned a number (i.e. 1, 2, etc.) and each individual comment within each letter has been assigned a corresponding number (i.e. 1-1, 1-2). Letters have been categorized as a public “Agency”, “Organization”, or “Individual” (as shown in **Table 2-1**). Where changes to the Draft EIR text result from these responses to comments, those changes are presented in **Chapter 3 “Corrections and Revisions to the Draft EIR”** of this document, with changes shown by underlining new text (e.g., new text) and striking out text to be deleted (e.g., deleted text).

Comments which present opinions about the project unrelated to environmental issues or which raise issues not directly related either to the substance of the Draft EIR or to environmental issues are noted without a detailed response

2.2.1 Master Responses

This section provides master responses to address similar or related comments to a specific environmental topic in the Draft EIR. In some cases, multiple comments were received regarding the same topic and/or environmental issues identified in the Draft EIR. In order to provide the commenter with a complete picture regarding his or her concern, the City has prepared a master response to address same or similar comments received regarding certain subject areas. These master responses have been developed to provide a broader context to the response than may be possible when making responses to individual comments. Typically, these master responses provide some background regarding the issue, identify how the issue was addressed in the Draft EIR, and provide additional explanation to address the concerns raised.

The following topics are addressed by the Master Responses:

- Alternatives to the Proposed Project (Master Response #1)
- Biological Resources (Master Response #2)
- Land Use Compatibility (Master Response #3)

Master Response #1 – Alternatives to the Proposed Project

Several comment letters (see comments 7-14, 7-15, 8-17, 9-2, 9-3, 10-4, 12-1, 13-8, 13-9, 14-5, 15-1, and 16-8) provided similar comments related to the project alternatives analyzed in the Draft EIR. These comments express opinions that the Draft EIR was prepared with a preferred alternative in mind and that the analysis of Alternative 4 (and other suggested alternatives) have been dismissed in the Draft EIR without sufficient consideration or analysis regarding the ability to meet project objectives.

Selection of Alternatives Under CEQA

The Draft EIR considers a reasonable range of potentially feasible alternatives, as required by CEQA Guidelines Section 15126.6. CEQA requires an EIR to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and

evaluate the comparative merits of the alternatives” (CEQA Guidelines, §15126.6(a); Pub. Res. Code, §21001).

The selection of alternatives is governed by the rule of reason (CEQA Guidelines, §15126.6(f)). This means that “an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible” (CEQA Guidelines, §15126.6(a)). The lead agency has the discretion to determine the number of alternatives necessary to constitute a legally adequate range, which will vary from case to case depending on the nature of the project (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3rd 553). In addition, an alternative must lessen only some, not all, of the significant effects of the project (*Sierra Club v. City of Orange* (2008) 163 Cal. App. 4th 523, 547)

The Draft EIR analyzes four alternatives to the proposed project as more fully described in Chapter 4 “Description of Project Alternatives”, including the following 2 alternatives suggested by commenters during the project’s Notice of Preparation scoping period (see page 4-1 of the Draft EIR):

- Alternative 3: Extended Top of Levee Segment Alternative
- Alternative 4: Align Trail Outside of the American River Parkway

Some comments have indicated that a “No Pavement” Alternative should have been analyzed as well. A “No Pavement” alternative is similar to the CEQA-required “No Project” Alternative analyzed in Chapter 4 “Description of Project Alternatives” of the Draft EIR. As described on page 4-6 of the Draft EIR, the “No Project” alternative would not construct the proposed project, leaving the existing foot trail in its current “No Pavement” state. Also similar to the “No Project” Alternative, there would be no ADA compliant access point improvements developed under a “No Pavement” alternative. Consequently, the “No Pavement” Alternative is not considered further as a separate alternative.

As a related topic, some commenters have indicated that the City should coordinate more with the ARFCD to obtain variances for additional levee top trail development in Trail Segments 5 and 6 (supporting Alternatives 2 and 4). As stated in the Draft EIR, the City has had several discussions with ARFCD and USACE staff regarding placement of the trail during the preliminary design phase of the project. The recent (March 2019) decision by the ARFCD Board to grant the City a variance for construction of a “levee top” trail along a 0.25 mile portion of Segment 4 was based on several factors including potential levee performance concerns with a benched alignment in Segment 4, With no levee performance issues identified for the remaining trail segments and considering the ARFCD safety issues identified in Comment Letter #3 (American River Flood Control District, David Aladjem), the City does not anticipate any additional “levee top” variances from the ARFCD for other segments of the proposed trail project.

Scope of the Alternatives Analysis

The EIR describes each alternative and how it differs from the proposed project. The EIR provides sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. (CEQA Guidelines, §15126.6(d)). Specifically, the Draft EIR provides a narrative description of each alternative and identifies impacts as being similar or less/more severe than the proposed project (see pages 4-2 through 4-6 of the Draft EIR) allowing the relative merits and impacts of the project and the alternatives to be comparatively assessed (Del Mar Terrace Conservancy,

Inc. v. City Council (1992) 10 Cal.App.4th 712; In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143).

The methods used to evaluate and screen the alternatives are described on page 4-2 of the Draft EIR and are consistent with CEQA Guidelines, §15126.6(c) and (d). Factors used to eliminate alternatives from detailed consideration in the Draft EIR included the alternatives ability to meet most of the basic project objectives, feasibility for implementation, and the ability to avoid or lessen any potential adverse environmental impacts resulting from the proposed project.

As described above, the ARFCD has expressed concerns with maintenance and public safety issues associated with additional levee top trails. As part of the EIR alternatives analysis, the City revisited the possibilities of additional “top of levee” variance approvals with the ARFCD. However, in balancing the flood safety objectives with those of the proposed trail project, the ARFCD has indicated that no additional variances will be permitted. See also, the ARFCD safety issues identified in Comment Letter #3 (American River Flood Control District, David Aladjem). Consequently, Alternatives 2 and 3 are considered to not meet the project objective of providing an acceptable project to all authoritative agencies and therefore are infeasible.

Alternative 4 “Align Trail Outside of the American River Parkway” does not meet any of the basic project objectives (see Table 4-1 on page 4-7 of the Draft EIR). For example, the use of existing streets for bicycles and pedestrians, would not provide an “alternative” transportation access route for commuters nor provide a vital recreation link with other American River Parkway trails. Existing streets would also not provide opportunities for educating trail users through interpretive signs and some of the existing streets and roadways may also not be ADA compliant.

While Alternatives 2 through 4 are infeasible and/or unable to meet most of the basic project objectives, the Draft EIR did evaluate the potential environmental impacts of these alternatives and identified their potential impacts as being “similar”, “less severe”, or “more severe” than the proposed project. To clarify that these alternatives were fully considered in compliance with CEQA Guidelines section 15126.6, the title of Section 4.4 “Alternatives Considered but Not Carried Forward for Further Evaluation” on **Page 4-2** of the Draft EIR is modified as follows with ~~strike-out~~ text to clarify that while the project alternatives were not evaluated at a similar level of detail as the proposed project, the environmental impacts of these alternatives were identified and compared as shown in Table 4-1 (see page 4-7) of the Draft EIR:

4.4 Alternatives Considered but Not Carried Forward for Further Evaluation

While impacts for each of the alternatives were not quantified, sufficient information regarding each alternative was available and considered to allow a meaningful evaluation and comparison of the alternatives with the proposed project. For example, the technical analysis contained in the draft IS/MND was considered in evaluating Alternative 1 “October 2018 Initial Study Alternative”. Additionally, with the study area for most project alternatives (with the exception for Alternative 4) in the close vicinity of the proposed project, existing biological and cultural resource evaluations (including field survey results and aerial mapping) from the proposed project were reviewed to conduct the evaluations for Alternatives 2 and 3.

Master Response #2 – Biological Resources

Several comment letters (see comments 7-3, 7-4, 7-5, 7-6, 7-8, 8-10, 8-11, 8-12, 9-4, 10-1, 10-2, 10-7, 13-26, 13-27, and 16-4) provided similar comments related to the following biological resource topics addressed in Section 3.2 “Biological Resources” of the Draft EIR:

- Underestimation of valley elderberry shrubs and native tree impacts, with Segments #1 and #2 undetermined.
- Failure to disclose compliance with CESA and ESA and other agencies with permitting authority over the project.
- The need to provide on-site valley elderberry shrub and tree mitigation.
- Proposed mitigation ratios for riparian vegetation impacts are below agency requirements.
- The proposed project should identify impacts to previously restored riparian mitigation sites.
- None of the mitigation measures provide a long-term solution for the loss of white-tailed kite foraging or nesting habitat.
- No accessible description of the trees to be removed by segment (including DBH, etc.)

Trail Design Modifications to Minimize Biological Resource Impacts

As stated in Section 1.2 and 1.3, Chapter 1 “Introduction” (pages 1-2 through 1-6 of the Draft EIR), the City has been working with neighborhood groups and local agencies with responsibility for management of the American River Parkway (including the County of Sacramento and the American River Flood Control District) to develop a proposed trail project that addresses public safety concerns regarding potential conflicts between trail users and levee maintenance equipment, homeowner privacy/visibility concerns, hydrologic/levee performance impacts, and minimizes biological resource impacts. In response to comments received on the IS/MND (as summarized in pages 1-9 through 1-13 of the Draft EIR), the City worked with the American River Flood Control District (ARFCD) to modify a portion of the trail alignment (Segment #4) to allow construction of a “levee-top” trail along a 0.25-mile section just east of the Capital City Freeway, which reduced project impacts to riparian habitat (including native trees), valley elderberry shrubs, and nesting bird habitat compared to the trail alignment analyzed in the IS/MND. Further trail design considerations (see page 2-2 of the Draft EIR) include having the paved portion of the trail closest to the existing levee and the undeveloped shoulder adjacent to the waterside of the American River Parkway reducing direct and indirect impacts to vegetation along the trail.

Underestimation of VELB and Native Tree Impacts

Regarding comments describing an underestimation of valley elderberry shrub impacts, pages 3.2-20 through 3.2-21 of the Draft EIR describe the methodology used to perform the Valley Elderberry Longhorn Beetle (VELB) habitat assessment which includes field surveys consistent with the United States Fish and Wildlife Service (USFWS) *2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle*. Surveys were conducted at the time of year when elderberry shrubs were easily identifiable (shrubs had abundant live foliage) and through-out the Biological Study Area (BSA) where property access was granted (which excluded private property adjacent to the Project area). To look for elderberry shrubs, biologists walked the BSA in meandering transects. When an elderberry shrub was located, its position was collected using a sub-meter accurate Trimble GeoXT global

positioning system (GPS) unit. Each individual elderberry shrub was given a unique identification number. Because elderberry shrubs spread through underground rhizomes, elderberry plants occurring within five feet of each other were considered a single shrub and were given a single identifying number.

Stem diameters were measured at ground level using a pocket tree caliper. All elderberry stems measuring 1-inch (or greater) diameter at ground level were recorded. Stems measuring less than 1-inch in diameter at ground level are unlikely to be habitat for Valley elderberry longhorn beetle were not recorded during this survey. Stems were thoroughly searched for beetle exit holes. The number of exit holes was recorded for each shrub. For elderberry shrubs that were partially inaccessible due to dense vegetation cover that prevented exit hole examination, only stem counts were recorded. When shrubs were completely inaccessible due to dense vegetation that completely obscured the bases of the shrubs, stem counts were estimated based on shrub size and height, but holes were not recorded.

Data on the number and size of live stems (dead stems were not counted), presence or absence of Valley elderberry longhorn beetle exit holes (evidence of beetle presence), and habitat associations for each shrub in the BSA was collected and recorded on standardized data forms. The results of these surveys were used to prepare the Natural Environment Study for the California Department of Transportation (Caltrans) and the Draft EIR analysis for the City, with both permanent and temporary (within 20 feet of paving) impacts to all VELB shrubs quantified in Tables 3.2-2 and 3.2-3 and shown in the figures provided in Appendix C of the Draft EIR. Regarding indirect impacts to VELB (within 165 feet), indirect impacts (within 20 feet of paving) were evaluated and are included within the estimates of valley elderberry shrubs to be trimmed or affected by maintenance activities provided in Impact BIO-1 (see Tables 3.2-2 and 3.2-3). Impacts to VELB shrubs beyond 20 feet of paving would be avoided by the installation of temporary environmental fencing (see Mitigation Measure BIO-2) to keep construction workers and equipment away from sensitive habitats and vegetation and through the biological resource monitoring of environmentally sensitive areas (see Mitigation Measure BIO-7).

Additional comments also assert an underestimation of native tree impacts. Native tree surveys were also conducted as part of the proposed project, with affected tree species and quantities (within the project impact footprint) identified under Impact BIO-4 (see page 3.2-40 and 3.2-41) and shown in the figures provided in Appendix C of the Draft EIR. In conducting the surveys, criteria from both the current City of Sacramento Protection of Trees Ordinance (City of Sacramento Municipal Code 12.56) and the County of Sacramento Tree Preservation Ordinance were considered, with tree location, tree species, and diameter at breast height identified. The category “Native Tree” (from the previous City tree ordinance) was inadvertently included in the summary of tree survey data provided in Appendix C; however, the use of this term had no bearing on the quantification of tree impacts identified in the Draft EIR.

As shown in the figures and text of the Draft EIR, tree impacts have been quantified for Trail Segments 3 through 6 and will be quantified for Segments 1 and 2 prior to construction. Segments 3-6 of the proposed project would permanently affect (remove) 25 trees and temporarily affect (trim) approximately 72 additional trees located within the project footprint. All trees identified for removal are located within the valley foothill riparian vegetation community.

Mitigation requirements (including location, compensation ratios, etc.) will ultimately be determined following consultation with key regulatory agencies having responsibility over the management of affected resources, including the CDFW (compliance with 1602 Streambed Alteration Agreement), the USFWS (Endangered Species Act compliance for VELB), and the County of Sacramento (tree

ordinance), within the study area. To facilitate agency review and permitting compliance, the Draft EIR includes appropriate environmental setting/baseline descriptions, a quantification of habitat and species impacts (tables and maps identifying tree and VELB locations), and a comprehensive set of mitigation measures (including applicable best management practices and avoidance measures from similar and recent agency consultations).

The Draft EIR also indicates that the number of trees to be removed or trimmed under Trail Segments 1-2 have not been determined, as this portion of the trail will undergo final design and construction at a later date when funding is available. It is understood that further tree evaluations and environmental analysis will be required for the implementation of Trail Segments 1 and 2.

To ensure these sensitive biological resources are considered for Trail Segments 1 and 2, the City has added the following underline text to **Mitigation Measure BIO-6** (pages 3.2-31 and 3.2-32 of the Draft EIR):

Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees

The City shall implement the following actions at the completion of construction activities:

In accordance with policies stated in the City's General Plan, to compensate for the permanent removal of riparian vegetation associated with the trail construction, the City shall purchase off-site credits at a mitigation bank or replant riparian trees and shrubs at a 1:1 ratio (e.g., 1 acre planted for every 1 acre removed). The replacement plantings shall consist of a variety of native tree species that occur within the riparian vegetative community along the American River corridor such as live oak, Fremont cottonwood, Oregon ash, boxelder, white alder, arroyo willow, and native shrub species such as narrowleaf willow, California rose, and California blackberry. No long-term management of landscaping or watering beyond that needed to initially establish the plants is anticipated to occur.

If an onsite or offsite City-responsible mitigation site is used, the City shall accomplish riparian habitat compensation by implementing the following: after completion of the trail design, the City shall total the number, type, and size of all trees and shrubs to be removed and prepare a planting plan that identifies the location of the riparian mitigation plantings and the number, type, and size of plants. The planting plan shall also describe the irrigation and maintenance required to establish and monitor the planting area. Mitigation plantings will be completed between October 15 and December 31 of the year immediately following when impacts occur. All mitigation plantings will be monitored for 3 years. The survival goals established by CDFW will be adhered to, and if the goals are not met, then the City will be responsible for installing replacement plantings. Replacement plants shall be monitored with the same survival and growth requirements for 3 years following planting. The City will be responsible for planting, replanting, watering, weeding, invasive exotic eradication, and any other practice needed to ensure this goal. An annual status report on the mitigation will be provided to CDFW by December 31 of each year. The report will include the survival, percent cover, and height of both tree and shrub species. The number by species of plants and trees replaced, and overview of the re-vegetation effort, and the method used to assess these parameters will also be included. Photographs of the mitigation area will also be included. To ensure success of the mitigation plantings, the City shall prepare and implement an adaptive management plan that identifies specific monitoring tasks, success criteria, and reporting requirements.

If mitigation bank credits are purchased, the credits must be purchased at a CDFW-approved site.

During design of Trail Segments 1 and 2, the City shall perform tree and vegetation field surveys and mitigate impacts to riparian trees and plants at a minimum of a 1:1 ratio prior to the commencement of construction of Trail Segments 1 and 2.

Responsibility: City of Sacramento / Construction Contractor

Timing: Before and at the Completion of Construction Activities

Compliance with Endangered Species Act

Commenters are incorrect in their discussion that the Draft EIR fails to disclose compliance with the Endangered Species Act (ESA), California Endangered Species Act (CESA), or describe the other agencies with permitting authority over the project. Pages 3.2-5 through 3.2-9 of the Draft EIR describe the ESA and CESA special status species reviews for the proposed project and page 2-12 of the Draft EIR identifies the various agencies that have permitting or approval authority over the proposed project, including the California Department of Fish and Wildlife (1602 Streambed Alteration Agreement) and the USFWS. As identified on page 1-1 of the Draft EIR, Caltrans is the federal lead agency for compliance with National Environmental Policy Act (NEPA) and is currently preparing a Biological Assessment for the proposed project as part of the ESA Section 7 compliance phase of the proposed project. Several of the mitigation measures have been developed to address compliance with local, state, and federal resource agency requirements including mitigation measures BIO-8 and BIO-11 (USFWS/ESA compliance), BIO-14 and BIO-15 (CDFW/CESA compliance), and BIO-16 (USACE, if required).

Onsite versus Offsite Mitigation

As stated on page 3.2-1 of the Draft EIR, mitigation requirements (including location, compensation ratios, etc.) will ultimately be determined following consultation with key regulatory agencies having responsibility over the management of affected resources, including the CDFW (compliance with 1602 Streambed Alteration Agreement) and the USFWS (ESA compliance) within the study area. Implementation of an onsite mitigation strategy is contingent on the availability of onsite locations and the feasibility of managing/monitoring the mitigation sites once they are in place. While on-site mitigation within the larger American River Parkway may be an option for consideration as the City and Caltrans complete the Section 7 consultation for VELB with the USFWS; the City will mitigate consistent with regulatory agency (CDFW and USFWS) requirements.

To ensure an approach that is both flexible and comprehensive (by including both on- and off-site mitigation options), the Draft EIR has included the following mitigation measures to be implemented by the City to address both direct and indirect VELB and native tree impacts:

- Mitigation Measure BIO-2: Install Temporary Fencing Around Environmentally Sensitive Habitat
- Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions
- Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat And Protected Trees

- Mitigation Measure BIO-8: Avoid Construction Activities within 165 feet of Elderberry Shrubs During Valley Elderberry Longhorn Beetle Flight Season
- Mitigation Measure BIO-10: Prohibit Use of Herbicides and Mowing Near Elderberry Shrubs
- Mitigation Measure BIO-11: Compensate for the Permanent Removal and Temporary Disturbance of Valley Elderberry Longhorn Beetle Habitat
- Mitigation Measure: BIO-12: Transplant Elderberry Shrub

Commenter's are correct in suggesting that the construction season overlaps with the VELB flight season (March to July), however; implementation of the final VELB compensation and avoidance measures (determined with the USFWS) will be part of the initial phases of project construction and will occur consistent with the flight season limitations identified in Mitigation Measure BIO-8. Additionally, implementation of all special status species avoidance (including nesting bird and valley elderberry beetle flight avoidance) and the habitat compensatory requirements anticipated for the project may require a phased construction approach over multiple construction seasons.

Additional comments have been directed at the 1:1 ratio compensation requirement for the removal of riparian vegetation under Mitigation Measure BIO-6. The City understands this to be the minimum compensation requirement and will work with the USFWS and CDWF during the ESA compliance and 1602 permit agreement process to determine the final compensation ratio (which may be greater, 3:1, than 1:1) and implement the determined purchase of off-site credits at a mitigation bank or the on-site replanting ratios for valley elderberry shrubs, riparian habitat, or native trees.

Cumulative Biological Resource Impacts and Coordination with USACE

Cumulative biological resource impacts are addressed in Chapter 5 (Section 5.5) of the Draft EIR and include coordination with several projects currently being implemented by the Sacramento Area Flood Control Agency (SAFCA) and the United States Army Corps of Engineers (USACE). The City is actively coordinating with both agencies during the environmental and design phases of the proposed project and is working with the USACE on permitting activities including compliance with the Rivers and Harbors Act Section 14 (408) authorization for alterations to a Federal project levee. The City is also working with the USACE's project manager responsible for implementation of the American River Common Features Erosion Control Project to ensure project impacts, mitigation, and construction work schedules are coordinated within the study area.

Some comments have suggested that project-related impacts to areas that include previous habitat restoration efforts within the American River Parkway should be disclosed in the Draft EIR, with additional mitigation for impacts to restoration/mitigation areas included. The Draft EIR has evaluated and identified all biological resource impacts within the biological study area (including the use of habitat assessment methods consistent with the USFWS 2017 *2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle*). Additionally, the City will implement all biological resource mitigation consistent with regulatory agency (CDFW and USFWS) requirements.

Temporary Biological Resource Impacts

Several commenters indicated that Impact BIO-1 (see page 3.2-26) only addresses temporary impacts (construction-related) to white-tailed kite and other protected bird or raptor species. As stated in the title to Impact BIO-1, this impact focuses on direct species impacts and addresses the "*Potential to have a*

substantial adverse effect, either directly or through habitat modifications, on any species in local or regional plans, policies, or regulations, or regulated by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service". The commenters are also directed to Impact BIO-2 (see page 3.2-39) of the Draft EIR. Impact BIO-2 identifies the potential impacts to Valley foothill riparian habitat which may provide nesting habitat for white-tailed kite and other protected birds or raptors. Mitigation Measures BIO-2 through BIO-7 (summarized below) identified to reduce the severity of this impact also have been developed to address the longer-term habitat impacts described by the commenters through the use of environmental fencing to protect sensitive habitats, monitoring sensitive habitats during construction, and pre-project restoration of disturbed habitats to pre-project conditions, avoiding the spread of invasive species, and compensating for the loss of habitat and protected trees. Specific mitigation measures required to reduce these habitat impacts to a less than significant level include the following:

- Mitigation Measure BIO-2: Install Temporary Fencing Around Environmentally Sensitive Habitat
- Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices
- Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions
- Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species
- Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat And Protected Trees
- Mitigation Measure BIO-7: Monitor During Ground Disturbance and Vegetation Removal

Master Response #3 – Land Use Compatibility

Several comment letters (comments 7-9, 8-6, 13-3, 13-5, 13-14, 13-15, 13-28, 13-29, 13-30, and 13-34) asserted that the proposed project would be inconsistent with the City of Sacramento's General Plan Master EIR because that document contemplated a trail constructed on the levee top, and inconsistent with City of Sacramento General Plan Policy ER-2.1.5, which calls for the City to preserve the ecological integrity of creek corridors and riparian resources. Other comments asserted that the proposed project is inconsistent with the policies of the American River Parkway Plan (ARPP). The City's conclusion that the project is consistent with the ARPP is based on the substantial evidence detailed below.

City of Sacramento 2035 General Plan

The Draft EIR does not rely on the City's General Plan Master EIR to address biological resources impacts as implied by the commenter. As more fully described on pages 3.2-1 through 3.2-41 of Section 3.2, "Biological Resources", the Draft EIR provides a stand-alone, project-specific analysis of the potential biological impacts that would result from implementation of the proposed project. Independent of the General Plan Master EIR, preparation of the Draft EIR included extensive and complete field surveys for both plant and wildlife resources, conducted during the appropriate time of year and within a study area that greatly exceeded the project footprint (consistent with local, state, and USFWS Guidelines).

Comments have asserted that the proposed project is inconsistent with City General Plan Goal ER 2.1 and Policies ER-2.1.1 through ER-2.1.5. The Draft EIR (pages 3.2-11 through 3.2-14) acknowledges the relevancy of several applicable goals and policies from the Environmental Resources Element of the City's General Plan, including the following

GOAL ER 2.1: Natural and Open Space Protection. Protect and enhance open space, natural areas, and significant wildlife and vegetation in the city as integral parts of a sustainable environment within a larger regional ecosystem.

- **Policy ER 2.1.1 Resource Preservation.** The City shall encourage new development to preserve on-site natural elements that contribute to the community's native plant and wildlife species value and to its aesthetic character.
- **Policy ER 2.1.2 Conservation of Open Space.** The City shall continue to preserve, protect, and provide appropriate access to designated open space areas along the American and Sacramento Rivers, floodways, and undevelopable floodplains, provided access would not disturb sensitive habitats or species.
- **Policy ER 2.1.3 Natural Lands Management.** The City shall promote the preservation and restoration of contiguous areas of natural habitat throughout the city and support their integration with existing and future regional preserves.
- **Policy ER 2.1.4 Retain Habitat Areas.** The City shall retain plant and wildlife habitat areas where there are known sensitive resources (e.g., sensitive habitats, special-status, threatened, endangered, candidate species, and species of concern). Particular attention shall be focused on retaining habitat areas that are contiguous with other existing natural areas and/or wildlife movement corridors.
- **Policy ER 2.1.5 Riparian Habitat Integrity.** The City shall preserve the ecological integrity of creek corridors, canals, and drainage ditches that support riparian resources by preserving native plants and, to the extent feasible, removing invasive nonnative plants. If not feasible, adverse impacts on riparian habitat shall be mitigated by the preservation and/or restoration of this habitat in compliance with State and Federal regulations or at a minimum 1:1 ratio, in perpetuity.

Consistent with the intent of the policy, the City considered and incorporated a number of trail design and construction features (including a levee top trail within Segment 4 and placement of most construction staging areas outside of the Parkway or within disturbed areas) to minimize biological resource impacts resulting from the project and to preserve the ecological integrity of riparian and other sensitive habitats, contrary to the commenter's assertion. Additionally, as stated in the last sentence of Policy ER 2.1.5, the City is proposing mitigation in compliance with local, state, and Federal regulations, consistent with the intent of Policy ER 2.1.5 and the larger General Plan Goal ER 2.1.

The proposed project is also considered consistent with the intent of Policy ER 2.1.2, as the proposed trail was designed to connect with existing developed access points (Sutter's Landing Regional Park, Glenn Hall Park, and the H Street Bridge) along the American River Parkway with the purpose of minimizing disturbance to sensitive habitats and species.

Comments have also asserted that the proposed project is inconsistent with City General Plan Policies LU 2.4.1, LU 2.4.2, and ER 7.1.1 regarding aesthetic or visual resources. The Draft EIR (pages 3.2-11

through 3.2-14) acknowledges the relevancy of several applicable goals and policies from the Environmental Resources Element of the City's General Plan, including the following

- **Policy LU 2.4.1 Unique Sense of Place.** The City shall promote quality site, architectural and landscape designs that incorporate those qualities and characteristics that make the City of Sacramento desirable and memorable, including walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.
- **Policy LU 2.4.2 Responsiveness to Context.** The City shall promote building designs that respect and respond to the local context, including use of local materials, responsiveness to the City of Sacramento's climate, and in consideration of the cultural and historic context of the City's neighborhoods and centers.
- **Policy ER 7.1.1 Protect Scenic Views.** The City shall seek to protect views from public places to the Sacramento and American rivers and adjacent greenways, landmarks, and urban views of the downtown skyline and the State Capitol along Capitol Mall.

The proposed project is considered consistent with the intent of Policies LU 2.4.1 and LU 2.4.2, as the City is proposing a quality trail that respects and incorporates design features consistent with other Class 1 trails in the American River Parkway and that strives to provide a recreation experience that contributes to the desirability of the City of Sacramento for residents and visitors alike.

Regarding consistent with Policy ER 7.1.1, the ARPP specifically acknowledges the use of the bicycle facilities within the Parkway by commuters (ARPP, p. 132-133), and specifically states that enhancing connectivity should be considered in design and location of trails (ARPP, p. 130-131). The objectives of the proposed project are consistent with these ARPP policies, including ARPP Policy 10.4.2, which supports construction of a Two Rivers Trail extension to H Street (allowing connectivity from California State University Sacramento to downtown Sacramento), as a levee top alignment, to the extent feasible.

Consistent with the intent of Policy ER 7.1.1, the City has considered and incorporated a number of trail design and construction features (including a levee top trail within Segment 4 and placement of most construction staging areas outside of the Parkway or within disturbed areas) to minimize visual and biological resource impacts resulting from the project and to preserve the ecological integrity of riparian resources, contrary to the commenter's assertion.

American River Parkway Plan

Several comment letters asserted that the proposed project would be inconsistent with the ARPP. These claims were generally based on interpretations of the Paradise Beach Area Plan and its supporting policy, interpretation of language in the Paradise Beach Area Plan calling for it to remain an informal recreation area, interpretation of land use designations within the ARPP, and interpretation of resource protection and preservation policies. The City has concluded that the project would be consistent with the ARPP, and several of the specific claims made by various commenters are addressed in more detail in the following paragraphs. The City's consistency conclusion is also supported by the recommendations of the American River Parkway Advisory Committee, which included a preliminary finding at their June 15, 2018 committee meeting that the proposed project is consistent with the ARPP. County staff and the American River Parkway Advisory Committee will revisit the proposed project's compliance with the ARPP once the 100% design drawings are completed.

Paradise Beach Area Plan

Comments refer to the Paradise Beach Area Plan, which includes a policy prohibiting changes to attract groups of users. Commenters assert that the Draft EIR should have analyzed impacts from increased traffic to the designated Protected Area within the Paradise Beach Area and considered language from the ARPP that calls for Paradise Beach to remain an “informal recreation area.” Comments also assert that use of the trail for transportation by bicycle commuters is not consistent with the “informal recreation” designation in the Protected Area within the Paradise Beach Area Plan.

The Paradise Beach Area Plan includes Policy 10.26 specifying that “Permanent structures and any other physical changes that would attract groups of users should not be introduced to the area.” The ARPP specifically defines group activities, group sizes, and empowers the Parkway Manager to actively manage group activities to protect Parkway resources and avoid impacts to other Parkway users (ARPP, p. 101-102). Although the project seeks to increase trail use, it is not designed to attract groups of users as that term is described in the ARPP.

Informal recreation is not defined in the ARPP, but “informal” is used throughout the ARPP in different contexts to refer to concepts ranging from use of trails which are not actively maintained facilities (e.g., p.157), to group sports and athletic pursuits such as soccer which are only permitted in Developed Areas of the Parkway (e.g., p. 97). The Protected Area designation expressly permits trails recreation, including bicycling (ARPP, p. 120). Based on the range of uses described as “informal” in the ARPP, trails and bicycle recreation being defined as acceptable uses in designated Protected Areas, and the inclusion of a proposed bike trail (paved, per ARPP p. 132) on the Paradise Beach Area map (page 165), the construction of the trail is not inconsistent with the ARPP.

Comments also assert that the project conflicts with ARPP’s goal to provide, protect, and enhance public use by replacing one use with another and relegating existing users to the side of the rail or the top of the levee. Other comments assert that the project conflicts with the ARPP’s public safety goal.

The City respectfully disagrees with these comments that the project would “replace” one use with another. Currently, over most of the project alignment, pedestrians access the levee top as well as the existing trail at the levee toe for recreation, and many also make use of “informal” trails within the wooded areas closer to the river. The project would provide a paved multi-use trail with a gravel shoulder that would generally follow the levee toe. The levee top and informal trails through the wooded areas would be unchanged from existing conditions. In addition to providing opportunities for new users who might prefer or require a paved path, existing users would also be offered an increased range of paths for their use.

Commenters further claim without support that unspecified conflicts would result from a single access point to the Paradise Beach area at Glenn Hall Park. The Draft EIR addresses the low likelihood that people would drive deep into a neighborhood enclave to access the trail at Glenn Hall Park when public access with ample parking and better connections to the regional roadway network are available nearby at Sutter’s (DEIR p. 3.9-8). Although the commenters have provided voluminous materials documenting the presence of homeless people along the American River Parkway, it has offered no evidence to support its claim that the presence of pavement draws illegal campers.

Furthermore, the ARPP specifically acknowledges the use of the bicycle facilities within the Parkway by commuters (ARPP, p. 132-133), and specifically states that enhancing connectivity should be considered in design and location of trails (ARPP, p. 130-131). The objectives of the proposed project are consistent with these ARPP policies, including ARPP Policy 10.4.2, which supports construction of a Two Rivers

Trail extension to H Street (allowing connectivity from California State University Sacramento to downtown Sacramento), as a levee top alignment, to the extent *feasible*.

The commenter offers no supporting evidence for its assertions that the project would create conflict between users, result in the increased potential for collisions, or exacerbate public safety issues, or its assertion that additional paving is not appropriate and that existing trails on the project alignment are not adequately patrolled. As supported by the discussions in the Draft EIR, including in Section 3.9, “Public Services, Recreation, and Utilities,” the City considers the project to be consistent with ARPP’s goals and policies, including those pertaining to public safety.

ARPP Terrestrial Resource Goals and Policies

Several comments also assert that the proposed project conflicts with the ARPPs resource protection objectives including, Concept Goal 1.3 and the following policies 3.2, 3.2.2, 3.2.4, and 3.4:

- 3.2 Agencies managing the Parkway shall protect, enhance and expand the Parkway’s native willow, cottonwood, and valley oak-dominated riparian and upland woodlands that provide important shaded riverine aquatic habitat, seasonal floodplain, and riparian habitats; and the native live oak and blue oak woodlands and grasslands that provide important terrestrial and upland habitats.
- 3.2.2 Native vegetation shall be reintroduced in areas of the Parkway where the substrate will support it, especially in areas that have been disturbed by construction, past gravel mining and agricultural activity, except in sites of human historical value.
- 3.2.4 Agencies managing the Parkway shall remove invasive non-native vegetation species that conflict with habitat management goals, recreation uses, flood control or water supply conveyance.
- 3.4 Management of the Parkway shall ensure the protection of the Parkway’s resources, its environmental quality and natural values. A resource impact monitoring plan shall be developed that clearly defines criteria and standards to monitor, evaluate and protect the Parkway’s resources from overuse, and provides steps to be taken to restore areas that have been overused.

As described in the Draft EIR, the ARPP’s resource protection goals are further defined in the Resources chapter of the ARPP, including in ARPP policy 3.1, which states that “Any development of facilities within the Parkway, including but not limited to buildings, roads, turfed areas, trails, bridges, tunnels, pipelines, overhead electrical lines, levees and parking areas, shall be designed and located such that any impact upon native vegetation is minimized and appropriate mitigation measures are incorporated into the project.” Several commenters claimed that because the project would have impacts on natural resources, the project would conflict with this policy, and other similar policies (including policies 3.2 and 8.11) which support preservation of natural environments within the Parkway. The City disagrees with this interpretation of the ARPP. The project has been designed to minimize impacts on native vegetation, including reducing the width of the trail, and further reducing the width of the shoulder where necessary to reduce impacts on trees and riparian vegetation.

The proposed project is also considered consistent with the intent of Policy 3.2.2, as any temporarily disturbed areas within the American River Parkway would be returned to pre-project conditions using native vegetation and plant species (see Mitigation Measure BIO-4 on page 3.2-30 of the Draft EIR) and all permanent impacts to riparian habitats and protected trees would be compensated with similar native

riparian trees and shrubs (see Mitigation Measure BIO-6 on page 3.2-31 of the Draft EIR). The project is also consistent with the intent of Policy 3.2.4, as the project includes several measures to avoid the spread of invasive plant species (see Mitigation Measure BIO-5 on page 3.2.31 of the Draft EIR). Additionally, the City will implement a mitigation monitoring and reporting plan that clearly defines criteria and standards to monitor, evaluate and protect the ARPP natural resources affected by the project, consistent with the intent of Policy 3.4. A detailed description of the project's impacts on riparian vegetation, and associated mitigation measures is included in Draft EIR **Section 3.2, "Biological Resources."**

ARPP Visual, Land Use, and Public Access/Trails Policies

Several comments also assert that the proposed project conflicts with the following ARPP policies 3.13.1, 3.18, 7.22, 8.2, 8.5, 8.24:

- 3.13.1 All interpretive signs in the Parkway should be aesthetically compatible with the natural environment.
- 3.18 The development of interpretive centers and structures in the Parkway shall be compatible with the naturalistic and aesthetic qualities of the area.
- 7.22 Structures that are in the parkway shall be of a design, color, texture and scale that minimizes adverse visual impacts within the parkway.
- 8.2 Access points and parking lots shall be located where there is the least potential environmental damage and adverse impact on the Parkway's environment and surrounding neighborhoods.
- 8.5 Parking lots and public access roads should be designed and constructed using best management practices to ensure permeability and reduce run-off damage, and be buffered by native vegetation plantings.
- 8.24 Informational and directional signage shall be designed to protect the visual qualities and aesthetic values of the Parkway. Signage shall use natural colors and materials to blend in with the surrounding environment, while being strategically located to be easily seen. Ground pavement stenciling is an effective means of signing with minimal Parkway impact.

While specific comments do not indicate why the proposed project is not in conformance with the mentioned ARPP policies 3.13.1, 3.18, 7.22, 8.24, the use of interpretive signs will be minimized, given the open space nature of the American River Parkway. No interpretive signs are currently proposed as part of the project. The proposed project is also considered consistent with the intent of Policy 8.2 and 8.5, as the proposed trail was designed to connect with existing developed access points (Sutter's Landing Regional Park, Glenn Hall Park, and the H Street Bridge) along the American River Parkway with the purpose of minimizing disturbance to sensitive habitats and species. Outside of paving for the trail, no additional paved areas, access roads, or parking lots are included as part of the proposed project, as indicated in Chapter 2 "Project Description" of the Draft EIR.

2.2.2 Individual Responses

Letter #1: Regional SAN



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Printed on Recycled Paper

August 13, 2019

LETTER 1

Mr. Tom Buford
City of Sacramento – Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Subject: Draft Environmental Impact Report for the Two Rivers Trail Project

Dear Mr. Buford,

Sacramento Regional County Sanitation District (Regional San) has reviewed the Draft Environmental Impact Report for the City of Sacramento's (City) Two Rivers Trail Project and has the following comments.

The City propose to construct the remainder of Phase 2 of the Two Rivers Trail by extending the Class 1 bicycle and pedestrian trails for 3.4 miles. The proposed project will be located along the south bank of the American River, west from Sutter's Landing Regional Park to the Sacramento Northern Bikeway Trail at North 18th Street, and east from the eastern terminus of Sutter's Landing Regional Park to the H Street Bridge.

Regional San Advisories:

1. Regional San has the 24-inch Mode 2 sewer force main (Regional San operating system S23) located on the northwest side of westbound Business 80 (APN: 001-0170-006) within the proposed project's boundaries. This facility is considered decommissioned by Regional San; however, the subject facility will need to be protected in place during any construction activities.

If you have any questions regarding this letter, please feel free to contact me at (916) 876-6104 or by email: armstrongro@sacsewer.com.

Sincerely,

Robb Armstrong

Robb Armstrong
Regional San Development Services & Plan Check

1-1

Comment 1-1:

The commenter describes the location of decommissioned Regional San wastewater infrastructure located within the project boundary.

Response to Comment 1-1:

As analyzed in the EIR, the proposed project will not result in impacts on Regional San facilities, or any other infrastructure. Utility service provider coordination is required under the City's and Caltrans design process. The City will ensure utility coordination with Regional San (and other service/utility providers) occurs during the final design and construction processes to clarify the exact location of the decommissioned force main within the larger APN 001-0170-006 and to ensure the pipe is protected in place during any construction along this proposed trail segment.

Letter #2: County of Sacramento Environmental Management Department

LETTER 2

**Environmental Management
Department**

Marie Woodin, Director



August 27, 2019

Ron Bess, Assistant Planner
City of Sacramento Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Dear Mr. Bess:

**SUBJECT: LEA COMMENTS RE: DRAFT EIR FOR THE TWO RIVERS TRAIL
PROJECT**

The Sacramento County Environmental Management Department (EMD) has reviewed the Draft EIR for the Two Rivers Trail Phase II project. EMD acts as the Local Enforcement Agency (LEA) for the California Department of Resources, Recycling, and Recovery (CalRecycle) in Sacramento County. As such, EMD has authority and responsibility for regulatory oversight of solid waste handling and disposal sites in the City and County of Sacramento. Pursuant to Title 14 and Title 27 of the California Code of Regulations (CCR), the LEA is required to review and approve post-closure land use plans.

This project which would include construction of class 1 bicycle and pedestrian trails on the south bank of the American River, including through a portion of the City's 28th Street Sanitary Landfill (SWIS No. 34-AA-0018) and on several adjacent disposal site properties that, like the 28th Street Landfill, are regulated by the LEA. As such, EMD is a responsible agency under CEQA for the proposed project.

The disposal site properties adjacent to the 28th ST Landfill are currently under requirement by the LEA to be brought into compliance with State Minimum Standards for disposal sites by their owners under the authority of 27 CCR, section 21100(d). These sites, collectively known to the LEA as the 28th ST Landfill West Sites are discussed in the August 26, 2016, Phase I Report prepared for CalRecycle by Ninyo and Moore. They are:

- Dellar Landfill/Old Sac City, SWIS No. 34-AA-0182
- SMUD N. City Substation, SWIS No. 34-0005
- SMUD Substation E, SWIS No. 34-CR-0006
- Cannon (Old Sac City), SWIS No. 34-CR-5001
- Bell (Old Sac City), SWIS No. 34-CR-5002
- SP Railroad (Old Sac City), SWIS No. 34-CR-5003

2-1

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- Scollan (Old Sac City), SWIS No. 34-CR-5005
- California Almond Growers Exchange SWIS No. 34-CR-0007
- Parcel 003-0032-031, SWIS # 34-CR-0009

EMD appreciates the opportunity to review and comment on the draft EIR. The following general and Draft EIR-specific comments are intended solely for the portions of the project that pass through or border the 28th Street Landfill and any of the adjacent disposal site properties listed above:

↑
cont.
2-1

General:

1) The 28th Street Landfill is a closed landfill that received municipal solid waste during its operation. The landfill was certified closed in 1998. Although the facility no longer receives waste, it still generates landfill gas due to the breakdown of waste which is controlled by a landfill gas extraction and flare system. Landfill gases include methane and are flammable and potentially explosive. Landfill gases may also contain potentially harmful trace gases and VOCs. Despite the landfill gas control system, there is always the potential for landfill gas to migrate from the site and impact vegetation and enclosed structures such as buildings, pipes, trenches, and other sub-grade infrastructure. This is a risk in particular, when the landfill control system breaks down or is damaged (for example by fire, as occurred in June, 2017) or is shut down for repair or maintenance. Like the 28th Street Landfill, most of the West site properties also generate landfill gas but, unlike the 28th ST Landfill, most of the West Site properties do not yet have landfill gas control systems. Enclosed structures should therefore not be built within 1000' of any landfill/disposal site waste. If structures are to be built within 1000' of waste, continuous gas monitoring within the structure should be provided and they should be built in a manner that would reduce the likelihood of gas entry and accumulation within the structures, as specified in 27CCR, section 21190(g). This is a requirement within landfill/disposal site boundaries where the LEA has authority. Outside the boundaries, it is a recommendation.

2-2

2) Within the landfill/disposal site boundaries, all construction must comply with 27 CCR, section 21190 post-closure land use requirements, including submittal of plans to the LEA for all proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites. The LEA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste. Please note that this may include Tree planting and other landscaping activities over waste. Landscaping can be problematic as tree roots may breach the landfill cap and serve as a conduit for stormwater or irrigation water into the waste body where it may stimulate the activity of micro-organisms that generate methane gas.

2-3

3) 27 CCR, sections 20530 and 21135 require the landfill operator to provide site

2-4
↓

- Scollan (Old Sac City), SWIS No. 34-CR-5005
- California Almond Growers Exchange SWIS No. 34-CR-0007
- Parcel 003-0032-031, SWIS # 34-CR-0009

EMD appreciates the opportunity to review and comment on the draft EIR. The following general and Draft EIR-specific comments are intended solely for the portions of the project that pass through or border the 28th Street Landfill and any of the adjacent disposal site properties listed above:

↑
cont.
2-1

General:

- 1) The 28th Street Landfill is a closed landfill that received municipal solid waste during its operation. The landfill was certified closed in 1998. Although the facility no longer receives waste, it still generates landfill gas due to the breakdown of waste which is controlled by a landfill gas extraction and flare system. Landfill gases include methane and are flammable and potentially explosive. Landfill gases may also contain potentially harmful trace gases and VOCs. Despite the landfill gas control system, there is always the potential for landfill gas to migrate from the site and impact vegetation and enclosed structures such as buildings, pipes, trenches, and other sub-grade infrastructure. This is a risk in particular, when the landfill control system breaks down or is damaged (for example by fire, as occurred in June, 2017) or is shut down for repair or maintenance. Like the 28th Street Landfill, most of the West site properties also generate landfill gas but, unlike the 28th ST Landfill, most of the West Site properties do not yet have landfill gas control systems. Enclosed structures should therefore not be built within 1000' of any landfill/disposal site waste. If structures are to be built within 1000' of waste, continuous gas monitoring within the structure should be provided and they should be built in a manner that would reduce the likelihood of gas entry and accumulation within the structures, as specified in 27CCR, section 21190(g). This is a requirement within landfill/disposal site boundaries where the LEA has authority. Outside the boundaries, it is a recommendation.
- 2) Within the landfill/disposal site boundaries, all construction must comply with 27 CCR, section 21190 post-closure land use requirements, including submittal of plans to the LEA for all proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites. The LEA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste. Please note that this may include Tree planting and other landscaping activities over waste. Landscaping can be problematic as tree roots may breach the landfill cap and serve as a conduit for stormwater or irrigation water into the waste body where it may stimulate the activity of micro-organisms that generate methane gas.
- 3) 27 CCR, sections 20530 and 21135 require the landfill operator to provide site

↑
2-2

↑
2-3

↑
2-4

security. In the case of the 28th ST Landfill and the West Sites properties, this includes perimeter fencing, signage, and other measures. If the proposed project interferes with these measures, alternative site security measures may be required by the LEA. ↑
cont.
2-4

4) 27 CCR, section 20750, requires site maintenance. Landfill infrastructure such as landfill gas monitoring and control equipment must be protected. If damaged during construction of the project or by visitors, repair or replacement will be required by the LEA. Also, it should be noted that damage to control system infrastructure could result in landfill gas migration, potentially impacting public health and safety and the environment, and result in violation and enforcement against the landfill operator. |
2-5

5) Landfill waste is prone to settlement over time as waste decomposes. Structures built over waste such as buildings, but also including roads, flat-work, and trails, are subject to instability and settling. |
2-6

Draft EIR:

1) Section ES6, page ES-8: Does not include LEA as agency that may have permitting or approval authority over the proposed project. Post-closure land use changes on landfill/disposal site areas must be submitted for LEA review and approval per 27CCR, Section 21190. |
2-7

2) Table ES1, Potential to cause adverse effects related to settlement of landfilled areas should be addressed under Geology and Soils. |
2-8

3) Table ES-1: Potential to create a hazard associated with Landfill gas migration should be addressed under Hazards and Hazardous Materials section. |
2-9

4) Section 2.3.5, page 2.7/Construction methods: Work plans must be submitted for LEA approval in advance of any excavation on landfill/disposal sites for handling, testing, and proper disposal of any unearthed waste. Contractor also must provide HASP that provides for in-hole landfill gas monitoring during excavation, and other worker safety measures. A methane safety threshold must be established as trigger for stopping work and evacuating workers to safe distance. |
2-10

5) Section 2.3.5, page 2.10/Construction Access and Staging Areas: Construction and staging of materials must not impede required disposal site closure activities, landfill monitoring and maintenance activities, or block access to or damage landfill infrastructure such as landfill gas control system and monitoring components. Contractor must coordinate with disposal site owners, landfill operator, and LEA. |
2-11
↓

Ron Bess
August 27, 2019
Page 4

- 6) Section 2.3.6, Page 2.11/Trail Operations and Maintenance: Trail operation and maintenance activities must not impede required disposal site closure activities, landfill monitoring and maintenance activities, or block access to or damage landfill infrastructure such as landfill gas control system and monitoring components. Contractor should coordinate with disposal site owners, landfill operator, and LEA. Activities to occur on the 28th ST Landfill must comply with landfill's Closure/Post Closure Maintenance Plan. ↑
cont.
2-11
- 7) Section 2.4, Page 2.12/Project Permits and Approvals: All changes to post-closure land use on landfill and disposal sites must be submitted for LEA review and approval per 27 CCR, Section 21190. |
2-12
- 8) Section 3.5, page 3.5-1/Hazards and Hazardous Materials: Landfill gas poses potential explosive hazard and may contain VOCs and other trace gases that may be harmful to public health and the environment. |
2-13

Please contact me at (916) 876-7279 or Chris Hunley at (916) 876-7277, if you have any questions.

Sincerely,


John Lewis
Environmental Specialist III
Environmental Management Department
Solid Waste Program

CH:JL:la

Attachment: 27 CCR, section 21190

c: Dawn Plantz, CalRecycle
Gino Yekta, CalRecycle
John Febbo, City of Sacramento
Todd Del Frate, RWQCB

W:\DATA\LEWIS\LEA\CEQA - EIR AND NOP REVIEWS\2 RIVERS TRAIL PROJECT\2 RIVERS DRAFT EIR\2 RIVERS TRAIL PROJECT DRAFT EIR COMMENTS.DOCX

Comment 2-1:

The commenter describes the location of several closed landfill and other disposal sites in the vicinity of Trail Alignment Segments 1 and 2

Response to Comment 2-1:

The City understands that the 28th Street Landfill and nearby associated disposal sites are adjacent to the alignment of Segment 1 and 2. As more fully described on page 2-7 of the Draft EIR for the proposed project, the City intends to construct Trail Segments 1 and 2 at a future date, contingent on the availability of funding and consistent with landfill remediation activities on site. Utility service provider coordination is required under the local agency and Caltrans design process. As part of final design, the City will coordinate with the County, along with all other appropriate utility and public service providers to ensure trail design is integrated with existing service/utility infrastructure. The City looks forward to coordinating with the Sacramento County Environmental Management Department, as a Responsible Agency under CEQA, regarding any work in the vicinity of the closed sites.

Comment 2-2:

The comment describes restrictions on the construction of enclosed structures within 1,000 feet of and landfill or disposal site, due to the possible presence of flammable and possibly explosive gases.

Response to Comment 2-2:

The proposed project does not include the construction of any enclosed structures that would require the implementation of continuous gas monitoring in compliance with 27CCR, section 21190(g).

Comments 2-3 through 2-7 and 2-10 through 2-12

Comments 2-3, 2-4, 2-5, 2-6, 2-7 and 2-10, 2-11, and 2-12 describe the need for LEA review of any construction plans and activities for projects planned on or near landfill/disposal site boundaries, including work plans, Health and Safety Plans (HASPs), gas monitoring protocols, and post-closure land use plans; requirements for maintenance of site security measures and signage during trail building and maintenance activities; responsibilities regarding damage to landfill infrastructure, and a warning regarding the possibility of settlement of landfill waste and effects to trails and structures built on or near the closed landfill/disposal sites.

Response to Comments 2-3 through 2-7 and 2-10 through 2-12

As stated in Section 2.3.5, “Project Construction” (see page 2-7) of the Draft EIR, the City currently does not have funding secured for construction of Segments 1 and 2 and construction of these segments is also contingent upon ongoing remediation activities at the landfill/disposal sites. Additionally, with final tree impacts undefined for Segments 1 and 2, the City will require additional environmental analysis before further design and approval of these segments is initiated. Nonetheless, the City is required to coordinate closely with LEA regarding planning and review of any work in the vicinity of the closed sites, in compliance with Title 27 of the California Code of Regulations (CCR), Division 2, Subdivision 1, Chapter 3, Subchapter 5, Section 21190 titled “California Integrated Waste Management Board-Post-Closure Land Use.” (27CCR, section 21190(g)). The City will ensure landfill security measures and infrastructure are protected during construction and repaired in the incidence of damage attributable to City construction activities.

In anticipation of this future development, the Draft EIR includes Impact HAZ-2 (see pages 3.5-10 and 3.5-11) which address potential hazards to the public and the environment resulting from construction of Trail Segments 1 and 2. The evaluation of Impact HAZ-2 identified **Mitigation Measure HAZ-1** “Prepare a Worker Health and Safety Plan and Implement Appropriate Measures to Minimize Potential Exposure of the Public to Hazardous Materials” and **Mitigation Measure HAZ-2** “Obtain Site Closure and Follow Post-Closure Requirements for Past Disposal Sites” to ensure a less than significant impact conclusion. The text of **Mitigation Measure HAZ-2** has been supplemented to address the possibility of harmful trace gases resulting from past uses of the site, as more fully described below in the response to comments 2-9 and 2-13.

Comment 2-8:

The comment requests that the potential for settlement of landfilled areas be addressed in the “Geology and Soils” section of the Draft EIR.

Response to Comment 2-8:

As stated in Section 2.3.5, “Project Construction” (see page 2-7) of the Draft EIR, the City currently does not have funding secured for construction of Segments 1 and 2, and construction of these segments is also contingent upon ongoing remediation activities at the landfill/disposal sites. Nonetheless, the City is required to coordinate closely with LEA regarding planning and review of any work in the vicinity of the closed sites, in compliance with 27CCR, section 21190(g), and will ensure landfill security measures and infrastructure are protected during construction and repaired in the incidence of damage attributable to City construction activities.

Nonetheless, the following underline text was added to the 3rd paragraph on **Page 3.4-9** of the Draft EIR to highlight the importance of this geotechnical issue:

Based on an existing regulatory framework that addresses earthquake safety issues and requires adherence to requirements of the CBC and various design standards, seismically induced groundshaking and secondary effects would not be a substantial hazard in the project area. Additionally, this area is not mapped by CGS as lying within a known liquefaction or landslide hazard area (CGS 2019). However, due to the planned location of portions of Segment 1 and 2 on and adjacent to closed landfill and disposal sites, the possibility of ground settlement unrelated to seismic activity has the potential to occur.

Additionally, the following underline text was added to the text of **Mitigation Measure GEO-1** (page 3.4-9 of the Draft EIR):

Mitigation Measure GEO-1: Perform Final Geotechnical Investigation and Implement Report Recommendations

Prior to issuance of a construction contract, in accordance with City requirements (2035 General Plan - Policy EC 1.1.2), the project applicant shall prepare a final geotechnical investigation of the project alignment to determine the potential for ground rupture, earth shaking, and liquefaction due to seismic events, as well as expansive soils problems, and the potential for settlement on former Landfill sites. As required by the City, recommendations identified in the geotechnical report for the proposed project shall be implemented to ensure that the project’s design meets Caltrans Class 1 bikeway design criteria and State Water Code Title 23 standards

for recreation trails on levees, and 27CCR, section 21190(g) requirements for construction related to CIWMB Post-Closure Land Uses.

Responsibility: City of Sacramento

Timing: Before and During Construction Activities

Comment 2-9 and 2-13:

Comments 2-9 and 2-13 request that the potential hazard associated with landfill gas migration be addressed in the Hazards and Hazardous Materials section of the EIR and also that landfill gases pose an explosive hazard and may contain VOCs and other harmful trace gases.

Response to Comment 2-9 and 2-13:

As stated in Section 2.3.5, “Project Construction” (see page 2-7) of the EIR, the City currently does not have funding secured for construction of Segments 1 and 2, and construction of these segments is also contingent upon ongoing remediation activities at the landfill/disposal sites. Nonetheless, the City is required to coordinate closely with LEA regarding planning and review of any work in the vicinity of the closed sites, in compliance with 27CCR, section 21190(g), will ensure landfill security measures and infrastructure are protected during construction and repaired in the incidence of damage attributable to City construction activities.

The following underline text was added to Impact HAZ-2 on **Page 3.5-10** if the Draft EIR to highlight the importance of this hazardous materials issue related to harmful trace gases:

Impact HAZ-2: ***Potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment***

Construction activity from the proposed project may expose construction workers to contaminated soil and/or harmful gases during cut and fill activities associated with the proposed project. (Less than Significant With Mitigation)

Portions of the project site (Segments 1 and 2) include lands that were historically used for waste disposal, and the Phase I Environmental Site Assessment prepared for the project indicated the potential presence of contaminated soil and/or the presence of gases resulting from decomposition of buried waste. During cut and fill activities associated with constructing the proposed project, construction workers could encounter contaminated soil. Additionally, the potential exists for landfill gas migration caused by routine trail construction and maintenance activities. This impact would be **potentially significant**. Implementation of **Mitigation Measures HAZ-1 and HAZ-2** described below would reduce the impacts to **less than significant** by ensuring appropriate closure of potentially contaminated sites prior to construction and implementing safety measures for workers that may encounter onsite hazardous materials during construction-related activities, and monitoring. Therefore, this impact would be **less than significant** with the incorporation of **Mitigation Measures HAZ-1 and HAZ-2**.

Additionally, the following underline text was added to the text of **Mitigation Measure HAZ-2** (page 3.5-11 of the Draft EIR):

Mitigation Measure HAZ-2: Obtain Site Closure and Follow Post-Closure Requirements for Past Disposal Sites

The City shall implement the following measures for all Segment 2 construction:

- Construction of the trail segment should not commence until this area is properly closed as per the requirements of the City of Sacramento.
- Segment 2 construction and monitoring shall be completed under the requirements described in Title 27 of the California Code of Regulations (CCR), Division 2, Subdivision 1, Chapter 3, Subchapter 5, Section 21190 titled “CIWMB-Post-Closure Land Use.”
- Where cut and fill activities occur in Segment 2, proper measures should be taken to mitigate any landfill material or other hazardous material that is encountered.
- Methane monitoring will be conducted during and after construction, in accordance with 27CCR, section 21190 as part of the ongoing monitoring conducted by the City as part of post-closure requirements at nearby closed disposal sites.
 - Work plans will be submitted for Local Enforcement Agency (County) approval on advance of any excavation on landfill/disposal sites, for handling, testing, and proper disposal of any unearthed waste. The City's Contractor must also develop a Health and Safety Plan (HASP) that provides for in-hole landfill gas monitoring during excavation, and other worker safety measures. A methane safety threshold that is appropriate for the working space associated with trail construction, as detailed in final designs, will be established as a trigger for stopping work and evacuating workers to a safe distance.
 - Construction and staging of materials, and trail operation and maintenance activities shall not impede required disposal site closure activities, landfill monitoring and maintenance, or block access to or damage landfill infrastructure such as landfill gas control system and monitoring components. The Contractor shall coordinate with the City and County (local enforcement agency) on all work conducted in the vicinity of former landfill and disposal sites along the proposed trail alignment.
- If fill material/soils will be brought in, these soils must be certified as clean fill.
- The trail will be designed to conform with drainage patterns in the project area and to prevent water collection that could cause seepage of the buried landfill material.

Responsibility: City of Sacramento

Timing: Before and During Construction

Letter #3: American River Flood Control District (David Aladjem)

DOWNEYBRAND

David R.E. Aladjem
daladjem@downeybrand.com
916.520.5361 Direct
916.520.5761 Fax

LETTER 3

621 Capitol Mall, 18th Floor
Sacramento, CA 95814
916.444.1000 Main
downeybrand.com

September 13, 2019

VIA ELECTRONIC MAIL:
RBess@cityofsacramento.org

Ron Bess
Assistant Planner
Community Development Department
300 Richards Boulevard
Sacramento, California 95811

Re: Two Rivers Trail (Phase II) Draft Environmental Impact Report

Dear Mr. Bess:

I am writing on behalf of the American River Flood Control District (the "District") to comment on the Two Rivers Trail (Phase II) Draft Environmental Impact Report ("DEIR"). The District has been protecting the Sacramento community from floods for over 90 years and is one of the most well-respected flood control agencies in California. The District has been involved in the Two Rivers Trail project from its inception to ensure that the project conforms to the District's mission and benefits from the District's long experience with safely maintaining and operating levees.

The District's primary concern during this process has been to ensure that the trail is located along the toe of the levee in order to best protect public safety. The DEIR properly reflects the great lengths that the City has gone to adhere to the requirements of the District's Recreational Trails Policy. The District very much appreciates the City's efforts.

The District adopted its Recreational Trails Policy in 2002 to clarify how best to coordinate with recreational trail proposals being developed to interface with the urban levee system. The District's policy indicated that the District supports recreational uses of the levee as long as flood control remained the primary purpose within the levee footprint. For that reason, the Policy states that trails are acceptable if, where feasible, they are located at the levee toe. This stipulation is to preserve the District's free access to the levee crown for levee operations and maintenance activity. No obstructions are allowed on a levee crown because that is the essential zone of access and travel for operations, maintenance, inspections, and flood fights. Of the District's 40 miles of levees in the Sacramento region, only 4.8 miles of the levee crown roadway is paved for trails. The rest of the levee crown roadway surface is gravel or chip seal and the majority of trail proposals have been successfully placed at the levee toe.

3-1

1582613.1

The trail policy discourages recreational trails on the levee crown because of the potential threat to members of the public. The District's maintenance crews are out on the American River levees using heavy equipment every work day and 24/7 during periods of high water. Just as with a construction site where members of the public are separated from heavy equipment, so it is with levees. Members of the public who choose to recreate on levees need – for their own safety – to be separated from the District's operation of heavy equipment. It is for this reason that the District strongly supports the City's proposal to have the recreational trail physically separated from and located off of the levee crown in the River Park area.

To further avoid any threat to the travelling and recreating public, we have taken the following precautionary measures to our normal procedures.

- We have added light bars to the front back and top of our mowing equipment and added brighter yellow warning lights. The purpose of these measures is to make our vehicles more visible to the public.
- For construction operations we:
 - Deploy cones when to cordon off the levee equipment on the crown.
 - Place signage upstream and downstream of our construction sites.
 - Place barricades and detour signs when the public is not permitted to cross through our construction site.
 - Employ flaggers to stop the public from entering our construction sites and inform the public when it is safe to traverse the site.
 - Instruct our flaggers to immediately notify all construction personnel and equipment operators when a member of the public begins crossing through the site without authorization.
 - Conduct safety tailgate session before each work day to instruct all crew members of the safety protocols required for working on the levee crown.
 - Schedule our work to coincide with times of less frequent travel or recreation by the public.

cont.
3-1

Taken together, these measures are intended to protect the public from the heavy equipment that must be used as part of levee maintenance to keep Sacramento safe from flooding.

A number of photographs are attached to this letter. Each photograph demonstrates heavy machinery at use on a local levee where the levee crown is also in use by the public. These photographs drive home the importance of avoiding the placement of trail alignments along the crown of a levee. The danger created by the close proximity of bicyclists and pedestrians to operating heavy machinery is

acute, and the margin of safety for the general public using the levee crown is minimal. It is unacceptable to unnecessarily expose the public to such danger.

It is because of this concern for the safety of the recreating public and our awareness of the high risk of dangerous collisions, the District's Recreational Trails Policy requires that, where feasible, all trails must be off the levee crown roadway. The City's proposed trail alignment shown in the DEIR adheres to this requirement, and the District again thanks the City for making that a key criterion of the proposed project.

In the past, members of the public have raised concerns about the effect of the proposed trail alignment on habitat along the American River. Alternatives Two and Three satisfy CEQA's requirement to consider feasible alternatives to the proposed project by situating the proposed trail alignment on the crown of the levee. A trail alignment that is situated entirely on the crown of the levee, however, poses a significant risk to public safety, for the reasons stated above. Accordingly, the DEIR correctly rejects both alternatives.

Once again, thank you for the opportunity to review and comment on the DEIR for the Two Rivers Trail Phase II Project. The District supports the proposed project described in the DEIR and applauds the City's team for developing a plan that complies with the District's Recreational Trails Policy. The District feels this is the best way to provide a recreation trail and protect public safety.

Very truly yours,



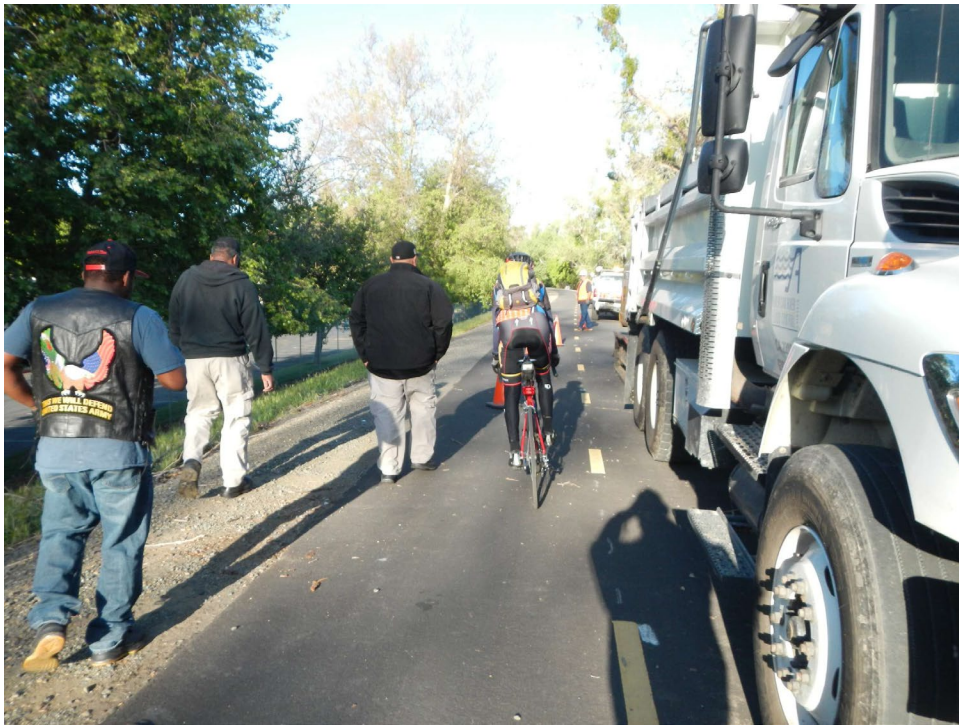
David R.E. Aladjem

Enclosures

cc: Board of Trustees
Tim Kerr, General Manager

cont.
3-1

















Comment 3-1:

Writing on behalf of the ARFCD, the commenter describes the ARFCD's Recreational Trail Policy, which requires that all recreational trails must be located off the levee crown roadway to minimize public safety risks resulting from potential user conflicts between recreationists and levee maintenance equipment. The letter includes a number of photos showing the types of equipment used on the levees where public uses occurs on the levee top. The commenter supports the City's proposed project, as a primarily toe of levee project.

Response Comment 3-1:

The commenter's support for the proposed project is noted.

Letter #4: Sacramento County Regional Parks Department

Regional Parks Department
Liz Bellas, Deputy Director



LETTER 4

Divisions
Administration
Golf
Leisure Services
Maintenance
Rangers
Therapeutic Recreation Services

County of Sacramento

Adam Randolph, Project Manager
City of Sacramento, Department of Public Works
New City Hall
915 I Street, Room 2000
Sacramento CA 95814

September 16, 2019

RE: Two Rivers Trail Phase II Draft Environmental Impact Report

Dear Mr. Randolph,

I am writing to comment on the Two Rivers Trail Phase II Draft Environmental Impact Report (Draft EIR)

TREE MITIGATION

We request that mitigation trees and shrubs be planted on-site, rather than off-site. We also request that the temporary tree impacts in Segments 1 and 2 be disclosed, as they were not disclosed in the Initial Study nor in the Draft EIR. Removal of invasive exotic plants is welcome and encouraged.

4-1

LANDSCAPING UNDER OAKS

The species list for landscaping under oaks (19.12.130e) includes many species that are not native to the American River Parkway, and must be amended to be compliant with the approved planting list for the American River Parkway, as described in section 3.2.1 of the Draft EIR.

4-2

ENFORCEMENT & MAINTENANCE

The lease agreement with County of Sacramento, Department of Regional Parks, as described on page 2-12, should include a joint use agreement that clearly defines the responsibilities of the City for maintenance and enforcement activities on the trail. Consistent with Phase 1 of the Two Rivers Trail, trail maintenance and enforcement is the responsibility of the City of Sacramento and this responsibility should be defined in the lease agreement for construction and operation of the trail on County property.

4-3

Thank you for the opportunity to comment.

Cordially,

Liz Bellas, Director

Comment 4-1:

The commenter provides several related comments to tree impacts and mitigation including a request to provide on-site mitigation options for tree impacts and to identify the tree impacts for Trail Segments 1 and 2. The commenter also supports and welcomes the removal of invasive exotic plants.

Response to Comment 4-1:

Implementation of an onsite mitigation strategy is contingent on the availability or suitability of onsite locations and the feasibility of managing and monitoring the mitigation sites once they are in place. As stated on page 3.2-1 of the Draft EIR, mitigation requirements (including location, compensation ratios, etc.) will ultimately be determined following consultation with key regulatory agencies having responsibility over the management of affected resources, including the CDFW (compliance with 1602 Streambed Alteration Agreement) and the USFWS (ESA compliance) within the study area. While on-site mitigation within the larger American River Parkway may be an option for consideration as the City and Caltrans complete the Section 7 consultation for VELB with the USFWS; ultimately, the City will mitigate consistent with regulatory agency (CDFW and USFWS) requirements.

As stated in Section 2.3.5, “Project Construction” (see page 2-7) of the Draft EIR, the City currently does not have funding secured for construction of Segments 1 and 2 and construction of these segments is also contingent upon ongoing remediation activities at the landfill/disposal sites. As more fully described above in Master Response #2 “Biological Resources” (see Section 2.2.1), the existing Mitigation Measure BIO-6 has been modified to ensure additional tree and vegetation evaluations and environmental analysis is considered prior to completing final design and construction of these trail segments.

Comment 4-2:

The commenter indicates that the species list (page 3.2-15 of the Draft EIR) for landscaping under oaks (Section 19.12.1 30e of the County of Sacramento Tree Preservation Ordinance) includes several species that are not native to the American River Parkway and should be amended to be compliant with the approved planting list for the American River Parkway, as described in section 3.2.1 of the Draft EIR.

Response to Comment 4-2:

Comment is noted. Any approved replacement planting must also adhere to the riparian habitat replacement requirements determined by the California Department of Fish and Wildlife as part of their review and approval of a Streambed Alteration Agreement within the American River Parkway for the proposed project.

Comment 4-3:

The commenter references the need for a joint use agreement that clearly defines the responsibilities of the City for maintenance and enforcement activities on the trail. Consistent with Phase I of the Two Rivers Trail, trail maintenance and enforcement is the responsibility of the City of Sacramento and this responsibility will be defined in the lease agreement for construction and operation of the trail on County property.

Response to Comment 4-3:

Comment noted. Consistent with the recommendations of the American River Parkway Advisory Committee (from June 15, 2018 committee meeting), the City understands that the committee recommends amending the existing lease of real property and joint use agreement for the Two Rivers Trail (or establishing a new lease) and will continue working with the County to accomplish this pending review of 100% construction drawings and final approval of the proposed project.

Letter #5: Sacramento Metropolitan Air Quality Management District



LETTER 5

September 16, 2019

Submitted via E-mail

Ron Bess, Assistant Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811
Rbess@cityofsacramento.org

RE: Sac Metro Air District Comments on the Draft Two Rivers Trail (Phase II) Environmental Impact Report

Dear Mr. Bess:

Thank you for providing the Draft Two Rivers Trail (Phase II) Environmental Impact Report (DEIR) to the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) for review. The proposed project would construct the remainder of Phase II of the Two Rivers Trail by extending the Class 1 bicycle and pedestrian trail on the south bank of the American River west from Sutter's Landing Regional Park to the Sacramento Northern Bikeway Trail at North 18th Street, and east from the eastern terminus of Sutter's Landing Regional Park to the H Street Bridge. Sac Metro Air District staff (District Staff) comments on the project DEIR and design recommendations follow.

California Environmental Quality Act (CEQA) Comments:

Construction (Short-term) Emissions: District staff note that Mitigation Measure AIR-1 from the DEIR requires construction contractor(s) to implement all basic construction emission control practices and requirements of Sac Metro Air District Rule 403 during trail construction activities. The proposed mitigation is consistent with the Construction-Generated Criteria Air Pollutant and Precursor Emissions policies from the *Guide to Air Quality Assessment in Sacramento County*¹.

5-1
5-2

Operational Emissions: District staff note that the project is not anticipated to exceed the Sac Metro Air District threshold of significance for operational emissions.

Design Recommendations:

Trail linkage to Erlewine Circle: District staff note that there is an existing access road and flight of stairs between the trail and Erlewine Circle in trail segment 4, approximately 400 feet southeast of the trail undercrossing of the Capital City freeway. District staff recommends the City consider improvements to this trail connection as a component of this project.

5-3

¹ The Sac Metro Air District's *Guide to Air Quality Assessment in Sacramento County* provides methods to analyze air quality impacts from plans and projects. Chapter three of the guide covers Construction-Generated Criteria Air Pollutant and Precursor Emissions and is available at:
<http://www.airquality.org/LandUseTransportation/Documents/Ch3ConstructionFINAL5-2017.pdf>

General Comments:

All projects are subject to Sac Metro Air District rules at the time of construction. Specific rules that may relate to construction activities are attached. A complete listing of current rules is available at www.airquality.org or by calling 916-874-4800.

5-4

Please contact me at 916-874-2694 or jhurley@airquality.org if you have any questions regarding these comments and recommendations.

Sincerely,

-JJ Hurley

Joseph James Hurley
Associate Air Quality Planner/Analyst
Land Use & CEQA section-Communication, Land Use & Mobile Sources Division
jhurley@airquality.org
916.874.2694

Cc: Paul Philley, Sac Metro Air District

777 12th Street, 3rd Floor ■ Sacramento, CA 95814-1908
916/874-4800 ■ 916/874-4899 fax
www.airquality.org

ATTACHMENT

SAC METRO AIR DISTRICT Rules & Regulations Statement (revised 1/2017)

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

All projects are subject to Sac Metro Air District rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

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

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

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

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

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

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

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

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

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

Other Regulations (California Code of Regulations (CCR))

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

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

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

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Comment 5-1:

The commenter provides a comment regarding the proposed project's construction (Short-term) emissions noting that Draft EIR Mitigation Measure AIR-1 requires the construction contractor(s) to implement all basic construction emission control practices and requirements of the Sacramento Metropolitan Air Quality Management District Rule 403 during trail construction activities. The commenter also indicates that the proposed mitigation is consistent with the Construction-Generated Criteria Air Pollutant and Precursor Emissions policies from the Guide to Air Quality Assessment in Sacramento County.

Response to Comment 5-1:

The comment is noted.

Comment 5-2:

The commenter provides a comment regarding the proposed project's operational emissions noting that the project is not anticipated to exceed the Sacramento Metropolitan Air Quality Management District's threshold of significance for operational emissions.

Response to Comment 5-2:

The comment is noted.

Comment 5-3:

The commenter provides a trail linkage suggestion by noting the existing access road and flight of stairs between the trail and Erlewine Circle in Trail Segment #4. Sacramento Metropolitan Air Quality Management District staff recommends the City consider improvements to this trail connection as a component of this project.

The commenter also indicates that all projects are subject to Sacramento Metropolitan Air Quality Management District rules at the time of construction. A list of specific rules that may apply to the project's construction activities are included as part of the letter.

Response to Comment 5-3

The design suggestion is noted. The City will comply with applicable rules (Rule 201 and 403) and air quality measures as indicated in Mitigation Measure AIR-1 "Implement Construction-related Emission Control Practices".

Letter #6: Sacramento Municipal Utility District (SMUD)

Powering

LETTER 6



Sent Via E-Mail

September 16, 2019

Ron Bess
Assistant Planner, Community Development Department
300 Richards Boulevard
Sacramento, CA 95819

Subject: Two Rivers Trail / DEIR / 2018102058

Dear Rob Bess:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Two Rivers Trail (Project, SCH 2018102058). 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
- The potential need to relocate and or remove any SMUD infrastructure that may be affected in or around the project area

6-1

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More specifically, SMUD would like to have the following details related to the electrical infrastructure incorporated into the project description:

- SMUD has existing 21kV overhead infrastructure along the proposed preferred and alternate path of travel. Proper clearances will need to be maintained around all existing SMUD infrastructure.
- Existing SMUD infrastructure should not conflict with proposed project routing.

Estimated Proposed Facilities:

- SMUD is currently constructing a future substation that would border the South-West corner of the preferred planned construction path.
- The alternate planned construction path would not come into contact with the proposed substation site.

↑
cont.
6-1

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

Comment 6-1:

The commenter requests that any possible effects to SMUD facilities be disclosed and discussed in the Draft EIR.

Response to Comment 6-1:

As described and analyzed in Section 3.9 “Public Services, Recreation, and Utilities” of the Draft EIR (pages 3.9-1 through 3.9-9), the proposed project will not result in impacts on SMUD facilities or infrastructure. Utility service provider coordination is required under the local agency and Caltrans design process. The City will not be conducting work within any SMUD easements without proper clearances and coordination with SMUD, prior to construction, and will not encroach on any SMUD facilities during construction of the project.

The project will not involve or necessitate any changes to utility line routing or any SMUD infrastructure and will not require the use of electricity or increase electrical load on the system, during project implementation or cumulatively. Equipment and vehicle use would occur as specified in Table 2-2, Section 2.3.5, “Project Construction” of the Draft EIR (page 2-9), which is typical of similar earthmoving projects and would not result in wasteful or inefficient energy use during the construction process. Once constructed, no operations and maintenance activities are proposed that would require additional electricity use. Overall, implementing the proposed project would result in negligible use of electrical or natural gas energy during the construction process, with no night work anticipated.

Comment 6-2:

The commenter requests that any possible effects to SMUD facilities be disclosed and discussed in the Draft EIR.

Response to Comment 6-2:

Incorporating the commenters suggestions regarding existing and future SMUD facilities and infrastructure the following underline text was added as a new section (page 2-11, Section 2.3.7, “Other Nearby infrastructure”) to Chapter 2 “Project Description” of the Draft EIR:

Section 2.3.7 Other Nearby Infrastructure

The Sacramento Municipal Utility District (SMUD) maintains electrical infrastructure near the project site. Although the proposed project does not involve development of any buildings or facilities that would use electrical power, the City will ensure SMUD has unimpeded access to its facilities during construction of the proposed project and will coordinate with SMUD on any work that occurs near to the following distribution and sub-transmission facilities:

- SMUD has existing 21kV overhead infrastructure along the proposed preferred and alternate path of travel. Proper clearances will need to be maintained around all existing SMUD infrastructure.
- Existing SMUD infrastructure should not conflict with proposed project routing.

Estimated Proposed Facilities:

- SMUD is currently constructing a future substation that would border the South-West corner of the preferred planned construction path.
- The alternate planned construction path would not come into contact with the proposed substation site.

Letter #7: Save Don't Pave (Amanda Morrow)

LETTER 7

September 16, 2019

Ron Bess, Assistant Planner
City of Sacramento
Community Development Department
300 Richards Boulevard
Sacramento, CA 95811



RE: Comments on the Draft Environmental Impact Report for the Two Rivers Trail Phase II Project

Dear Mr. Bess;

These comments are submitted on behalf of Save Don't Pave in response to the Draft Environmental Impact Report (DEIR) for the Two Rivers Trail - Phase II Project. Save Don't Pave (SDP) is an unincorporated association comprised of local community members working to save the section of the American River Parkway (Parkway) between Sutter's Landing and the H Street Bridge as a natural recreation option for all to enjoy in its current unpaved state. A second letter is being prepared on behalf of SDP by Soluri Meserve, a law corporation, and will be submitted separately under separate cover; we respectfully request that both comment letters be considered.

Thank you for this opportunity to provide comments to the DEIR. SDP previously submitted letters in response to the City's Initial Study/Mitigated Negative Declaration (MND) and to the Notice of Preparation of Environmental Impact Report and Scoping Meeting for the Two Rivers Trail Phase II Project (NOP). These letters outlined numerous ways in which the MND failed to disclose and analyze all of the project impacts as required under CEQA, and ways in which the DEIR should consider impacts and present alternatives to the proposed project. SDP's letter to the MND was included in Appendix A of the DEIR, while SDP's letter to the NOP was included in Appendix B of the DEIR.

7-1

In keeping with the DEIR, our additional comments to those incorporated by reference from SDP's letters regarding the MND and the NOP, will be organized according to the following categories:

1. Environmental Setting, Impacts, and Mitigation Measures;
2. Description of Project Alternatives; and
3. Other CEQA Considerations.

Category 1: Environmental Setting, Impacts, and Mitigation Measures

Section 3.1, page 11 of the DEIR states, "Several commenters have expressed concern regarding the difference in appearance between the existing views along the levee and those associated with a proposed paved bicycle path. After completion of the project construction activities, although an existing dirt toe road would be paved, and some small and local improvements would be constructed (i.e., the overhead structures), the overall visual character of the project site would remain." This completely fails to address the comments submitted on the ISMND or provide an analysis of why removal of vegetation and paving of the trail would not affect the visual character of the area. We therefore resubmit and incorporate by reference comments on aesthetics provided in

7-2

the SDP comment letter on the ISMD (see Section B: The Project May Have Potentially Significant Aesthetics Impacts) as well as Exhibit A: Testimony on Aesthetics of the SDP comment letter both of which are included in the appendices to the DEIR.

↑ cont.
7-2

While Section 3.2 of the DEIR acknowledges comments received from SDP indicating that impacts to valley elderberry longhorn beetle appear to be underestimated, the DEIR failed to provide additional information or analysis to address these comments.

Specifically, SDP commented that “the ISMND may underestimate the number of elderberry shrubs that could be impacted by the proposed project. The USFWS 2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (VELB) (USFWS 2017) and the ISMND both state that impacts to elderberry shrubs, and therefore to VELB, may occur as a result of projects within 165 feet of elderberry shrubs. The USFWS Framework also states that, “Activities that may damage or kill an elderberry shrub (e.g., trenching, paving, etc.) may need an avoidance area of at least 6 meters (20 feet) from the drip-line depending on the type of activity”.

7-3

While the DEIR states that, “VELB surveys were conducted within 165 feet of the project footprint, consistent with the most current USFWS guidelines for elderberry shrubs”, the DEIR does not include an assessment of impacts to shrubs within 20 feet of the project footprint, or within 165 feet of the project footprint, that will not be directly removed or trimmed as a result of the proposed project. While surveys found 494 elderberry shrubs within 165 feet of the project footprint, the DEIR only describes impacts from the permanent removal of shrubs (35 shrubs with 109 stems of which 35 have exit holes) and from trimming of shrubs (50 shrubs with 211 stems of which 38 have exit holes). An analysis should be provided about why elderberry shrubs that are located within 165 feet of the project footprint or within 20 feet of paving would not be affected by the proposed project.

The DEIR also fails to address SDP’s comments regarding the importance of identifying whether mitigation for VELB would be accomplished close to the site of impact. While the DEIR acknowledges that “although onsite mitigation may be the preferred option” it goes on to state that, “implementation of this mitigation strategy is contingent on the availability of onsite locations and the feasibility of managing/monitoring the mitigation sites once they are in place” and does not provide an assessment of whether onsite mitigation is feasible or whether it will be attempted. Given that up to 57 elderberry shrubs are proposed to be transplanted, failing to describe where transplanting and mitigation will occur fails to provide a meaningful evaluation of the significance of impacts and the adequacy of mitigation. The VELB framework discusses the importance of preventing habitat fragmentation that could adversely affect VELB breeding, foraging and dispersal. Given the large number of shrubs to be impacted and the uncertainty about where shrubs may be transplanted and where mitigation would take place, it is not clear that the mitigation actions being contemplated by the City will mitigate the impacts to VELB to a less than significant level.

7-4

In addition, Mitigation Measure BIO-11 in the DEIR states that, “As much as feasible, all construction activities that could occur within 165 feet (50 meters) of an elderberry shrub, will be conducted outside of the flight season of the VELB (March - July).” However, Section 2.3.5 of the DEIR states that the City proposes to complete construction of Segments 3 through 6 of the proposed project between April 15 and November 1, which overlaps almost entirely with the VELB flight season, suggesting that this mitigation measure is largely not feasible and therefore, not a meaningful mitigation measure.

Page 2 of 10

SDP also previously provided comments regarding impacts to riparian vegetation. We commented that the proposal to compensate for the permanent removal of riparian vegetation by purchasing off-site credits at a mitigation bank or replanting riparian trees and shrubs at a 1:1 ratio is below what is typically required by California Department of Fish and Wildlife to mitigate for impacts to riparian habitat and stated that the ISMND should include mitigation measures consistent with what is likely to be required by agencies in permits for the proposed project. The DEIR continues to propose mitigation at a 1:1 ratio and does not indicate that the City contacted any agencies about the adequacy of this proposal.

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7-4

It is also important to note that there have been efforts to protect and restore riparian habitat along the American River adjacent to Sections 3 through 6 of the trail alignment. In particular, the Army Corps of Engineers conducted riparian plantings to mitigate impacts of levee armoring on salmonid habitat. The DEIR should provide a description of previous restoration and mitigation in the biological study area, and if the proposed project would impact areas that are part of a previous restoration effort or that provided mitigation, this should be disclosed in the DEIR and additional mitigation for impacts to restoration/mitigation should be included.

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7-5

Section 3.2.4, page 26 analyzes the impacts to the white-tailed kites as being “potentially significant” with the **permanent** removal of up to approximately 4.32 acres of annual grassland habitat and approximately 1.18 acres of ruderal habitat which could be used by white-tailed kite as foraging habitat. In addition, the project would result in the **permanent** removal of up to approximately 0.90 acres of nesting habitat and the temporary removal of up to approximately 1.50 acres of nesting habitat. However, after applying multiple “BIO” mitigation measures, the impact determination is judged to be “less than significant.” The majority of the “BIO” mitigation measures are **temporary**, construction activity specific (training, monitoring, fencing, dust control, soil erosion, etc.) while one mitigation measure is specific to conducting a preconstruction survey for nesting (still a snapshot in time for construction). None of these mitigation measures are long term solutions for the loss of white-tailed kite foraging or nesting habitat. Furthermore, there is no mention of the loss of substantial large trees in the SMUD “Safety and Reliability Program” in 2019 in Section 5.5 for Cumulative Impacts. That program removed 63 trees in River Park including at least 5 exceptionally tall evergreens providing roosting space for white-tailed kites.

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7-6

Page 3.2-40 of the DEIR indicates, “Segments 3-6 of the proposed project would permanently affect (remove) 25 trees.” With the loss of trees (25) in this project, the cumulative effect on the roosting possibilities for the white-tailed kite in this riparian habitat will be substantial and possibly irreversible.

The DEIR itself includes no detail on the trees proposed for removal and trimming. Appendix C of the DEIR includes a list of trees identified by latitude and longitude and still using the non-existent definition of “Heritage Tree” from former city code. There is no accessible description of the trees to be removed by segment. What is omitted from this description is the total number and diameter at breast height (DBH) of the trees to be removed, and no assessment of these trees in the context of the relative scarcity of large trees along this stretch of river.

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Geology/Soils Hazards and Hydrology/Water Quality: Section 3.6 of the DEIR provides analysis of the potential hydrologic impacts that would result from implementation of the proposed

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7-7

project. The DEIR included a comment received as a result of the IS/MND and the NOP regarding the maintenance costs to the City due to flooding of unpaved portions of the trail.

Section 2.3.6 of the Project Description mentions typical maintenance activities that would include repair and rehabilitation of the trail. Section 3.6, page 11 indicates, “Inundation during high flows, and subsequent clean-up, repairs, and maintenance are common occurrences for recreational facilities along the Parkway, including trails. The majority of the trail will be paved, which will reduce maintenance costs.” However, Section 2.3.2 describes the trail as, “...generally consisting of an 8-foot-wide paved path with a 2-foot-wide compacted shoulder on the inner side and a similar 6-foot-wide should on the waterside...” thereby making the statement that “the majority of the trail will be paved, which will reduce maintenance costs” incorrect. Page 3.6-11 of the DEIR goes on to state that the maintenance of the trail will be the responsibility of the City Public Works Department and will be coordinated with ARFCD and Sacramento County Parks. Additionally, the DEIR states that this impact would be less than significant with no mitigation required. However, Implementation Policy 11.5 of the 2008 American River Parkway Plan indicates, “New facilities and programs shall not be developed unless the financial resources to operate and maintain them are identified and available.” Not only does the DEIR fail to characterize the future maintenance of the proposed facility properly, it does not identify the financial resources required to perform the necessary repair or rehabilitation.

Page 3.6-11 of the DEIR states that, because the maintenance will be done by City Public Works, the impact of flooding will be less than significant. However, the DEIR provides no explanation of why this is the case, nor does it provide any data to support this assertion. Specifically, the EIR should analyze data regarding the frequency at which various segments might be expected to be inundated, and data on the costs the County has experienced over years in repairing similar riverside levees after inundation events. Such analyses are critical to providing decision-makers and the public a meaningful comparison among project alternatives. The DEIR assumes that City public works will be in charge of repairs. Does that mean City trucks and crews will actually be on the toe trail? Will that require new equipment? Do City crews have the special skills necessary to complete work in an environmentally sensitive location? Or will the City instead contract for the services of a more specialized repair crew. In which case, those will be additional costs for the City.

Furthermore, the proposed levee repair by the Sacramento Area Flood Control Agency will affect the trail if it is on the riverside toe (*Draft Final Lower American River Subreach 2: Summary of Bank Protection Conceptual Design Process. ICF, November 2018*). It appears that the consultants have closed their eyes to the timing of the repairs that will be necessary to the Paradise Beach to H Street Bridge riverside levee toe. It is likely that the construction of the proposed repairs to the riverside levee toe will quite likely conflict with or impact the proposed paved trail.

Land Use and Planning: Section 3.7 of the DEIR provides analysis of potential impacts related to land use and planning as a result of the proposed project. The DEIR included a comment received as a result of the IS/MND and the NOP regarding inconsistencies with the 2008 American River Parkway Plan (ARPP).

Section 3.7.3, page 3 presents selected ARPP policies that were considered to be relevant to the analysis of land use impacts for the project.

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7-7

7-8

7-9

Section 3.7.4, page 5 states that language in the Discovery Park Area Plan [of the ARPP], specifically Policy 10.4.2, supports the construction of an extension of the Two Rivers Trail to connect California State University Sacramento to downtown Sacramento. However, nothing in the policy indicates that the extension must be paved, nor that the alignment must be along the American River Parkway. In SDP's letter to the NOP, SDP proposed a "no pavement" alternative in addition to the CEQA-required "no project" alternative that acknowledges the current use of this area by cyclists as a transportation route. However, this comment was not addressed in the DEIR in either Section 3.7 or the project alternatives in Chapter 4. The DEIR did consider a trail alignment outside of the American River Parkway (DEIR Alternative 4). Both of these comments will be further expanded later in this letter when considering the project alternatives.

Section 3.7.4, page 5 indicates that the Paradise Beach Area Plan of the ARPP includes only one policy, prohibiting structures or other changes that would attract groups of users. While the DEIR dismisses the policy as simply "historical concerns related to parties at the beach" and addressing the lack of parking in Glenn Hall Park, the ARPP description of the area expands the basis of the policy to the larger Paradise Beach area which consists of 106 acres of "Protected Area" and 2.2 acres of "Developed Recreation"; this area contains many elderberry bushes and provides excellent habitat for the Valley Elderberry Longhorn Beetle. The ARPP concludes, "Due to the limited access, annual flooding, and unstable sandy soil, Paradise Beach should remain an informal recreation area." Because the DEIR dismisses the policy wholeheartedly, it fails to analyze the impacts from the increased traffic to the Paradise Beach Protected Area.

Furthermore, the DEIR refers to the proposed project interchangeably as a recreation and transportation trail throughout the document, using whichever bifurcated description matches the preferred applicable regulatory framework of the DEIR section. Again, a glaring example is in the ARPP's definition of the Paradise Beach Protected Area, where trail users are designated to be recreational in order to protect the nature of the area. Yet an objective of the proposed project is to, "Provide alternative transportation access for commuters..." and although it's not a specific objective of the DEIR, dismissal of alternatives are quoted in the DEIR as not meeting "connectivity" for bike commuters. Bicycle commuters are clearly not consistent with "informal recreation" in the designated protected areas, but the DEIR omits this fact in order to maintain that the proposed project is in agreement with the ARPP.

Lastly, the DEIR continues to dismisses previous additional SDP comments that the proposed project conflicts with goals of the ARPP and makes a determination that the proposed project has been designed in compliance with the ARPP based on efforts to minimize impacts on native vegetation by reducing the width of the trail and shoulder where necessary to reduce impacts to trees and vegetation. However, the DEIR fails to address the following conflicts with the ARPP:

- 1) The proposed project conflicts with the ARPP's goal to "provide, protect and enhance" public use. Instead of protecting and enhancing public use, the project will replace one use with another as the numerous pedestrians, families, and dog-walkers that currently use the unpaved trail will be pushed to the side, or relegated to the top of the levee.
- 2) The proposed project conflicts with the ARPP goal to "preserve, protect, interpret and improve the natural, archaeological historical and recreational resources of the Parkway,

cont.
7-9

including.....migratory and resident wildlife and natural vegetation". Instead of protecting these resources the proposed project will be impacting them.

- 3) The proposed project conflicts with the ARPP's goal to "provide public safety and protection within and adjacent to the Parkway". Instead it will create conflict between users, result in the increased potential for collisions, and potentially exacerbate public safety issues. Additional paving is not appropriate when existing trails cannot be adequately patrolled to provide for their safe use.

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7-9

Public Services, Recreation, and Utilities: Section 3.9.2, page 1 introduces information regarding Public Safety, and indicates that the Sacramento County Park Ranger Unit is generally responsible for day-to-day patrol and law enforcement within the Parkway, with the Sacramento Police Department and the Sacramento County Sheriff's Department having concurrent responsibilities where the jurisdictions overlap. The DEIR states on page 3.9-8 that, "There is no substantial evidence to indicate that a paved path would lead to increased crime..." and further stated that no mitigation is required. However, in Section 3.10.4 page 5, the DEIR states, "The number of bicycles would be expected to increase on all trail segments as a result of the project." It's not reasonable to conclude that an increase in bicycle traffic on all trail segments will not result in increased conflicts between pedestrians and cyclists and increase the amount of crime in the area. The DEIR fails to offer any analysis or specific documentation at all to refute the statement that paving the trail would lead to increased conflicts or crime.

There have already been incidences of crime, including assaults, reported in the Sutter's Landing area following paving that portion of the Two Rivers Trail. Please see the photos included in this letter as Attachment 1 as evidence of impacts visible at the Sutter's Landing portion of the Two Rivers Trail taken on a single day in September 2019. These photos show an overflowing trash receptacle, an encampment, evidence of a fire, an abundance of star thistle, and graffiti, along an area that is directly adjacent to—and highly analogous to—the proposed project. Several recent Sacramento Bee articles call attention to the increase in crime, fires, water quality, and unsheltered population in the area; Marcos Breton referred to the 1.7-mile existing portion of the Two Rivers Trail between Interstate 5 and the Highway 160 bridge as "Sacramento's Trail of Shame"

<https://www.sacbee.com/news/local/news-columns-blogs/marcos-breton/article232838467.html>.

The DEIR's claim that no mitigation or additional public services will be needed to prevent significant impacts fails to acknowledge reality. City representatives have publicly mentioned plans to increase patrols at Sutter's Landing and even potentially install a ranger station there in order to address increased public safety concerns and impacts resulting from increased use of the paved trail. None of this was discussed or disclosed in the DEIR.

7-10

To provide some information on the likely impacts and needs associated with the project, the EIR should provide a comparison of the maintenance needs and expenditures along the project area in its current state compared to the area directly across the river from the project area, and the areas directly adjacent to the project area—the Two Rivers Trail at Sutter's Landing, and the American River Parkway trail along the Sacramento State University. That analysis should also compare the number and type of incidents reported to police and rangers for the project area in its current state versus the area directly across the river from the project area, and the areas immediately upstream and downstream from the project area.

The growing use of motor-assisted bicycles and scooters in Sacramento may add additional pressures on the proposed trail and must be analyzed fully. There is pressure to authorize the use of these modes of transportation on bicycle and mixed-use trails. If they are authorized, there will be additional pressures on other users. If they are not authorized, there will be additional enforcement pressures. Additionally, the speed of motorized cycles and scooters exacerbate conflicts between wheeled and unwheeled users. To say nothing of how it will impact any persons accessing the trail who are movement challenged.

7-11

Section 3.9.2, page 2 introduces existing recreational facilities in proximity to the proposed trail, specifically listing restrooms and a parking lot as amenities of Glenn Hall Park. The DEIR analysis on page 3.9-8 concludes that the limited parking available at Glenn Hall Park, “reduces the potential for an increase in visitors using Glenn Hall Park to access the proposed trail facilities.” The analysis continues to state (emphasis added), “The project would likely result in increased bicycle and pedestrian use in the project area. Although the increase in the number of uses may increase the use of Glenn Hall Park facilities, including restroom facilities, *the presence of the levee* between the proposed trail location and the developed facilities at Glenn Hall Park is likely to reduce the use of park facilities by through traveling users of the trail.” The DEIR analysis ignores the fact that the parking lot at Glenn Hall Park is free, thus providing one of the few Parkway access parking sites that is free. Regardless of the presence of the levee, this will likely create an additional demand on all facilities, including restrooms and trash facilities.

7-12

Transportation and Circulation: Section 3.10.1, page 1 indicates that two comments were received regarding (1) potential conflicts between users of the new multiuse trail facility and the existing informal trail users, and (2) the lack of a bike lane on Carlson Drive. The DEIR incorrectly merges the two comments and subsequently dismisses both stating that, “The potential for substantial new bicycle traffic within the River Park neighborhood leading to new conflicts is low, and this issue is not addressed further in the EIR.” The intent of the comments were completely independent of each other and not related:

- 1) The “new conflicts” are between the existing informal users of the unpaved trail versus the future users of the proposed paved trail, namely the speed at which bicycles travel on paved trails which creates conflicts with slower users (elderly, children, leashed dogs, etc.) on the pedestrian portion of the multiuse trail. The DEIR fails to consider the new conflicts created by the proposed project.
- 2) The lack of a bike lane on Carlson Drive was intended to address the potential increase of bicycle traffic from users OUTSIDE of the River Park neighborhood. Considering that one of the Project Objectives is to “Provide alternative transportation access for commuters and residents in the **eastern part of the City, CSUS, Central City, North Sacramento, East Sacramento, and Richards Boulevard area**” (emphasis added), it’s not unreasonable to consider that new users will travel through the River Park neighborhood to access the paved trail via Glenn Hall Park. The DEIR fails to consider these impacts to the community.

7-13

Section 3.10, page 5 indicates that because the project includes construction of a multiuse trail along a corridor that is currently used informally by pedestrians, joggers, and dog walkers the “operational impacts related to bicycle facilities and pedestrian transportation” would thus be “beneficial”. How is this statement supported? What analysis was performed? One of the Project Objectives is to

Page 7 of 10

“provide a vital recreation link between the Jedediah Smith Trail on the north side of the Parkway, the Sacramento River Parkway, the Sacramento Northern Bikeway Trail, the future Ueda Parkway trails, and the 20th Street bike connection to the Central City.” The DEIR should analyze the existing links to these bike trails and identify the types of users who are not served by those existing trails and links. The DEIR should clearly identify the types of users the proposed pavement is intended to serve and provide an analysis of the increased ridership and recreation this project is expected to provide for those users. That is, the DEIR should estimate the increase in recreation that this project would provide, not just the level of bicycle use expected along the proposed paved path. In other words, will paving the trail generate more recreation, or will it simply redistribute recreation that was already happening elsewhere along Parkway bicycle trails? Or will a paved trail replace one type of recreation with another along this section of trail? Furthermore, the DEIR should analyze other scenarios for achieving these linkages and compare the relative impacts to recreation and the environment.

cont.
7-13

Additionally, one of the Project Objectives is to “provide alternative transportation access for commuters and residents in the eastern part of the City, California State University Sacramento (CSUS), Central City, North Sacramento, East Sacramento, and Richards Boulevard area.” The DEIR should analyze the needs of commuters and residents in the named areas. The previous survey included primarily active bicycle commuters and so failed to inform the project with respect to increasing ridership among people who currently perceive obstacles to commuting by bicycle. Furthermore, the results of that survey indicated that the greatest need perceived by bicycle commuters was safer passage through midtown to downtown. Phase II of the Two Rivers Trail does nothing to address this need, nor would the completion of Phase III address this need for the vast majority of bicycle commuters.

Category 2: Description of Project Alternatives

In SDP’s letter to the NOP, SDP proposed a “no pavement” alternative to the CEQA-required “no project” alternative that acknowledges the current use of this area by cyclists as a transportation route. However, this comment was not addressed in the DEIR.

The current lack of pavement is apparently not a barrier to the many commuters and recreational cyclists that currently use this area. Both the existing path at the levee toe and the gravel road on the levee crown are currently heavily used for bicycle recreation and commuting by both road and hybrid bicycles. Furthermore, there is currently a 20-foot-wide gravel road along the levee crown for the entirety of the project area. The DEIR should consider including this area as part of the American River parkway trail system as it is, without pavement, not as an off-road bicycle option, but as part of the existing parkway trail system. We acknowledge that current Sacramento County laws and regulations prohibits bicycles on non-paved trails; however, the Sacramento County Department of Regional Parks is currently conducting an Off-Paved Trail Cycling Pilot Program in Woodlake and Cal Expo areas of the American River Parkway (trial period from September 2017 to 2020) to evaluate, “whether off-paved trail cycling can become a permanent recreational use in these areas”. The pilot program is setting a precedence to change the current laws and regulations to allow bicycles on non-paved trails, the same could be done for Phase II of the Two Rivers Trail.

7-14

The “no pavement” alternative could meet ALL of the Project Objectives in the same manner as the proposed paving project, including ADA access points, especially since there is currently a paved

ADA access point to the paved trail between the H/J Street bridge and the Sacramento Central Seventh-day Adventist Church.

↑ cont.
7-14

DEIR Alternative 4: The DEIR included a road-based alternative to the Two Rivers Trail Phase II project. This option was discussed in our MND letter and was further mentioned at the scoping meeting. However, the DEIR dismissed the alternative in the initial screening simply because the alternative, "...would not construct the remainder of Phase II of the Two Rivers Bike Trail to Class I bicycle and pedestrian standards." While this is a true statement, it is not an acceptable reason as the alternative meets all of the Project Objectives. None of the Project Objectives include constructing a paved path within the American River Parkway. The DEIR failed to provide the analysis of Alternative 4 to support the statement that the alternative does not meet any of the Project Objectives as stated on Page 4-7 and in Table 4-1.

7-15

The DEIR dismisses all project alternatives except the preferred alternative based on not meeting project goals, yet the preferred project alternative doesn't meet the goal of minimal environmental damage. Some alternatives are dismissed because they don't provide continuity, yet the preferred alternative will not provide continuity – in fact, no alternative will provide continuity. In summary, this DEIR was written with a preferred alternative in mind and other options have been discarded without sufficient consideration or analysis.

Category 3: Other CEQA Considerations

The DEIR fails to analyze the effect of construction of the trail on Climate Change in our region. According to CEQA Guidelines, § 15064.4, subd. (b)(3), "In determining the significance of a project's impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is consistent with those plans, goals, or strategies." The City should analyze the positive effects of the existing trees and shrubs along the trail in terms of cooling and carbon sequestration. Linear parks serve as the "lungs of the city" and the loss of acreage that would result from the construction of this trail needs to be considered.

7-16

The List of Collective Past, Present, and Reasonably Anticipated Future Projects Within the City, provided in Table 5-5 fails to include the following projects and their respective potential impacts:

- 1) Connecting the Two Rivers Trail Phase II to the Sacramento Northern Bikeway Trail, which is an area of high traffic by unsheltered persons and high concentrations of encampments along the river corridor. The project would occur at a time when the City is struggling to deal with increasing numbers of unsheltered persons along the river area, with all of the impacts associated with that increase.
- 2) The City is planning to construct an operations headquarters for City park rangers at Sutter's Landing. If the Two Rivers Trail Phase II is completed, this will likely mean that rangers will increasingly use this section of the levee as a corridor as they drive out to patrol up-river portions of the parkway. This will increase the overall traffic along this section of the levee, including ranger vehicles traveling at relatively high speeds as they respond to emergencies up-river. Such an increase in traffic increases the likelihood of conflicts and accidents with pedestrians and bikers, many of whom are likely to continue using the levee crown.

7-17

7-18

Furthermore, driving along the levee crown produces large clouds of dust that drift into the surrounding yards and houses, degrading air quality.

↑
cont.
7-18

3) The increased use of the trail by pedestrians and bikers will increase the use of the Erlewine Gate, including by non-residents who will use the gate as an access point to River Park. If the City finds that this increased traffic is leading to increased conflicts and crime, they may decide to take action to close Erlewine Gate, which will reduce access to the trail system for River Park residents. Alternatively, if the City were to consider other measures for regulating access, this could require measures to bring the trail at the gate into compliance with the Americans with Disabilities Act.

7-19

4) Crime Prevention Through Environmental Design (“CPTED”) will also be a source of significant and ongoing impacts to the project area. In CPTED, the City addresses recurring crime or illegal camping at a location by removing vegetation to make that area less attractive for crime or illegal camping. This option is increasingly more likely given the fact that rangers and police are currently limited in their ability to issue citations for illegal camping along the parkway. According to the Project website, “The Two Rivers trail will integrate concepts of crime prevention through environmental design (commonly abbreviated as CPTED). The enthusiastic usage of this reach will increase ‘eyes on the trail.’” The wooded riparian area along the Project area is extremely narrow, just 60 feet in some places, and any removal of vegetation would dramatically decrease the cover for wildlife and degrade the value of the area as a wildlife corridor. Furthermore, the use of CPTED in many areas would dramatically decrease the visual screen between the levee and the river, degrading the aesthetic value of the area both for users of the path and for boaters on the river.

7-20

Thank you for your consideration of these comments.

Amanda Morrow
President, Save Don't Pave

Attachment: Photos from Sutter’s Landing portion of the Two Rivers Trail, September 13, 2019.

Attachment 1

Photos from Sutter's Landing portion of the Two Rivers Trail, September 13, 2019



Photo 1. Evidence of a fire directly adjacent to the existing Sutter's Landing portion of the Two Rivers Trail. Environmental plantings are in the foreground with broken irrigation lines.

Attachment 1

Photos from Sutter's Landing portion of the Two Rivers Trail, September 13, 2019



Photo 2. Environmental restoration plantings with broken irrigation lines along the existing Sutter's Landing portion of the Two Rivers Trail. Were these accepted by the regulating agencies as adequate mitigation measures and are these still being monitored?

Attachment 1

Photos from Sutter's Landing portion of the Two Rivers Trail,
September 13, 2019



Photo 3. An overflowing trash receptacle directly adjacent to the existing Sutter's Landing portion of the Two Rivers Trail.

Attachment 1

Photos from Sutter's Landing portion of the Two Rivers Trail,
September 13, 2019



Photo 4. An abundance of star thistle along the existing Sutter's Landing portion of the Two Rivers Trail.

Attachment 1

Photos from Sutter's Landing portion of the Two Rivers Trail,
September 13, 2019



Photo 5. An encampment along the existing Sutter's Landing portion of the Two Rivers Trail.

Attachment 1

Photos from Sutter's Landing portion of the Two Rivers Trail,
September 13, 2019



Photos 6 & 7. Graffiti along the existing Sutter's Landing portion of the Two Rivers Trail.

Comment 7-1:

The commenter provides introductory comments previously submitted letters in response to the City's Initial Study/Mitigated Negative Declaration (MND) and to the Notice of Preparation of Environmental Impact Report and Scoping Meeting for the Two Rivers Trail Phase II Project (NOP).

Response to Comment 7-1:

Comment is noted.

Comment 7-2:

The commenter states that the Draft EIR fails to address the comments submitted on the IS/MND or provide an analysis of why removal of vegetation and paving of the trail would not affect the visual character of the area.

Response to Comment 7-2:

The commenter is directed to Impact AES-1 (page 3.1-11 of the Draft EIR), which describes the project impacts to scenic quality. The impact analysis begins by identifying the project components likely to generate scenic or visual impacts, including vegetation and tree removal. The analysis further describes how the proposed project would not result in a significant impact to scenic quality due to the project's temporary disturbance period and relatively narrow construction corridor; the proposed project's consistency with the goals and policies of the ARPP, in particular Policy 3.1, 8.4, 8.17, and 10.4.2; and the resultant vegetation impacts which are distributed throughout the narrow linear construction corridor as it traverses the larger American River Parkway. Previous comments submitted on the IS/MND (Section B: The Project May Have Potentially Significant Aesthetics Impacts and Exhibit A: Testimony on Aesthetics) were considered during preparation of the Draft EIR. As a result, the Draft EIR provided additional photo documentation (see Figures 3.1e and 3.1f) and analysis which included comparisons of existing views along the proposed trail alignment with example views from similar developed trails (including both Top of Levee and waterside Toe of Levee segments) within the American River Parkway. Previous comments are correct in indicating that some portions of the proposed trail alignment are narrower, with a greater density of surrounding vegetation. However, several other portions of the trail alignment (as shown in Figure 3.1f) include much wider expanses between the proposed trail corridor and riparian vegetation, that would likely not be affected by the project.

Trail planning activities included several design revisions that have taken into consideration the unique aesthetic and biological resource characteristics of the study area. Specific design considerations have included a trail location that addresses neighborhood concerns for visibility and privacy; a flexible trail width that can be adjusted to minimize vegetation disturbance in more restricted areas of the corridor; and the placement of staging areas in disturbed areas or locations outside the American River Parkway to minimize the project's overall construction footprint, native vegetation disturbance, and ultimately the scenic quality of the study area.

Comment 7-3:

The commenter indicates that the Initial Study/Mitigated Negative Declaration (IS/MND) and the Draft EIR underestimated the impacts to valley elderberry longhorn beetle (VELB) and that the Draft EIR does not include an assessment of impacts to shrubs within 20 feet of the project footprint, or within 165 feet of the project footprint, that will not be directly removed or trimmed as a result of the proposed project.

Response to Comment 7-3:

The commenter is directed to Master Response #2 “Biological Resources” provided above in **Section 2.2.1**.

Comment 7-4:

The commenter asserts that the Draft EIR fails to address their previous comments regarding the importance of identifying whether mitigation for VELB would be accomplished close to the site of impact. The commenter also asserts that Mitigation Measure BIO-11 is considered infeasible due to conflicts between the elderberry avoidance period and the proposed construction dates. An additional comment is directed at the proposed compensatory ratios for riparian habitat impacts.

Response to Comment 7-4:

The commenter is directed to Master Response #2 “Biological Resources”.

Comment 7-5:

The commenter indicates that the Draft EIR should provide a description of previous restoration and mitigation in the biological study area, and if the proposed project would impact areas that are part of a previous restoration effort or that provided mitigation, this should be disclosed in the Draft EIR and additional mitigation for impacts to restoration/mitigation should be included.

Response to Comment 7-5:

The commenter is directed to Master Response #2 “Biological Resources”.

Comment 7-6:

The commenter asserts that the Draft EIR includes no detail on the trees proposed for removal and trimming.

Response to Comment 7-6:

The commenter is directed to Master Response #2 “Biological Resources”.

Comment 7-7:

The commenter requests information regarding the frequency of inundation along the trail and information regarding costs for trail maintenance.

Response to Comment 7-7:

Since widespread erosion and deposition was observed along the Lower American River after the 1986 flood, the Lower American River Task Force was developed to identify and address bank protection issues along the river. Since 2005, the erosion evaluation for the Lower American River levees has been conducted on an annual basis by SAFCA and the local maintaining agency, ARFCD, in coordination with a multi-agency team including USACE, the City, DWR, and the CVFPB. Because the Lower American River is a dynamic flowing river, new sites are detected and repaired on an ongoing basis, if deemed to have a possible potential impact to levee integrity, while other non-severe sites only need to be monitored regularly. Similar to erosion inspections, the cost for erosion repairs along the Lower American River is funded by the Federal government with a significant State/local agency cost-share

component. Thus, in response to the commenter's concern regarding County funds required to repair "similar riverside levees after inundation events"; this data does not exist, since the County does not individually conduct repair activities, and is instead a member agency of the SAFCA Joint Powers Association. Since erosion repairs, and other flood management system maintenance activities benefit the entire Sacramento region, all work is funded jointly through programs including Federal and State cost-shares and property owner assessments.

As first mentioned in the IS/MND for the proposed project, although leveed in the project area, the Lower American River is still a dynamic river environment where the bed, bank, and in-channel features such as gravel bars and islands are continually reworked due to seasonal flows, flood flows, and ongoing geomorphic processes typical of a riverine environment. The Lower American River is still responding and adjusting its channel due to the effects of hydraulic mining of the mid to late 1800s, instream gravel mining from the 1940s to 1970s, Folsom Dam closure and concurrent loss of sediment supply and hydromodification in the 1950s, and confinement and loss of large floodplain overflow areas due to levee construction and urbanization. Thus, erosion sites appear, are repaired, and new sites may appear on a continual basis, despite revetment and other bank stabilization activities, similar to those conducted near Paradise Beach river mile (RM) 5 in the 1960 and 1990s, or during later years, near RM 6.2 and the H Street bridge. Many areas along the Lower American River have steep sandy banks, and this entire reach is susceptible to erosion due to the narrow channel, confined by levees, along the Lower American River, even during non-flood events. This is evidenced by the fact that erosion has been observed along the Lower American River at flows as low as 7,000 cubic feet per second (cfs) (USACE, Reclamation and SAFCA 2017).

An inundation frequency analysis for the trail segments has not been conducted, since a larger-scale analysis of erosion potential and inundation has already been conducted as part of the Folsom Dam Water Control Manual Update. Due to changes resulting from implementation of the Folsom Water Control Manual Update, a slight increase in channel degradation potential was identified along portions of the proposed trail alignment. However, since this is a known issue, continued implementation of the American River Common Features General Reevaluation Report erosion control measures will help to alleviate this erosion. However, due to the erodible bed/bank material naturally present in the Lower American River, and in order to meet endangered species habitat needs, ARPP policies, Wild and Scenic Designation requirements, and to ensure the somewhat natural appearance along the American River that residents of the region enjoy, no amount of armoring or revetment will likely be applied to the river banks that would ever stop erosion completely; the implementing agencies understand that erosion site identification and repairs is an ongoing process to ensure continued public safety in the area.

As discussed in the Draft EIR, since the proposed project will be operated as a recreational Class 1 trail by the City, maintenance and repair activities are expected and planned. Inundation during high flows, and subsequent clean-up, repairs, and maintenance are common occurrences for recreational facilities along the American River Parkway, including trails. Maintenance of the trail will be the responsibility of the City Public Works Department, and will be coordinated with ARCFD, County Parks, consistent with the Phase I portion of the Two Rivers Trail and other surrounding trails within the American River Parkway.

The commenter also expressed concern that costs were not included to ensure that decision-makers and the public can conduct a meaningful comparison among project alternatives. The City respectfully disagrees with this request since the cost of a project is not required to be analyzed as a significant effect that could result from a project.

Nevertheless, the City currently employs a crew of experienced heavy equipment operators and construction managers, with extensive experience using river-friendly equipment on levee and associated infrastructure repair and maintenance projects, as well as habitat restoration projects on which the City partners with other agencies during planning and implementation. Thus, City crews are well versed in the nuances of working along (and sometimes within) the unique riverine and riparian environment and how to identify, protect and avoid sensitive biological and cultural resources that may exist in the project area. City crews also receive ongoing, site-specific worker environmental and cultural awareness training prior to maintenance and repair activities. These same crews would conduct maintenance and repair activities, in coordination with ARCFD and County Parks, using City equipment.

Comment 7-8:

The commenter asserts that the proposed project is being implemented without consideration of other projects in the American River Parkway, such as the timing of the SAFCA projects occurring along the Paradise Beach to H Street Bridge riverside levee toe.

Response to Comment 7-8:

SAFCA has analyzed the planned repair of an identified erosion site that overlaps with the proposed trail segment between Paradise Beach to H Street Bridge. The City is aware of the schedule for this planned levee strengthening repair and has reviewed design plans for the levee project, as part of initial coordination with agency staff.

The specific levee repair project mentioned by the commenter is part of the American River Common Features in Progress Erosion Control Project. This project is considered in several places of the Draft EIR including the analysis for Impact HWQ-2 (page 3.6-12) and within Section 5.5 “Cumulative Impacts” (pages 5-5, 5-10, 5-12, and 5-15). The cumulative biological resource, cultural resource, and hydrology/water quality evaluations incorporate the project scheduling and footprint overlaps and identify the City’s commitment to coordinate with the LARTF, County, Corps, ARFCD, SAFCA, and CVFPB and minimize construction-related impacts within the American River Parkway

As more fully described above in Master Response #2 “Biological Resources”, the implementation of special status species avoidance (including nesting bird and valley elderberry beetle flight avoidance) and habitat compensatory requirements anticipated for the project may require a phased construction approach over multiple construction seasons, which will also take into consideration the levee repair project mentioned by the commenter and avoid inefficient use of construction funding for both projects.

Comment 7-9:

The commenter states that the Draft EIR did not address a prior comment requesting a “no pavement” alternative for the project. The comment goes on to identify several perceived inconsistencies with the plans and policies of the ARPP (including Discovery Park Area Plan Policy 10.4.2).

Response to Comment 7-9:

The proposed project was designed to meet Class 1 bikeway design criteria (consistent with the Caltrans Highway Design Manual, 2018), which require a paved surface. Further, the ARPP identifies bicycle trails as smooth surfaces (with rubberized asphalt concrete surface preferred, p. 132), and differentiates them from pedestrian or pedestrian/equestrian trails which are not to be paved (ARPP p. 131). Off

pavement bicycle trails are only permitted at the discretion of the Parkway Manager. A “no pavement” alternative is considered similar to the No Project Alternative analyzed in Chapter 4 “Description of Project Alternatives” of the Draft EIR, which would not meet the project objectives or the minimum design considerations of the proposed project.

Please refer to Master Response #3 “Land Use Compatibility” (provided above in **Section 2.2.1**) for a detailed discussion of the perceived inconsistencies with the ARPP identified by the commenter. As discussed in the response, the proposed project is clearly envisioned as a future improvement in the ARPP, and the commenter misconstrues the construction of this planned improvement as an inappropriate extensive development.

Comment 7-10:

The commenter states that the Draft EIR fails to offer any analysis or specific documentation at all to refute the statement that paving the trail would lead to increased conflicts or crime. The commenter also states that City representatives have publicly mentioned plans to increase patrols at Sutter’s Landing and even potentially install a ranger station to address increased public safety concerns and impacts resulting from increased use of the paved trail, none of which was disclosed in the Draft EIR.

Response to Comment 7-10:

The commenter is incorrect in their assertion that the Draft EIR fails to analyze public safety impacts. Section 3.9 “Public Services, Recreation, and Utilities” provides an analysis of the proposed project on both Fire Protection/Emergency Medical Services (Impact PSR-1) and Police Protection (Impact PSR-2) impacts. The Draft EIR analysis begins (on page 3.9-1) by providing a description of how law enforcement resources (including Sacramento Police Department and City/County Rangers) are allocated and assigned on an annual basis based upon several factors, including, but not limited to incidents of crime within a geographic area (police beat), population, and police staffing capabilities. Discussions regarding the proposed project with law enforcement personnel were first initiated during preparation of the IS/MND. Law enforcement personnel have indicated that any significant expansion in terms of buildings, population, etc. is factored into the annual patrol planning analysis when determining the amount of resources (patrol officers) to place in that particular geographic beat for the coming calendar year. The Draft EIR analysis concluded that there was no substantial evidence to indicate that the proposed project would lead to increased crimes or fires relative to the current condition of the project area resulting in the need for additional law enforcement staff or facilities as the proposed project would not include a significant expansion in terms of buildings or associated population growth and because a majority of the trail alignment is currently used for various types of undeveloped recreation, served by the City of Sacramento Police Department and City/County Park Rangers.

During subsequent discussions with Sacramento Police Department and City/County Park Ranger personnel, the general consensus from law enforcement personnel is that portions of the study area have existing homeless populations and that increasing activity (through additional recreational use) may reduce the opportunities for continued use of the area for illegal camping. Law enforcement personnel indicate that some reporting may increase because of the interface of recreational users and homeless individuals; however, the potential for increased reporting would not directly generate the need for additional law enforcement staffing or equipment, as concluded in the Draft EIR. Regarding the development of a new ranger station in the vicinity of Sutter’s Landing Regional Park, there are no formal plans or funding to develop the ranger station. With no formal plans or defined timeline for

development of the ranger station, the Draft EIR did not include this information in the analysis for public services.

Comment 7-11:

The commenter described the growing use of motor-assisted bicycles and scooters in Sacramento, which may add additional pressures on the proposed trail and must be analyzed fully.

Response to Comment 7-11:

No motorized traffic is current allowed along trails in the American River Parkway and the proposed project would not include the use of motorized traffic.

Comment 7-12:

The commenter indicates that the Draft EIR analysis ignores the fact that the parking lot at Glenn Hall Park is free, thus providing one of the few Parkway access parking sites that is free, which would generate additional demand for trash and restroom facilities at the park.

Response to Comment 7-12:

Parking at Sutter’s Landing Regional Park, Glenn Hall Park, (and other access points scattered along the American River Parkway, Jacob Lane, Estates Drive, University Avenue/Guy West Bridge, etc.) are all free or informal parking opportunities. As the Draft EIR correctly states in Section 3.9.2, “Environmental Setting,” the limited parking available at Glenn Hall Park reduces the potential for a substantial increase in visitors using the park site to access the proposed trail facilities, in particular since available on-street parking is limited. The Draft EIR further acknowledges that the proposed project would likely result in increased bicycle and pedestrian use in the project area; however, the increase would not be significant enough to warrant the need for additional restroom facilities. The Draft EIR further states that any potential increase in trail users that accessed the trail from other locations (say California State University, Sacramento or Sutter’s Landing Park) may increase the use of Glenn Hall Park facilities (including restroom facilities); however, the presence of the levee (as a visual obstacle) between the proposed trail location and the developed facilities at Glenn Hall Park (land side of the levee) is likely to reduce the use of park facilities by through-traveling users of the trail.

Comment 7-13:

The commenter asserts that the Draft EIR fails to address (1) potential conflicts between users of the new multiuse trail facility and the existing informal trail users, and (2) the lack of a bike lane on Carlson Drive.

Response to Comment 7-13:

The two issues are addressed separately in the EIR. Potential conflicts between new and existing trail uses are addressed in Section 3.9 “Public Services, Recreation, and Utilities.” Impact PSR-3 on page 3.9-8 of the Draft EIR acknowledges comments received from the IS/MND and NOP, which identified similar concerns for increased conflicts between existing pedestrian use and high-speed bicycle trail users. The impact analysis states that the design of the proposed project addresses this impact by incorporating a modified trail design that includes multiple trail options (paved trail, wider unpaved shoulders, and informal foot trails) which combined with the relatively narrow paved trail cross section

(compared to other segments of the American River Parkway trail) would reduce the potential for conflicts among trail users.

Section 3.10 “Transportation and Circulation” in the Draft EIR also addresses potential conflicts between users of the new multiuse trail facility and the existing informal trail users. Page 3.10-5 of the Draft EIR also addresses this issue under Impact TRC-2. The analysis for Impact TRC-2 also describes how the trail design (with wide shoulders for pedestrian access and a narrower paved surface to reduce bicycle speeds) is intended to minimize trail user conflicts between existing pedestrian and proposed bicycle use.

As stated on page 2-1 of the Draft EIR, one of the project objectives is to “provide alternative transportation access for commuters and residents in the eastern part of the City, California State University Sacramento (CSUS), Central City, North Sacramento, East Sacramento, and Richards Boulevard area”. As referenced in the project objectives, the trail is intended for both recreational use and as an “alternative” to existing commuter routes. As a potential commuter route, the trail is not intended to function as the “only” commuter route, rather as an “alternative”. The use of the trail as a commuter route is dependent on a number of factors including both the origin and destination points of individual commuters. For example, some residents outside the Riverpark neighborhood may find the Glenn Hall Access point inconvenient if they are looking for the most direct commute route to their point of destination. Other residents living in Carmichael, may travel the entire portion of the Two Rivers Trail to reach mid town, also bypassing the Riverpark neighborhood, as an access point. As more fully described on page 3.10-1 of the Draft EIR, additional commuter use on Carlson Drive was considered. However, it was determined that many users from outside the neighborhood would be unlikely to travel more than 1.5 miles along Carlson Drive to access the trail by bicycle. Additionally, within the River Park neighborhood, bicycle traffic approaching Glenn Hall Park would likely be collected from other streets onto Carlson Drive and Sandberg Drive. Consequently, the potential for substantial new bicycle traffic within the River Park neighborhood leading to new conflicts was considered low and was not discussed further in the Draft EIR. As stated by the commenter, previous survey results have indicated the need for safer passage through midtown to downtown. Implementation of the proposed project would strive to meet this need by providing an alternative and safe travel route through midtown to downtown.

Comment 7-14:

The commenter states that the Draft EIR did not address a prior submitted comment, which proposed a “no pavement” alternative to the CEQA-required “no project” alternative that acknowledges the current use of this area by cyclists as a transportation route. The commenter further states that the “no pavement” alternative could meet all of the project objectives in the same manner as the proposed paving project, including ADA access points.

Response to Comment 7-14:

The commenter is referred to the response prepared for Comment 7-9 and to Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**). As previously described in the responses, the “no pavement” alternative, described by the commenter, is the same as the CEQA-required “No Project” Alternative analyzed in Chapter 4 “Description of Project Alternatives” of the Draft EIR. As described on page 4-6 of the Draft EIR, the “No Project” alternative would not construct the proposed project, leaving the existing trail and access points unpaved and inaccessible to some users. As stated further on page 4-6, implementation of this alternative would not result in any environmental

impacts; however, the alternative would not meet any of the proposed project objectives. The commenter is correct in stating that a paved ADA compliant trail does exist near California State University, Sacramento. However, additional ADA compliant transitions would be required to connect the undeveloped waterside levee trail (No Pavement Alternative) to the existing paved trail referred to by the commenter, in order to meet the ADA compliancy objectives of the proposed project. In fact, it is unclear how the “no pavement” alternative, would achieve any of the other key project objectives related to regional trail connectivity or by providing safe commuter alternatives without additional paved/ADA compliant transitions from the undeveloped waterside levee trail to other key trail access and transition points (including Glenn Hall Park and Sutter’s Landing Park).

The commenter expresses the point that the lack of pavement does not pose a barrier for many commuters or recreational cyclists that currently use the area. It is important to note that most bicycle commuters would prefer a paved trail to achieve their commute destination.

Comment 7-15:

The commenter states an opinion that the Draft EIR was written with a preferred alternative in mind and other options have been discarded without sufficient consideration or analysis. The commenter also states that the Draft EIR fails to provide the analysis of Alternative 4 to support the statement that the alternative does not meet any of the proposed project objectives.

Response to Comment 7-15:

The commenter is referred to the response prepared for Master Response #1 “Alternatives to the Proposed Project”. As described on page 4-6 of the Draft EIR, Alternative 4 is considered similar to the No Project Alternative, as no developed trail would be constructed within the American River Parkway. Consequently, no alternatives to existing commuter patterns would be provided (proposed project objective) and no additional recreation connections to the regional trail system (proposed project objective) would be provided beyond those informal connections that currently exist. Table 4-1 of the Draft EIR summarizes these conclusions regarding Alternative 4’s inability to attain the project objectives.

Comment 7-16:

The commenter asserts that the Draft EIR fails to analyze the effect of construction of the trail on Climate Change in the region; specifically, the positive effects of the existing trees and shrubs along the trail in terms of cooling and carbon sequestration.

Response to Comment 7-16:

The commenter is referred to page 1-16 of the Draft EIR which describes the air quality and climate change impact analysis conclusions for the proposed project. As more fully described on page 1-16, the proposed project analyzed in the Draft EIR was compared to the project analyzed in the IS/MND and it was determined that both projects would result in similar construction-related air emissions. This would occur due to both trail project’s having similar construction footprints, equipment needs, and similar construction durations, with the potential that the proposed project analyzed in the Draft EIR would likely result in fewer construction emissions. Fewer construction emissions would occur as less imported/exported fill materials (less truck/equipment trips) would be necessary with construction of a levee top segment (versus the benched waterside alignment, east of the Capital City Freeway) in Trail Segment #4. Consequently, the air quality and related greenhouse gas emissions analysis and impact

conclusions) provided in the IS/MND were determined applicable to the proposed project and incorporated by reference into the Draft EIR.

While air quality modelling and analysis documented in the IS/MND concludes that construction-related air emissions would not exceed Sacramento Metropolitan Air Quality Management District's thresholds of significance, all projects that would involve construction activities, regardless of the significance determination, are required to implement applicable Basic Construction Emission Control Practices. These air quality and greenhouse gas emission control practices (including low vehicle speeds, limited equipment idling, etc.) would apply to the proposed project and are referenced in Mitigation Measure AIR-1, which is included in Table ES-1 "Summary of Impacts and Mitigation Measures" of the Draft EIR.

The proposed trail project is inherently consistent with local and regional climate action goals by providing opportunities for non-motorized transportation modes of travel compared to motor vehicles (which are considered one of the largest sources of greenhouse gas emissions). The commenter states that the City should analyze the positive effects of the existing trees and shrubs along the trail in terms of cooling and carbon sequestration. Tree and vegetation removal resulting from the proposed project is considered relatively minor in comparison with the surrounding American River Parkway corridor and would not result in additional greenhouse gas emissions. Additionally, the proposed project will require mitigation requirements for replacement tree and vegetation planting (likely to be greater than 1:1) that will contribute additional shade and carbon sequestration opportunities.

Comment 7-17:

The commenter indicates that Table 5-2 (List of Collective Past, Present, and Reasonably Anticipated Future Projects Within the City) and the cumulative analysis does not include or evaluate the potential connection of the proposed project with the Sacramento Northern Bikeway Trail project.

Response to Comment 7-17:

The Sacramento Northern Bikeway Trail project is a future project under consideration by the City of Sacramento. However, the City of Sacramento does not have an immediate funding source or implementation plan developed for this project and; therefore, the Sacramento Northern Bikeway Trail project was not included in Table 5-2 or the cumulative analysis for the proposed project.

Comment 7-18:

The commenter indicates that Table 5-2 (List of Collective Past, Present, and Reasonably Anticipated Future Projects Within the City) and the cumulative analysis does not include or evaluate the potential construction of an operations headquarters for City park rangers at Sutter's Landing Park.

Response to Comment 7-18:

As more fully described above in the response to Comment 7-10, there are currently no formal plans or funding to develop the ranger station. With no formal plans or defined timeline for development of the ranger station, the Draft EIR did not include this information in the analysis for public services.

Comment 7-19:

The commenter speculates on possible closure or changes to the Erlewine Gate access point resulting from increased pedestrian and bicycle use from the proposed project.

Response to Comment 7-19:

The City has no plans to impede access to the American River Parkway through closure or alteration of the Erlewine Gate access point as a result of the proposed project.

Comment 7-20:

The commenter asserts that the existing methods of Crime Prevention Through Environmental Design (“CPTED”) will also be a source of significant and ongoing impacts to the project area.

Response to Comment 7-20:

The City is dedicated to ensuring the trail corridor remains safe and secure. During project planning and scoping activities, the City partnered with the Police Department and the Park Rangers to review the project, discuss the concerns noted by local residents, and obtain feedback on elements that are critical to promoting safety along the corridor. The primary methods to ensure the trail remains safe include vegetation management and routine patrols by City Park Rangers. Local law enforcement officials have discussed the use of CPTED measures as part of a larger strategy to address homelessness throughout the American River Parkway. Implementation of the proposed project incorporates several CPTED principles through vegetation clearance and by increasing activity within the study area. Consequently, design of the trail may improve public safety concerns within the project area. The direct and indirect impacts of vegetation removal associated with the project’s construction and vegetation maintenance activities are quantified and described in greater detail in Section 3.2 “Biological Resources” of the Draft EIR. Visual or aesthetic impacts are addressed in Impact AES-1 (page 3.1-11 of the Draft EIR), which describes the project impacts to scenic quality.

Letter #8: Save Don't Pave (Soluri Meserve)



LETTER 8

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September 16, 2019

SENT VIA EMAIL (RBess@cityofsacramento.org)

Ron Bess, Assistant Planner
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City of Sacramento
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Sacramento, CA 95811

RE: Comments on the Draft Environmental Impact Report for the Two Rivers Trail Phase II (K15125000)

Dear Mr. Bess:

These comments on the Draft Environmental Impact Report ("DEIR") for the Two Rivers Trail Phase II Project, K15125000 ("project") are submitted on behalf of Save Don't Pave ("SDP").¹ SDP is an unincorporated association comprised of local community members who have serious concerns regarding the City of Sacramento's ("City") environmental review of the Project. SDP is working to save the section of the American River Parkway between Sutter's Landing and the H Street Bridge as a natural recreation option for all to enjoy in its current unpaved state.²

SDP previously submitted comments on the Initial Study and Mitigated Negative Declaration ("MND") the City prepared for the project. (See [Exhibit A](#), SDP MND Comments [without exhibits].) The MND failed to include relevant information and fully disclose project impacts as required by the California Environmental Quality Act (Pub.

¹ SDP's members will also be submitting their own personal comments on the project.

² Save Don't Pave was formed when River Park residents and other users of the nearby section of Parkway learned of the City's plan to pave the lower riverside toe of the levee. Many citizens were unaware of the City's plans, so in January 2018, several concerned citizens organized a volunteer effort to go door-to-door in the River Park community to inform residents of the proposed project, get their opinions on the project, and collect signatures for a petition opposing the project. Since that time, Save Don't Pave has collected over 1,200 petition signatures opposing the Project as presently proposed, and has worked to make the City aware of the special character and uses of this area that would be lost as a result of the project.

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Resources Code, §§ 21000 et seq. [“CEQA”]). SDP’s extensive comment letter raised numerous potentially significant environmental impacts that the City failed to disclose or consider in the MND, and provided supporting evidence. After the City issued the Notice of Preparation (“NOP”) for the EIR on May 21, 2019, SDP submitted additional comments on June 18, 2019, reiterating the concerns raised in the MND comment letter.

Unfortunately, the DEIR fails to address the flaws identified by SDP. Despite having been provided with substantial evidence supporting fair arguments of potentially significant impacts, the DEIR fails to disclose, analyze and mitigate to the extent feasible these potentially significant impacts. Instead, the content of the DEIR is substantively the same document as the MND. This fails to meet the mandates of CEQA. SDP therefore respectfully requests that the City address these impacts and other deficiencies in the DEIR, and recirculate the document for public review.

I. The EIR Fails to Provide an Adequate Project Description

Draft EIRs must contain a project description, which includes: the precise location and boundaries of the project; the objectives sought by the proposed project; descriptions of the project’s technical, economic and environmental characteristics; and a statement describing the intended use of the EIR. (*stopthemillenniumhollywood.com v. City of Los Angeles* 39 Cal.App.5th 1, *16 (*millennium*); Cal. Code Regs., tit 14, § 15124, subds. (a)-(d) (“CEQA Regulations”).) “This description of the project is an indispensable element of both a valid draft EIR and final EIR.” (*Ibid.*) An EIR’s description of the project must be “accurate, stable and finite.” (*Ibid.*; see *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.) Proposing possible project scenarios, without sufficiently defining them or committing to one, is not an adequate project description. (See *millennium, supra*, 39 Cal.App.5th at *18.) Merely assuming and evaluating a worst-case-scenario does not satisfy CEQA, and in fact “precludes informed decisionmaking and public participation . . . and a prejudicial abuse of discretion has occurred.” (*Ibid.*, citing *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 128.)

Despite preparation of a DEIR, the City failed to settle on a finite project description. The project is divided into six segments, and the general path of segments 1, 3, 4, 5, 6 are consistent between the project alternatives. (See DEIR, ES-1 to ES-7.) However, the precise path of segment 2 still has not been identified. (See DEIR, p. ES-2.) The City does not explain the indecision with respect to segment 2, nor does it evaluate the “alternative” routes as project alternatives. (DEIR, pp. ES-2, ES-7, 2-1, 2-2.) The DEIR confusingly describes “alternative 1” and “alternative 2” for segment 2

8-1



alignment, but that is not reflected in the descriptions of project alternatives 1 and 2. (*Ibid.*) Moreover, the DEIR lacks any meaningful analysis of the differences between the two “alternative” alignments for segment 2. The DEIR fails to even explain why one alternative alignment is preferred over the other. (See DEIR, p. 2-2.) As in *millennium*, the City has failed to settle on a definite project definition, instead including a range of possibilities within the same proposed project. However, more problematic than in *millennium*, the City here has failed to even evaluate a “worse-case-scenario” under the two possible alignments. Rather, the City simply avoids making any comparative analysis between the possible segment 2 alignments. This is a fundamental flaw in the DEIR and an abuse of discretion under CEQA. (*millennium, supra*, 39 Cal.App.5th at *18.)

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The City also changed the alignment of segment 4 since the MND was released. Although the project description does not clearly describe the reason for change, segment 4 would now be levee-top aligned. (DEIR, p. 2-2.) The City again fails to provide a finite project description, as this change indicates it may be possible for the American River Flood Control District (“ARFCD”) to “grant additional trail variances” to make the entire segment levee-top. (*Ibid.*)

8-2

Also uncertain is the treatment of the Erlewine gate, located near the intersection of Segments 3 and 4. (See Exhibit B, Erlewine Access Gate Figure.) The unlocked gate could serve as an entry to the new trail, increasing foot traffic through the neighborhood. In addition, the trail to the gate is not ADA accessible. (*Ibid.*) The DEIR should disclose if changes to the Erlewine gate are expected as part of the project, or at least include those changes in the cumulative projects list. The DEIR’s failure to address the Erlewine gate constitutes impermissible piecemealing and obscures project impacts.

8-3

Long term impacts from operation and maintenance of the project are also not described in the DEIR. While the DEIR lists several O & M activities (DEIR, p. 2-11), no further attempt to disclose impacts associated with these activities is made. Where the City has completed trail segments, maintenance and environmental restoration have failed. (See Exhibit C, Photographs of Trail Near Sutter’s Landing.) Graffiti, litter, overflowing trash cans and illegal camps can all be found at this trail section. (*Ibid.*) The DEIR appears to underestimate the amount of maintenance work required for the project. The DEIR should, but does not, clearly describe all elements of the project.

8-4

II. The EIR's Analysis of Environmental Impacts is Defective and Fails to Disclose Potentially Significant Impacts

The “fundamental purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect, which a proposed project is likely to have on the environment.” (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 428, citing Pub. Resources Code, § 21061 [internal quotations omitted].) To that end, an EIR must “present information in such a manner that the foreseeable impacts of pursuing the project can actually be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made.” (*Ibid.* at 449-450.)

Failure to include essential information in the EIR is a failure to proceed in the manner required by law, for which a lead agency is not entitled to any deference. (*Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 935 (*Banning Ranch*)). So while the failure to disclose or analyze impacts in the MND, when substantial evidence supported a fair argument of a potentially significant impact, required the preparation of an EIR (see *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 617–618 [*San Joaquin Raptor*]), the failure to include such essential information in an EIR is a failure under CEQA (*Banning Ranch, supra*, 2 Cal.5th at 935).

In its MND comments, SDP provided substantial evidence that supported a fair argument of several potentially significant impacts. This included impacts to aesthetics, recreation, biological resources, land use, air quality, water quality, transportations and public services. (See Exhibit A, pp. 6-20, 3-29.) Even though the City has now prepared the DEIR, many of the same analytical flaws in the MND persist in the DEIR.

One particular impact represents the City's unwillingness to consider the entire scope of the project: the potential increase of unsheltered persons in the project's segment of the American River Parkway. In its MND comments, SDP described how the MND failed to address the baseline amount of illegal camping activity in the project area or that paving the trail for the project would facilitate increases in unsheltered persons residing in the project area, and failed to disclose or analyze the associated environmental impacts of such an increase. (Exhibit A, pp. 25-29; see Exhibit D, Homelessness in Sacramento County: Results from the 2017 Point-in-Time Count, p. 48 [“2017 Point-in-Time Count”].)

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In response, the DEIR does not provide any evidence supporting its position that construction of the paved path would not increase crime, fires, or waste disposal, but the burden on the public to provide such information. (DEIR, p. 3.9-8.) The DEIR also claimed it was “speculative” to consider that increased use of the American River Parkway trail could degrade existing water quality due to the presence of fecal coliform (“E. coli”). (DEIR, p. 3.6-9.) Under CEQA, a lead agency may only “terminate discussion of [an] impact” for being speculative “after thorough investigation” of the impact. (CEQA Guidelines, § 15145; see *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 727 [DEIR failed to minimally investigate wetlands impacts].) Here, the City has failed to support a speculative determination with a thorough investigation; instead, the City reached the conclusions in the DEIR without analysis, and ignored evidence provided by SDP and other public comments.

An increase in the unsheltered population along the American River Parkway in the project area may be an unintended consequence of the project; but it is a consequence nonetheless which would cause potentially significant impacts in combination with the very purpose of the project—to facilitate use of the Parkway. The unsheltered population in Sacramento is increasing. (See Exhibit E, Homelessness in Sacramento County Results from the 2019 Point-in-Time Count [“2019 Point-in-Time Count”].) Infraction citations, carts in park, total arrests, and the number of illegal camps in the American River Parkway are also increasing. (See Exhibit F, Sacramento County Ranger Crime Data Summary, 2016-2019 YTD; see also Exhibit C, Photographs of Trail Near Sutter’s Landing [Illegal camps adjacent to paved trail segments].) If there is the possibility that the project could increase the unsheltered population in the project area, by virtue of facilitating ease of access, the City must disclose and analyze the resulting impacts.

The following are specific potentially significant impacts that the DEIR fails to disclose or analyze, the omission of which constitutes a failure to proceed in the manner required by law. (*Banning Ranch, supra*, 2 Cal.5th at 935.)

A. The Project Would Conflict with Existing Land Uses and Designations

In its MND comments, SDP raised the fact that the project is inconsistent with the Sacramento General Plan and the American River Parkway Plan (“Parkway Plan”). (Exhibit A, pp. 6-7; see also Exhibit G, Table of Project Land Use Inconsistencies.) The DEIR, like the MND, fails to actually analyze consistency with such applicable land use provisions such as General Plan Policy 2.1.5 Riparian Habitat Integrity and Parkway Plan’s Paradise Beach Policy 10.26. Instead, the DEIR merely acknowledges those



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8-5

8-6

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provisions apply. (See DEIR, pp. 3.2-13, 3.7-5.) This failure to analyze the project’s consistency with such provisions is an unlawful omission from the DEIR. (*Banning Ranch, supra*, 2 Cal.5th at 935.)

Further, the City disingenuously implies that because the project is identified in the Parkway Plan, the project is necessarily consistent with the Plan’s policies. (DEIR, 3.7-5.) This ignores that the Parkway Plan expressly requires the project to be constructed on top of the levee where feasible, and the ARFCD’s approval of one segment on top of the levee shows that it is feasible and should be considered. The DEIR does not analyze the project’s consistency with Parkway Plan Policy 10.4.2, or even disclose the potential inconsistency. (DEIR, p. 3.7-5.)

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B. The Project May Have Potentially Significant Aesthetics Impacts

As SDP explained in its MND comments (Exhibit A, pp. 9-10), “[r]elevant personal observations of area residents on nontechnical subjects may qualify as substantial evidence for a fair argument. (*Pocket Protectors, supra*, 124 Cal.App.4th at 928, 931.) “[T]he opinions of area residents, if based on direct observation, may be relevant as to aesthetic impact and may constitute substantial evidence in support of a fair argument; no special expertise is required on this topic.” (*Id.* at 937.) The concerns and observations regarding the “overall degradation of the existing visual character of the [project] site” can constitute substantial evidence sufficient to raise a fair argument of aesthetic impacts. (*Ibid.*)

SDP provided written testimony from its members and other residents of the surrounding neighborhood on the benefits and enjoyment of the current aesthetic quality, and how the project would degrade that aesthetic quality. (See Exhibit A, pp. 9-11; Exhibit H, Parkway User Testimony and Photographs Regarding Aesthetic Impacts.) Rather than consider this testimony and factor it into its analysis, the DEIR simply repeats the analysis in the MND. (Compare DEIR, pp. 3.1-11 to MND, p. 22.) The City’s response to the testimony in Exhibit H appears to simply disagree with parkway users. The City’s approach to potential aesthetic impacts illustrates the larger issue of the City failing to consider substantial evidence submitted by Parkway users. It is particularly troubling given that the testimony offered in Exhibit H must be afforded considerable weight in for purposes of aesthetic impact analysis. (See *Pocket Protectors, supra*, 124 Cal.App.4th at 928, 931.)

8-7

Further, the City fails to consider how the increased use of the Parkway, both from increased transportation and illegal camping uses, would impact the aesthetic character of

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the project area. Consider the aesthetic impacts to recently paved trail segments near Sutter’s Landing. (See Exhibit C, Photographs of Trail Near Sutter’s Landing.) Increased use of the trail has caused considerable degradation of the aesthetic quality of the surrounding area. Trash and graffiti are now abundant along the trail. Further, the purported environmental restoration is failing; the areas cleared of vegetation for trail construction continue to be barren and star thistle is thriving. (*Ibid.*) Paving this segment of the trail, and the resulting use of the area, has caused an overall degradation in aesthetic quality. The failure to disclose or analyze this potential impact is a failure to proceed in a manner required by law. (*Banning Ranch, supra*, 2 Cal.5th at 935.)

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8-7

C. The Project May Have Significant Impacts on Recreation

Much like Aesthetic impacts, the DEIR’s lack of recreation impacts analysis demonstrates the City’s unreasoned dismissal of SDP’s concerns and evidence. SDP’s MND comments explained that the City both failed to disclose baseline recreational use of the project area and to analyze the projects displacement of such recreational use. (Exhibit A, pp. 11-14.) Yet the DEIR still fails to disclose the extent of the baseline recreational uses of the project area, and to analyze the project’s impacts on those uses. (DEIR, pp. 3.9-8.) The DEIR ignores the testimony provided by SDP, incorrectly focusing on the lack of “formal” recreational facilities in the project area. (*Ibid.*)

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Recreational impacts, like aesthetics, are a non-technical subject area wherein local residents’ testimony can provide substantial evidence of a potentially significant impact. (See *Pocket Protectors, supra*, 124 Cal.App.4th at 937-939.) The testimony in Exhibit H, and the recreation use survey results of Exhibit I, are substantial evidence and cannot be summarily dismissed. While there may not be “formal” recreational facilities or opportunities in the project area, the project would nonetheless increase existing recreational uses in the project area. The DEIR fails to consider this impact, omitting essential information, and failing to proceed in the manner required by law. (*Banning Ranch, supra*, 2 Cal.5th at 935.)

D. The Project May Have Significant Air Quality Impacts

SDP raised the issue of potential air quality impacts from maintenance vehicle emissions necessary during operation of the project. (Exhibit A, p. 14.) The DEIR continues to omit consideration of this operational impact entirely, again only considering construction related emissions. (See DEIR, 1-16.) This is a failure to proceed in the manner required by law. (*Banning Ranch, supra*, 2 Cal.5th at 935.)

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E. The Project May Have Significant Impacts on Biological Resources

SDP's comments on the project's potentially significant impacts to biological resources centered primarily on Valley Elderberry Longhorn Beetles ("VELB") and protected trees. (Exhibit A, pp. 15-19.) As to VELB and VELB Habitat, SDP described how the City failed to fully analyze the impacts to elderberry shrubs; despite 501 shrubs occurring within 165 feet of the project (now 494), the MND only evaluated impacts to at most 107 shrubs. (MND, p. 39.) The MND did not explain how the project would impact so few shrubs despite their overall abundance in the relevant area. (*Ibid.*) Like the MND, the DEIR only quantifies direct trimming or relocation to be an impact to elderberry shrubs, while failing to analyze so called "temporary" impacts, which would occur during construction. (DEIR, p. 3.2-23.) The DEIR fails as an informational document for considering the entire range of impacts project construction would have on VELB and VELB habitat.

The DEIR also fails to analyze the extent that a levee-top alternative alignment for the entire project would drastically reduce the project's impacts to VELB habitat. The DEIR does concede, however, that moving segment 4 to the levee crown "would further reduce biological resource impacts within the study area." (DEIR, p. 2-2.) Yet, a full levee-top alternative is never considered.

The DEIR cites an ARFCD policy which discourages levee-top trails, but explains that the ARFCD board may permit variances for levee-top alignments. (See DEIR, p. 3.7-4.) Yet, DEIR fails to explain the criteria for receiving a variance from the ARFCD, even though doing so would lessen impacts to biological resources. Equally concerning, the DEIR does not disclose the conflict between the ARFCD policy for avoiding levee-top trails, and the protections of the Federal Endangered Species Act ("ESA") and California Endangered Species Act ("CESA").

The DEIR must disclose other agencies permitting authority over the project and the consulting efforts with those agencies. (See *Banning Ranch*, *supra*, 2 Cal.5th at 938-942.) The DEIR must also disclose potential conflicts between other agencies. (*Ibid.*)

Here, the DEIR fails to disclose how the project would comply with ESA or CESA. The DEIR fails to even mention ESA or CESA compliance in the VELB impact analysis, let alone discuss applicability or compliance. The DEIR also fails to even disclose whether take of VELB would occur due to project construction or operation. This failure to disclose or analyze VELB impacts in the context of applicable endangered species protections is a failure to proceed in a manner required by law. (*Id.* at 935.)

8-10



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The DEIR also fails to acknowledge the U.S. Fish and Wildlife Service’s guidelines for VELB habitat mitigation, including the importance of keeping mitigation close to the site of impact and the preferred 3:1 mitigation easement ratio. (Exhibit J, Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle, pp. 12-14.)

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As to protected trees, the DEIR, like the MND, fails to even identify which protected trees the project would impact. (See DEIR, pp. 3.2-40 to 3.2-41.) “The number of trees removed and trimmed within Segments 1-2 has not been determined.” (*Ibid.*) Under CEQA, the City cannot delay analyzing the project’s potentially significant impacts because it has not properly defined its own project. And even where the City is sure of what trees will be harmed or removed by the project, the City fails to provide any identifying information for those trees. (*Ibid.*)

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8-11

The City claims that it “will obtain a Streambed Alteration Agreement from the [California Department of Fish and Wildlife], which will include riparian/tree compensation requirements. Therefore, [impacts to protected trees] would be **less than significant** with the incorporation of mitigation measures **BIO-1** through **BIO-7**.” (DEIR, p. 3.2-41.) This statement poses two problems. First, the City has failed to discuss or analyze the purported streambed alteration agreement, a plain violation under *Banning Ranch*. The City is required to consult with other responsible agencies about those agencies’ approval powers over the project, disclose those approval powers, and incorporate the consultation into the EIR. (See *Banning Ranch, supra*, 2 Cal.5th at 938-942.) Second, the City cannot avoid fully analyzing the project’s impacts merely because it promises future, not-yet-finalized mitigation will occur. (See CEQA Guidelines, § 15126.6 [mitigation measures must be enforceable].) Regardless of the efficacy of the project’s mitigation measures or the effects of the streambed alteration agreement, the City must fully analyze the project’s impacts, including the potential impacts of purported mitigation measures.

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8-12

F. The DEIR Fails to Analyze Potentially Significant Hydrology and Water Quality Impacts

The DEIR is incorrect that the potential for increased trail use under the project to cause water quality impacts is speculative. (DEIR, p. 3.6-9.) SDP provided substantial evidence in its MND comments. (Exhibit A, p. 24; see also Exhibit K, Microbes and Urban Watersheds: Concentrations, Sources, & Pathways).

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An objective of the project is to “provide a vital recreation link” (DEIR, p. 2-1), and the DEIR admits that “the number of users along the trail alignment, particularly

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bicycle commuters, may at times be greater relative to existing conditions” (see, e.g., DEIR, p. 3.6-9). Though the project would increase visitors to the American River Parkway, it does not include additional restroom facilities, nor additional trash receptacles. This increase in visitors can be expected to result in an increase in human and dog feces in the area along the trail. As described in a recent Sacramento Bee article, there is an “ongoing public health and environmental crisis” on the American River. (See Exhibit L, ‘What diluted sewage looks like.’ American River in Sacramento River tainted with feces, Sacramento Bee, September 12, 2019.)³ As the article discusses, the lack of bathroom facilities for unsheltered persons camped along the American River is a likely contributor to the contamination. At sample sites just downstream of the project area, many of the samples show unsafe levels of E. coli.

These areas of the river with unsafe levels of E. coli are adjacent to and downstream of portions of the bike path that is already paved, similar to what would occur in the project area. As explained in SDP’s comments on the MND, the area immediately adjacent to the project area has a chronically homeless population, particularly near Sutter’s Landing Regional Park and along the American River south bank. (See Exhibit D, 2017 Point-in-Time Count, p. 48.) The overall number of unsheltered persons in Sacramento has increased over the last three years. (See Exhibit E, 2019 Point-in-Time Count.)⁴ The statistics maintained by County Parks shows a dramatic increase in the number of arrests, illegal fires, illegal camping and destruction of vegetation since 2016. (See Exhibit F, Sacramento County Ranger Crime Data Summary, 2016-2019 YTD.)⁵

These locations along the American River Parkway are all accessed by the paved bike trail that connects directly to the services and concentrations of unsheltered people in the north downtown area. The bike trail provides an off-street, paved surface, that allows for the transport of shopping carts and other carts, and bikes heavy with baggage. Crucially, these locations along the parkway are all within 2.5 miles—by paved, off-street bike trail—of the north downtown concentration center, and all provide access to the privacy of densely wooded areas. The Two Rivers Trail is intended to eventually connect the densely wooded riparian areas of the Project area to the north downtown area with 2.5 miles of paved, off-street bike trail. (See DEIR, pp. 2-2 to 2-11.)

³ Available at: <https://www.sacbee.com/news/local/sacramento-tipping-point/article234440612.html?>

⁴ Available at: <https://sacramentostepsforward.org/2019pitcount/>.

⁵ Available at: <https://regionalparks.sacounty.net/Rangers/Pages/Latest-Ranger-Activity-Data.aspx>.

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8-13

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The U.S. Environmental Protection Agency requires a public health warning when 3.2 people out of 100 would be likely to suffer digestive problems from coming into contact with feces-contaminated water. The DEIR purports to analyze whether the project would degrade water quality in impact HWQ-1. According to the DEIR:

Since documented e. coli levels adjacent to the project alignment are generally below acceptable levels and are much lower than other portions of the American River with heavy recreational usage, this impact would be less than significant.

(DEIR, p. 3.6-9.)

In addition to the issue of increasing the number homeless individuals in the area by providing easier access from downtown, increased users on this portion of the trail would also increase the number of dogs in this section of the Parkway. As was described in SDP's comments on the MND (and associated exhibits), rain events would mobilize fecal contamination into the river. Dog waste is a significant cause of storm water pollution, and particularly, elevated levels of fecal coliform bacteria. (See *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1197 [city required to analyze potential environmental impacts from increased visitors with dogs].)

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8-13

During a rain event, fecal contamination would be mobilized into the river from trail segments on the river-side of the levee. Dog waste is a significant cause of storm water pollution, and particularly, elevated levels of fecal coliform bacteria. (See Exhibit K, *Microbes and Urban Watersheds: Concentrations, Sources, & Pathways*, pp. 69-70.) While the Water Quality Control Plan for the Sacramento River and San Joaquin River basins limits fecal coliform levels to not exceeding 200 colonies per 100 mL for the geometric mean of five samples taken over a 30-day period, storm water runoff in urban areas can have levels of 15,000 or even 22,000 colonies per 100 mL. (*Id.* at 70.) Just one gram of dog feces is estimated to contain 23 million fecal coliform bacteria. (*Id.* at 74.) During storms or floods, contaminated water would drain directly into the American River without any treatment.

The DEIR assumes without support that increased use of this part of the Parkway by any uses other than bikes would be speculative and entirely fails to consider whether the project would increase the incidence of E. coli in the river. The DEIR wrongly concludes that trail use would be similar to existing levels without any supporting information. (DEIR, p. 3.6-9.) There is no basis to conclude that only bike use would increase while all other uses would remain the same. Observation of other areas of the

American River Parkway indicate that all kinds of uses increase with the construction of a formal bike and walking path.

Despite these potentially significant water quality and other impacts, the project does not include additional drainage facilities to address water quality impacts from increased fecal coliform. Further, additional mitigation should be developed and required to alleviate these potentially significant water quality impacts. Such mitigation could include placement of bathrooms, provision of bags for dog feces, additional trash cans, proper signage and additional design modifications.

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G. The Project May Have Potentially Significant Impacts on Transportation/Traffic

Transportation is yet another example where the City fails to consider a potentially significant impact. The DEIR does not disclose the existing transportation uses of the project area. (DEIR, p. 3.10-1.) As a result of this failure, the DEIR does not analyze the project's conflicts and impacts on these existing transportation uses. (See DEIR, pp. 3.10-4, 3.10-5.) While the project may facilitate some transportation capacity of the project area, this is not an excuse for failing to analyze all the project's impacts.

8-14

H. The Project Provides an Inaccurate Baseline Setting for Public Safety

As described above, the City failed to justify its claim that public safety impacts are speculative and do not warrant further investigation. However, like the MND, the DEIR fails to both accurately describe baseline conditions in the project area and analyze the potential need for increased public services due to the simple fact more people would be in the project area. The DEIR describes the law enforcement that operates in the project area, but fails to describe the existing public safety conditions. (DEIR, p. 3.9-1.) Local law enforcement devotes considerable resources to the American River Parkway, and the amount has increased over the last three years. (See Exhibit F, Sacramento County Ranger Crime Data Summary, 2016-2019 YTD.) This information provides context to the analysis of potential increases in public safety services due to the project.

8-15

If the Parkway already requires significant law enforcement resources, and the project's objective is to facilitate increased uses of the project, it logically follows that there is the potential need for increased law enforcement resources. When additionally factoring in the increases in local unsheltered population (see Exhibit E, 2019 Point-in-Time Count) and that unsheltered persons gravitate towards the Parkway (see Exhibit D, 2017 Point-in-Time Count, p. 48), the need for analyzing an increased need for public



safety services is immediately clear. SDP's prior comments on the inadequate baseline setting description in the MND apply equally to the DEIR. (See Exhibit A, pp. 25-26.)

The City's previously discussed failure to analyze the potential increased need for public safety resources in the project area, along with the inadequate baseline setting description for public safety, are both flaws constituting a failure to proceed in the manner required by law. (See *Banning Ranch, supra*, 2 Cal.5th at 935.)

cont.
8-15

III. The DEIR Fails to Disclose the Project's Cumulative Impacts

An EIR must evaluate a project's cumulative impacts if the project's incremental effects "in connection with the effects of past . . . current . . . and . . . probable future projects" would be cumulatively considerable. (CEQA Guidelines, §15065, subd. (a)(3); *Banning Ranch, supra*, 211 Cal.App.4th at 1228.) The purpose of cumulative impact analysis is to ensure a project is not considered in a vacuum. (*Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397, 408.)

The DEIR fails to disclose the cumulative impacts of the project. DEIR Table 5-2 fails to list all related cumulative projects. For instance, the list does not include completion of the Two Rivers Trail with a connection between Phase 1 and Phase 2. (See DEIR, Figure 1-1.) The project description explains that Segment 1, at the far west of the project "would facilitate connections to existing City neighborhoods (including New Era Park, Boulevard Park, and Alkali Flats) and newly developing areas of the City (including the Railyards) (see Figure 2-2)." (DEIR, p. 2-7.) Connection to the existing Phase 1 Trail section would further increase use of the project area and contribute to various significant effects of the project. Water quality impacts from heavier trail use by all types of users, including additional dogs, would be reasonably foreseeable, for instance. (See Exhibits C, D, E, F, K, L.)

8-16

The DEIR's discussion of cumulative Hydrology and Water Quality impacts omits any discussion of water quality impacts from increased trail use. As explained previously, the purpose of the project is to facilitate use by a variety of users. SDP has also provided substantial evidence showing that such increases in use by homeless individuals and dogs, for example, would result in potentially significant water quality impacts. The project's water quality impacts, in combination with related projects must be disclosed in a revised and recirculated EIR.

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The DEIR also fails to disclose the project’s cumulative impacts on Public Services, Recreation and Utilities. The project, in combination with related projects would increase demand for public services and reduce the quality of certain recreational opportunities. These cumulatively significant impacts must also be disclosed.

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8-16

IV. Alternatives Inadequate

The discussion of project alternatives is “the core of an EIR.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564; see *Banning Ranch, supra*, 2 Cal.5th at 937.) A discussion of project alternatives is required even if a projects impacts would be avoided or reduced by mitigation measures. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 403; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.3d 692, 732 (*Kings County*)). An EIR must describe a reasonable range of alternatives that could feasibly attain a project’s basic objectives. (CEQA Guidelines, § 15126, subd. (d); *Kings County, supra*, 221 Cal.3d at 733.) “An EIR which does not produce adequate information regarding alternatives cannot achieve the dual purpose served by the EIR, which is to enable the reviewing agency to make an informed decision and to make the decisionmaker’s reasoning accessible to the public, thereby protecting informed self-government.” (*Kings County, supra*, 221 Cal.3d at 733, quoting *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d at 403.)

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8-17

The DEIR fails to include a reasonable range of alternatives, and fails to fully analyze the alternatives it does include. Critically, the discussion of alternatives fails to mention differences in Biological and Water Quality impacts between the alternatives. Feasible alternatives that would avoid the project’s significant impacts have not been properly considered. The alternatives analysis fails to provide a fact-based comparison between the project and the alternatives in the DEIR. (CEQA Guidelines, § 15126.6, subd. (d); see *Kings County, supra*, 221 Cal.3d at 733.)

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V. Conclusion

The defects discussed herein render the DEIR inadequate as an informational document. SDP requests that the City correct the DEIR's deficiencies and recirculate a revised DEIR. Thank you for considering these comments and please feel free to contact my office with any questions.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Osha R. Meserve

ORM/mre

cc (via email): Save Don't Pave

Attachments: (Also available via Dropbox at:
https://www.dropbox.com/sh/j1xyj1g3f41tkb2/AACK-46gpb dH-Pwh9CqLXQG_a?dl=0.)

<u>Exhibit A</u>	Save Don't Pave Comments on the Mitigated Negative Declaration
<u>Exhibit B</u>	Erlewine Access Gate Figure
<u>Exhibit C</u>	Photographs of Paved Trail Near Sutter's Landing
<u>Exhibit D</u>	Homelessness in Sacramento County: Results from the 2017 Point-in-Time Count
<u>Exhibit E</u>	Homelessness in Sacramento County: Results from the 2019 Point-in-Time Count
<u>Exhibit F</u>	Sacramento County Ranger Crime Data Summary, 2016-2019 YTD
<u>Exhibit G</u>	Two Rivers Trail Phase II: Inconsistencies with the American River Parkway Plan
<u>Exhibit H</u>	Parkway User Testimony and Photographs Regarding Aesthetic Impacts
<u>Exhibit I</u>	Survey of American River Parkway Trail Users (June-Oct. 2018) and Baseline Recreational Use Data (May-August 2018)
<u>Exhibit J</u>	United States Fish & Wildlife Service, Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (May 2017)

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Exhibit K Microbes and Urban Watersheds: Concentrations, Sources, &
Pathways (March 22, 2016)

Exhibit L ‘What diluted sewage looks like.’ American River in Sacramento
River tainted with feces, Sacramento Bee (September 12, 2019)

EXHIBIT A



tel: 916.455.7300 • fax: 916.244.7300
510 8th Street • Sacramento, CA 95814

November 30, 2018

SENT VIA EMAIL (tbuford@cityofsacramento.org)

Tom Buford, Principal Planner
Community Development Department
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811

RE: Comments on the Initial Study/Mitigated Negative Declaration for the Two Rivers Trail Phase II (K15125000)


Dear Mr. Buford:

These comments on the Initial Study/Mitigated Negative Declaration (“MND”) for the Two Rivers Trail Phase II Project, K15125000 (“Project”) are submitted on behalf of Save Don’t Pave. Save Don’t Pave is an unincorporated association comprised of local community members who have serious concerns regarding the City of Sacramento’s (“City”) environmental review of the Project. Save Don’t Pave is working to save the section of the American River Parkway between Sutter’s Landing and the H Street Bridge as a natural recreation option for all to enjoy in its current unpaved state.¹

8-18

The MND fails to include relevant information and fully disclose Project impacts as required by the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq. [“CEQA”]). In particular, several potentially significant impacts are associated with the Project, necessitating preparation of an Environmental Impact Report (“EIR”) and consideration of a reasonable range of alternative and adequate mitigation to eliminate or reduce Project impacts. Thus, Save Don’t Pave respectfully requests that a

¹ Save Don’t Pave was formed when River Park residents and other users of the nearby section of Parkway learned of the City’s plan to pave the lower riverside toe of the levee. Many citizens were unaware of the City’s plans, so in January 2018, several concerned citizens organized a volunteer effort to go door to door in the River Park community to inform residents of the proposed project, get their opinions on the project, and collect signatures for a petition opposing the project. Since that time, Save Don’t Pave has collected over 1,200 petition signatures opposing the Project as presently proposed, and has worked to make the City aware of the special character and uses of this area that would be lost as a result of the Project.

full EIR be prepared and circulated for public review prior to any further proceedings by the City regarding the Project.  cont. 8-18

I. Standards Applicable to Negative Declarations

Under CEQA, an EIR is required whenever substantial evidence supports a “fair argument” that a proposed project may have a significant effect on the environment, even when other evidence supports a contrary conclusion. (See, e.g., *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 74 (*No Oil I.*) This “fair argument” standard creates a “low threshold” for requiring the preparation of an EIR. (*Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754.) Thus, a project need not have an “important or momentous effect of semi-permanent duration” to require an EIR. (*No Oil I, supra*, 13 Cal.3d at 87.) Rather, an agency must prepare an EIR “whenever it perceives some substantial evidence that a project may have a significant effect environmentally.” (*Id.* at p. 85.) An EIR is required *even if* a different conclusion may also be supported by evidence.

8-19 

To lawfully carry out a project based on a MND, a CEQA lead agency must approve mitigation measures sufficient to reduce potentially significant impacts “to a point where *clearly* no significant effects would occur.” (Cal. Code Regs. tit. 14 (“CEQA Guidelines”), § 15070, subd. (b)(1) (emphasis added).)² This is assured by incorporation into a Mitigation Monitoring and Reporting Plan (“MMRP”). (CEQA, § 21081.6(a)(1).) “The purpose of these requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then

² A lead agency may satisfy its CEQA obligations by preparing a MND instead of an EIR if: (1) revisions in the project would mitigate the effects of the proposed project to a point “where clearly no significant effects on the environment will occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (Pub. Resources Code, § 21064.5.) The City must also adopt a legally adequate mitigation monitoring or reporting program in compliance with CEQA. (CEQA Guidelines, § 15074, subd. (d).) To comply with CEQA “[t]he reporting or monitoring program shall be designed to ensure compliance during project implementation.” (Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, §§ 15074, subd. (d), 15097, subd. (a).) The City may not simply rely on a “summary” that merely relists the various mitigation measures in the absence of a discussion of implementation or evidence that the measures will be enforced.

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neglected or disregarded.” (*Federation of Hillside & Canyon v. City of Los Angeles* (“Federation”) (2000) 83 Cal.App.4th 1252, 1261.)

Furthermore, an agency will not be allowed to hide behind its own failure to gather relevant data. Specifically, “deficiencies in the record [such as a deficient initial study] may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.” (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311 (*Sundstrom*)). For example, in *Sundstrom* the court held that the absence of information explaining why no alternative sludge disposal site is available “permits the reasonable inference that sludge disposal presents a material environmental impact.” (*Ibid.*)

cont.
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For each resource area discussed below, there is substantial evidence supporting a fair argument of a potentially significant impact. Moreover, the mitigation measures included are not legally adequate and do not sufficiently address the potential impacts. Therefore, an EIR is necessary in order to adequately analyze, disclose and mitigate the Project’s environmental impacts.

II. The MND Fails to Provide an Adequate Project Description and Environmental Setting

Although the Project description that CEQA requires of an MND is less detailed than that of an EIR, the MND must include a complete, accurate description of the Project. (CEQA Guidelines, § 15071.) An accurate, stable and finite project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity. (See *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645,655; *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193 (*County of Inyo*) [(a)n accurate, stable and finite project description is the Sine qua non of an informative and legally sufficient” CEQA document].) The court in *County of Inyo* explained why a thorough project description is necessary:

8-20

A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the ‘no project’ alternative) and weigh other alternatives in the balance.

(*County of Inyo, supra*, 71 Cal.App.3d at 192-93.)

This MND fails to describe all elements of the Project. In particular, the MND fails to include a description of increased maintenance to clear mud and debris that would be needed if a trail is built on the water side of the levee toe due to the frequent flooding of the area. (See Exhibit A, Parkway User Testimony and Photographs Regarding Aesthetic Impacts, p. 10 [showing flooding of Project area] (“Testimony on Aesthetics”).) The MND also fails to discuss all of the likely uses of the Project in its description. The Project would build paved bike trails through the American River Parkway, with the implicit intention of those trails being used. However, accurate information about projected use of the new trail is not included. Such information would provide important insight into the full breadth of the Project and its potential impacts.

In addition, the Project diagrams fail to clearly disclose the proposed location of the Project in relation to existing natural resources and the levees that provide flood protection. (See MND, Figures 1–3.) The figures provided in the MND do not clearly depict the proposed trail Project in relation to other features in the Project area. For instance, existing walking trails are not shown, nor the location of the existing levees to the proposed Project. The Project in relation to the location of sensitive natural resources, such as Heritage trees and Valley elderberry bushes is also not shown, obscuring the Project description.

The MND also fails to disclose likely future actions that would stem from construction of the trail. For instance, the MND fails to acknowledge the potential for future and ongoing impacts to the biological resources through the implementation of Crime Prevention Through Environmental Design (“CPTED”). In CPTED, the City addresses recurring crime or illegal camping at a location by removing vegetation to make that area less attractive for crime or illegal camping. According to the Project website, “The Two Rivers trail will integrate concepts of crime prevention through environmental design (commonly abbreviated as CPTED). The enthusiastic usage of this reach will increase ‘eyes on the trail.’”³ The wooded riparian area along the Project area is extremely narrow, just 60 feet in some places, and any removal of vegetation would dramatically decrease the cover for wildlife and degrade the value of the area as a wildlife corridor. Furthermore, the use of CPTED in many areas would dramatically decrease the visual screen between the levee and the river, degrading the aesthetic value of the area both for users of the path and for boaters on the river.

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³ Available at: <https://www.cityofsacramento.org/Public-Works/Engineering-Services/Projects/Current-Projects/Two-Rivers-Trail-Phase-II>.

Before the impacts of a project can be assessed and mitigation measures considered, an initial study must describe the existing environment. (CEQA Guidelines, § 15063, subd. (d)(2).) It is only against this baseline that any significant environmental effects can be determined. (CEQA Guidelines, §§ 15125, 15126.2, subd. (a); see also *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.) According to CEQA Guidelines section 15125, subdivision (a): “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.” This same requirement applies to a Negative Declaration. (*Communities for a Better Environment v. SCAQMD* (2010) 48 Cal.4th 310, 319.) As the Supreme Court has explained, a comparison must be made between “existing physical conditions without the [project] and the conditions expected to be produced by the project. Without such a comparison, the EIR will not inform decision makers and the public of the project’s significant environmental impacts, as CEQA mandates.” (*Id.* at p. 328.)

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The omission of critical setting information renders the MND deficient as a sufficiently informational document. Specific setting information deficiencies within resource sections of the MND are discussed below. Also, as mentioned above, the MND fails to include sufficiently detailed information regarding the proposed Project’s relationship to the location of other trails, levees, and sensitive natural resources, such as Heritage trees and Valley elderberry bushes, hindering analysis of Project impacts.

III. The MND’s Analysis of Potentially Significant Environmental Impacts is Defective and Mitigation Measures in the MND are Inadequate to Reduce Project Impacts to Less than Significant

The MND concludes without adequate explanation that there would be no impacts associated with Aesthetics, Energy, Noise, Public Services, Recreation or Transportation/Circulation that require mitigation. (MND, p. 103.) With respect to the impacts that the MND does conclude require mitigation, the MND also errs in providing the minimum analysis required by CEQA. Specific deficiencies are described below.

8-21

A. The Project Would Conflict with Existing Land Uses and Designations

Substantial evidence supports a fair argument that the Project conflicts with applicable land use policies, requiring preparation of an EIR. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 617–618 (*San Joaquin Raptor I*); *Stanislaus Audubon Society, Inc. v. County of Stanislaus*

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(1995) 33 Cal.App.4th 144, 151; *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602–1603; see also CEQA Initial Study Checklist [CEQA Guidelines, appen. G, § IX, subd. (b)] [may project conflict “with any applicable land use plan, policy or regulation . . . adopted for the purpose of avoiding or mitigation an environmental effect.”]) The Project, which is proposed to be located within the American River Parkway, must conform with applicable plans.

The MND incorporates by reference and tiers off other planning documents including the 2035 General Plan Master EIR (“Master EIR”) (MND, p. 4), the American River Parkway Plan 2008 update (“Parkway Plan”) (MND, p. 5), and the Sacramento Bicycle Master Plan (“Master Plan”) (MND, p. 29). However, the Project, as currently proposed, conflicts with these documents. Substantial evidence supports a fair argument that the Project, proposed to be located within a specially protected area, conflicts with these applicable land use policies, and thus an EIR is required. (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 931 (*Pocket Protectors*)).

1. MND Land Use Setting Discussion Is Incomplete

The MND fails to recognize the special status of the American River Parkway. The Parkway is protected by the American River Parkway Plan and is a federal and state designated Wild and Scenic River.⁴ Furthermore, in 2017, the American River Parkway attained state conservancy status. (Pub. Resources Code, § 5845 et seq. [creating Lower American River Conservancy Program].) Each of these designations come with protections and considerations, and further cement the American River’s regional importance. The Land Use setting discussion, should have, but does not describe these protections.

2. The Project Is Inconsistent with the City of Sacramento General Plan

The Master EIR concluded that policies in the City’s General Plan, combined with compliance with the California Endangered Species Act (“CESA”), Natomas Basin Habitat Conservation Plan (“NBHCP”) and CEQA would minimize the impacts on special-status species to a less-than-significant level. (See Master EIR, pp. 4.3-10 to 4.3-17.) However, the Master EIR contemplated impacts resulting from a trail at the crown

⁴ Pub. Resources Code, § 5093.54, subd. (e) (state designation) and 16 U.S. Code § 1274, subd. (a)(21) (federal designation); see also American River Parkway Plan, pp. 9, 89–92.

cont.
8-22

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of the levee both by relying on the American River Parkway Plan and considering completion of the Project in 2014. (See Master EIR, pp. 2-36, 4.3-19.)

Policy ER 2.1.5 calls for the City to preserve the ecological integrity of creek corridors and other riparian resources. (Master EIR, p. 4.3-7.) The Project would encroach on valuable riparian habitat, protected trees, and special status species habitat. (MND, pp. 39-43.) As discussed below, the MND underestimates many of the Project's potential biological impacts despite evidence to the contrary submitted herein. The Project's impacts on the riparian resources of the American River Parkway violate Policy ER 2.1.5.

3. *The Project Is Inconsistent with the American River Parkway Plan 2008 Update*

The MND incorrectly asserts that the Project is consistent with the Parkway Plan, despite the Project's fundamental conflicts with the Parkway Plan policies. (MND, p. 5; see Exhibit L, Two Rivers Trail Phase II: Inconsistencies with the American River Parkway Plan ("Parkway Plan Inconsistencies").) First and foremost is the inconsistency between the Project's trail design and Parkway Plan policy 10.4.2. Policy 10.4.2 requires the Two Rivers Trail extension to be constructed on top of the levee where feasible. (Parkway Plan, p. 38.) The Project wholly discounts the possibility of a levee crown trail with a vague explanation of geotechnical, maintenance, and neighborhood concerns. (MND, p. 5.)

The MND does not further discuss or ever actually analyze the feasibility of a top of levee trail alignment for the Project. As can be seen from the photo below, much of the Parkway bike trail is already located on top of the levees. The feasibility of placing the trail Project on the levee, or other less environmentally damaging alternatives, must be fully considered.



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8-22

Recreational multi-use path along the Sacramento River.



(City of Sacramento General Plan, p. 2-266.)

Paradise Beach, designated as a “Protected Area” under the Parkway Plan (Parkway Plan, p. 164), makes up a significant portion of the project area. (MND, p. 5, 10, 21.) Protected areas “contain tracts of natural occurring vegetation and wildlife . . . [which] would be easily disturbed by heavy use.” (Parkway Plan, p. 117.) Protected areas should only have “minor trail improvements, trail stops [and] observation points” to prevent encroachment into sensitive natural communities. (*Ibid.*) More specifically to Paradise Beach, the Parkway Plan cautions against the development of “[p]ermanent structures and any other physical changes that would attract groups of users” due to limited access, annual flooding, and unstable soil. (*Id.* at 164.) Paradise Beach “should remain an informal recreation area” to preserve existing uses and prevent further degradation. (*Ibid.*) The Project would flout each of these requirements by encroaching onto natural communities (see MND, pp. 39-43) and bringing substantially more visitors to the Paradise Beach area (see MND, p. 86).

The Project is also inconsistent with the Parkway Plan’s goal to “provide, protect, and enhance for public use” the American River greenbelt. (Parkway Plan, p. 10.) The Project would prioritize a single use, bicycle transportation, at the expense of numerous existing uses, such as dog-walking, family recreation, family recreation. Notably, improving transportation is not included as a Parkway Plan goal. (Parkway Plan, p. 10.) The Project would not “preserve, protect [or] improve the natural, archaeological, historical and recreational resources of the Parkway” but instead encroach on and impact

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8-22

these resources. The design and site decisions for the Project create irreconcilable conflicts with the Parkway Plan, which the MND does not disclose or mitigate.

Substantial evidence supports a fair argument that the Project is inconsistent with the Parkway Plan’s goals and policies. (See also Exhibit L, Parkway Plan Inconsistencies.) Therefore, an EIR is required to disclose and analyze these land use inconsistencies. (*Pocket Protectors, supra*, 124 Cal.App.4th at 931.)

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4. The Project Is Inconsistent with the Sacramento Bicycle Master Plan

The Master Plan “set[s] forth bicycle related investments, policies, programs, and strategies[.]” (Master Plan, p. 1.) One goal of the Master Plan is increasing equitable investments in bicycling facilities for all neighborhoods by 2020. (Master Plan, p. 2.) According to testimony by Jim Brown, of SABA, at the October 18, 2018, meeting of the Sacramento Active Transportation Advisory Committee, many of “projects in the [Bicycle Master] Plan [have been in the Plan] for years and years.” (See Sacramento Active Transportation Commission video, time register approximately 42 minutes).⁵ Despite this goal, the Project would devote considerable resources to serve one of the least disadvantaged areas of the City in terms of bicycle facilities.

8-23

The Master Plan identifies East Sacramento as well served by existing bicycling infrastructure. (Master Plan, p. 32 [Equity Analysis Composite Index]; see also Exhibit D, Master Plan Excerpt.) Yet, this \$6.4 million project, which duplicates a world-class bicycle trail that already exists on the north side of the American River, and for which an on-road alternative route already exists that was recently built on Elvas Avenue, uses limited active transportation funds. (See Exhibit D, Master Plan Excerpt [Class II trail on Elvas Avenue].) Many areas in the City are substantially less served by existing bicycle infrastructure than the Project area, and these resources would be better served there. (*Ibid.*) Devoting such considerable resources to this Project would be contrary to the Master Plan’s equity goals.

B. The Project May Have Potentially Significant Aesthetics Impacts

“Relevant personal observations of area residents on nontechnical subjects may qualify as substantial evidence for a fair argument. (*Pocket Protectors, supra*, 124 Cal.App.4th at 928, 931.) “[T]he opinions of area residents, if based on direct

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⁵ Available at: http://sacramento.granicus.com/MediaPlayer.php?clip_id=4274.

observation, may be relevant as to aesthetic impact and may constitute substantial evidence in support of a fair argument; no special expertise is required on this topic.” (*Id.* at 937.) The concerns and observations regarding the “overall degradation of the existing visual character of the [project] site” can constitute substantial evidence sufficient to raise a fair argument of aesthetic impacts. (*Ibid.*)

Here, Parkway users have significant concerns regarding how the Project would impact the existing visual character of the American River Parkway. (See Exhibit A, Testimony on Aesthetics, pp. 1, 4-7.) Parkway users state that the Project “would drastically change the nature of th[e] trail and degrade . . . this special area. (*Id.* at p. 1.) Clearing the existing trail and vegetation to create the paved trail would “affect the immediate viewshed and the natural experience [it] affords” and the paved trail “would be more naked and hardened[.]” (*Id.* at p. 4.) “Paving th[e] trail will substantially damage scenic resources, including not only the endangered elderberries scattered along the trail and the . . . creatures that feed on them, but also disturb[] the entire ecosystem.” (*Id.* at p. 6.) “[V]isual encounters with nature bring daily peace to all who have access to [the Parkway]” and the Project’s alignment and design directly threaten that scenic resource. (*Ibid.*)

The Project area currently primarily exists in a natural state, including native and non-native trees and shrubs, sand, dirt, brush, habitat and other natural features unique to a riparian area. (MND, p. 21.) In comparison, the Project would be comprised of wide asphalt paths, flanked by decomposed granite, ranging from 14 to 22 feet. (MND, p. 9-10.) Residents who neighbor and frequent the Project area consider these changes to be a substantial degradation of the existing aesthetic character of the Project area. (See Exhibit A, Testimony on Aesthetics, pp. 1, 4-7.)

A comparison of trail sections from Phase I of the Project and the current Project area exemplify the stark aesthetic changes that would result from a change to a Class I bicycle trail:

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(Exhibit A, Testimony on Aesthetics, p. 2.) As can be seen in the photos provided in Exhibit A, the Project area is currently characterized by a dirt trail, which is very narrow at times, adjacent to and overhung by riparian vegetation and trees; this vegetation provides shade and the experience of being in nature for those who use the area. If the planned vegetation removal takes place (MND, pp. 17, 38-39, 41), much of this area would no longer be shaded and the wider trail, which in narrow sections of the lower bench would remove all vegetation on the lower toe, would feel and function much more like a transportation corridor. Parkway users have explained these changes would essentially destroy the characteristics of the area that create its aesthetic value. “The walking experience on [the existing] trail is like no other experience . . . in Sacramento To pave it is to lose this experience forever.” (Exhibit A, Testimony on Aesthetics, p. 3.)

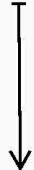
The impacted residents’ concerns, along with the differences in aesthetic character between the proposed Project and existing conditions, constitute substantial evidence of a fair argument the Project may have significant aesthetic impacts. (*Pocket Protectors*, *supra*, 124 Cal.App.4th at 937–939.) Therefore, an EIR for the Project must be completed to fully evaluate the Project’s aesthetic impacts and consider all of the relevant evidence.

C. The Project May Have Significant Impacts on Recreation

Recreational impacts are another non-technical subject area wherein local residents’ concerns and observations can provide substantial evidence of a fair argument. (See *Pocket Protectors*, *supra*, 124 Cal.App.4th at 937-939.) Here, similar to aesthetics, Parkway users who neighbor and frequent the Project area are concerned over drastic



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changes in recreational opportunities that would occur if the Project was constructed. (Exhibit A, Testimony on Aesthetics, pp. 1, 6–7.)

1. *The MND Fails to Disclose Baseline Recreational Use of the Project Area*

The MND presents a truncated and incomplete description of baseline recreational use of the Project area, hindering analysis of the Project’s impacts on recreation. (MND, p. 85.) In particular, the MND fails to describe the existing heavy pedestrian use of the Project area.

In order to help determine baseline use of the area of the area adjacent to the Glen Hall access to Paradise Beach (Segment 5; MND, Figure 3), Save Don’t Pave members collected data using volunteers starting on May 29, 2018 and ending on August 17, 2018. This data is compiled in Exhibit C, Baseline Recreational Use Data. To prepare for data collection, volunteers were provided with on site training regarding the different categories of data being collected and the optimal location for viewing use of Segment 5 of the Project area. Observation shifts lasted for no more than two hours. Shifts were scheduled to cover all daylight hours for one weekday and one weekend day, however they were not completed all on one day, but rather staggered over a few months as volunteer time allowed. Data was collected over a total of 8 weekday shifts, covering the hours from 5:30 a.m. to 9 p.m., and a total of 7 weekend day shifts, covering the hours from 5:30 a.m. to 7:30 p.m. Volunteers were set up facing the levee, and were instructed to categorize users as either: (1) primarily using the top of the levee; (2) primarily using the bottom of the levee; or (3) cross traffic (crossing the bottom of the levee to access the river area). Individual user types were categorized as Adult Pedestrians, Pedestrians appearing to be under 12 years old, Dogs, Runners/Joggers, Bikers, or Other. Survey results are compiled in Exhibit C, Baseline Recreational Use Data.

During the weekday observation shifts, Exhibit C, Baseline Recreational Use Data, depicts that volunteers observed a total of 207 individual users may, in a single day, utilize the top of the levee. 201 individual users may utilize the bottom of the levee, and 667 individual users may cross the lower levee trail. During weekend day shifts, volunteers observed that in a single day, a total of 342 individual users may be on the top of the levee, 286 individual users may be at the bottom of the levee, and 1,365 individual

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users crossing the lower levee trail.⁶ This survey data shows that this area of the Parkway is heavily used on both weekdays and weekends by a variety of recreational uses. These uses should have, but were not, considered in the MND's analysis of recreational or other impacts, as described in this comment letter.

2. *The MND Fails to Disclose the Project's Potentially Significant Recreational Impacts*

The MND relies on a false premise for its recreation impacts analysis: that the Project would "expand recreational opportunities . . . by offering a paved multi-use trail." (MND, p. 86.) In fact, the Project would expand one recreational opportunity, biking, at the expense of the existing uses valued by local residents. Just because the City considers these uses to be "informal" (MND, p. 86) does not mean these uses are not worthy of consideration in the MND (see Parkway Plan, p. 164 [as a Protected Area, Paradise Beach should remain an "informal recreation area" to preserve existing uses]).

The MND also fails to consider the potential conflict between recreational uses due to the Project. The Project would introduce new users, and a new use, to the Project area, competing for space. Cyclist use of the trail would be incompatible with existing uses and takes up considerable space. Existing uses would be relegated to a trail shoulder, which would be restricted due to space limitations. (MND, p. 86 [gravel shoulders would be downsized when toe space is limited].) The paved trail would not be limited in such a way. (*Ibid.*) Instead of "taking a leisurely walk along a quiet path thick with wildlife," pedestrians would be forced to be on the lookout for commuting bikers. (Exhibit A, Testimony on Aesthetics, p. 1.) According to the Baseline Recreational Use Data, 1,565 users may attempt to cross the proposed bike path on a weekend day. (See Exhibit C.) Moreover, increasing the number of users in the Project area could accelerate or cause substantial deterioration of the existing recreation facilities, but the MND does not consider this impact.

The aesthetic character of the Project area is a recreational feature as well, and is the primary draw for many users. (Exhibit A, Testimony on Aesthetics, pp. 1-7.) Existing users interact with and appreciate the natural riparian habitat. In a survey conducted by Save Don't Pave of 137 local residents asking about their use of the Project area, over 75 percent cited the natural condition of the area as a principal draw. (Exhibit

⁶ It should be noted that the weekday data includes a shift from 7:30 p.m. to 9 p.m. that is not included in the weekend day data, so likely the weekend day totals would have been even higher than weekday totals if the shifts had covered equal time.

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B, Survey of American River Parkway Trail Users (June-Oct. 2018), pp. 2-3 (“Parkway User Survey”).) Bird watching and other recreation involving native species would also be impacted, given the Projects impacts to species habitat. (MND, pp. 40-43.) In order to construct and maintain a 14 to 22-foot trail, many of the natural elements that are the defining characteristics of this existing recreational facility would be significantly impacted. (See MND, p. 39.) Yet the MND does not consider the loss of scenic enjoyment as a loss of recreational opportunity, though the Project would drastically change the character of the area.

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Pedestrians currently use the existing trails and frequent the Project area largely because of its unpaved, natural, and riparian character. (Exhibit A, Testimony on Aesthetics, pp. 1-7; Exhibit B, Parkway User Survey, pp. 2-3.) Increased use of a paved trail for recreation and commuting by cyclists would displace at least of portion of these users and thus would cause a substantial physical deterioration of the existing recreational facilities for those users. The Parkway users’ concerns and the Project’s incompatibility with existing uses constitute substantial evidence supporting a fair argument the Project would have significant recreational impacts. For this reason, an EIR is required to fully evaluate how, and to what extent, existing uses would be impacted.

D. The Project May Have Significant Air Quality Impacts

The MND concludes that the Project would not result in any significant air quality impacts and no mitigation is required. (MND, p. 23.) The MND fails to account for impacts associated with maintenance of the Project in areas that frequently flood on the water side of the levee. (See, e.g., Exhibit A, Testimony on Aesthetics, p. 9 [showing flooding, which is frequent in winter].) In addition, though recognizing the expected increase in usage of the area (MND, p. 90) and shortage of parking at Glenn Hall Park (MND, p. 85; ARPP, p. 164), the MND fails to address increased vehicular air emissions and other impacts from Parkway users searching for parking. All of the air quality impacts of the Project, including emissions during operations, must be adequately disclosed before any action on the Project is taken.

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E. The Project May have Significant Impacts on Biological Resources

The MND recognizes that the Project would have some impacts on protected species and their habitats in the Project area (MND, p. 31), and included corresponding mitigation measures to allegedly lessen those impacts to below significant levels (MND, pp. 44-52). The Valley Elderberry Longhorn Beetle (“VELB”) and protected trees in the Project area would be particularly impacted by the Project’s construction and operation.

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(MND, pp. 38-41.) Contrary to the MND’s conclusions, impacts on biological resources may be significant, and alternatives and mitigation measures to avoid or reduce those impacts were not properly considered.

1. MND’s Description of Biological Resource Setting is Inadequate

The MND fails to disclose that early specimens used to describe this species were collected from the area (U.S. Fish and Wildlife Service 1984). When the VELB was listed as a threatened species under the federal endangered species act by the US Fish and Wildlife Service in 1980 VELB was known from only 10 locations, and this stretch of the American River was one of them (U.S. Fish and Wildlife Service 1984). Currently, portions of the American River Parkway are thought to support some of the most dense populations of VELB known to occur (Talley et al 2007.) The MND fails to describe the importance of the Two Rivers Phase II project area to VELB. Without this perspective, the MND fails to provide a meaningful evaluation of the significance of Project impacts and the adequacy of proposed mitigation.

2. Significant Impacts to VELB and VELB Habitat

VELB is a listed as a threatened species under the Federal Endangered Species Act. (MND, p. 35.) The Project area is abundant within the Project area, and evidence indicates a VELB presence as well. (MND, p. 38.) The Project would impact a large number of elderberry shrubs in this important area for VELB. (MND, p. 38.) For Sections 1 and 2 of the proposed Project, the preferred Alternative 1 would have a more severe impact than Alternative 2, 22 permanent removals of bushes demonstrating VELB presence. (MND, p. 32.) The MND does not discuss why Alternative 1, despite having a more significant impact on VELB habitat, is the preferred alternative, or why Alternative 2 is infeasible. Nor does the MND properly consider other alternative siting to avoid or reduce VELB impacts.

In addition, it appears that the MND may underestimate the number of elderberry shrubs that could be impacted by the proposed Project. The U.S. Fish and Wildlife Service 2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (“FWS Framework”) and the MND both state that impacts to elderberry shrubs, and therefore to VELB, may occur as a result of projects within 165 feet of elderberry shrubs. (Exhibit E, FWS Framework, pp. 9-10, 14; MND, p. 9.) The FWS Framework also states that, “Activities that may damage or kill an elderberry shrub (e.g., trenching, paving, etc.) may need an avoidance area of at least 6 meters (20 feet) from the drip-line depending on the type of activity.” (Exhibit E, FWS Framework, p. 11.) Surveys for

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elderberry shrubs in the Project area found a total of 501 elderberry shrubs within 165 feet of the Project footprint. (MND, p. 39.) However, the MND reports that only some (i.e. 43- 51 shrubs that would be permanently removed and 56 that would be trimmed) of the 501 elderberry shrubs that would be impacted by the project. (MND, p. 39.) The MND does not provide an explanation for why all 501 elderberry shrubs would not be impacted. The MND should have included an analysis about why elderberry shrubs that could be impacted (i.e. are located within 165 feet of the project or where paving will occur within 20 feet of a shrub) would not be affected by the Project.

The MND also likely underestimates the impacts to VELB for Segments 1 and 2 of the proposed Project. Because there is currently no funding for these segments and because a preferred alignment has not yet been selected, there would likely be a number of years before these segments can be constructed. Elderberry shrubs are likely to grow and increase in number during this time. Therefore, it is inappropriate to estimate VELB impacts for Segments 1 and 2 at this time.

The MND indicates that mitigation for impacts to VELB would be accomplished by purchasing credits from an unspecified mitigation bank. (MND, p. 43.) Yet the FWS Framework emphasizes the importance of keeping mitigation close to the site of impact. (Exhibit E, FWS Framework, p. 12.) The Framework also recommends making purchases at a 3:1 ratio for disturbed riparian habitat. (Exhibit E, FWS Framework, p. 14.) The MND, in comparison, specifically calls for off-site credit purchases, and only at a 1:1 ratio despite that riparian habitat would be permanently impacted. (MND, p. 46.)

In addition, it appears that the City proposes to transplant the 56 elderberry shrubs that would be trimmed. The MND states that the City will relocate elderberry shrubs as close as possible to their original location but only if, “1) the planting location is suitable for elderberry growth and reproduction; and 2) the City is able to protect the shrub and ensure that the shrub becomes reestablished.” (MND, p. 49.) In fact, many places in the roughly one mile extending east from the I-80 bridge where plantings and relocations could be critical in closing gaps in elderberry extent and VELB habitat connectivity. The MND does not provide any assessment of whether these criteria may be met by selecting sites in close proximity to the impacted habitat. VELB is patchily distributed within riparian habitat and thus mitigation must be implemented to prevent habitat fragmentation that adversely affects VELB breeding, foraging and dispersal. (Exhibit E, FWS Framework, p. 8-9.) Given the large number of shrubs the Project would impact, and the uncertainty about where shrubs would be transplanted and where mitigation would take place, it is not clear whether impacts to VELB would be mitigated to a less than significant level.

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Mitigation Measure 3-6 proposes to compensate for the permanent removal of riparian vegetation by purchasing off-site credits at a mitigation bank or replanting riparian trees and shrubs at a 1:1 ratio. Although this may be consistent with the City’s General Plan policies, this ratio of compensation is below recommendations for mitigating for impacts to riparian habitat. (See Exhibit E, FWS Framework, p. 14.) The MND should include mitigation measures consistent with VELB-specific recommendations by other government agencies.

3. *Significant Impacts to Protected Trees*

Construction of the proposed trail would result in the removal of numerous trees. (MND, p. 35.) The Project would also adversely affect trees by requiring tree trimming for equipment access and conducting ground-disturbing activities within the dripline of protected trees. (*Ibid.*) The MND admits that the impacts to protected trees would be significant. (MND, p. 38.) However, the existing mitigation measures are inadequate and have significant blind spots that limit their effectiveness. Given the potentially significant impacts, the City Arborist should be involved throughout the construction process, or a consulting arborist should be on the Project team.

The number of trees removed and trimmed within Segments 1-2 is not disclosed in the MND. These Segments would be constructed in the future; therefore, the current size of trees and portions of trees overhanging the project footprint may differ from current conditions. This problem also relates back to the connectivity issue for bike trails: if Segments 1-2 have no construction plan, then this really is a “trail to nowhere” and does not provide connectivity.

The trees within Segments 1-2 are within riparian habitat and co-occur with elderberry shrubs. Segments 3-6 of the proposed Project would permanently affect (remove) 22 trees and temporarily affect (trim) approximately 72 additional trees located within the project footprint. (MND, p. 38.) Each tree proposed for removal should be inventoried by a consulting arborist.

All trees identified for removal are located within the valley foothill riparian vegetation community. (MND, p. 38.) The MND states that of the trees to be removed, four trees are protected under the City’s Heritage Tree Ordinance, citing City of



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Sacramento Municipal Code 12.64.020. (MND, p. 38.) In fact, this Ordinance has been repealed and replaced so this entire analysis in the MND is based on superseded law.⁷

Current Sacramento City Code section 12.56.040 requires modification “of public projects to avoid the removal or damage to city trees.” The MND makes no attempt to explain how the Project complies with this code section, as it relies on the prior version of the City Tree Ordinance. The Project design and alignment does not reflect any consideration for avoiding the removal or damage to City trees.

The City’s heritage tree ordinance protects trees of any species with a circumference of 100 inches or more; California native oak, buckeye, and sycamore trees with a circumference of 36 inches or greater; and/or trees of any species with a circumference of 36 inches or greater in a riparian zone. (See Exhibit F, Tree Permits & Ordinances Webpage.)⁸ The Project area includes trees that are covered by the new ordinance, including two black locust trees (with DBHs of 50 inches and 45 inches), one cork oak (DBH of 40 inches), and one Fremont cottonwood (DBH of 50 inches). (MND, p. 38.) The MND fails to analyze protected tree removal under the ordinance that applies to the Project and must be corrected.

During operations and maintenance, dead, dying, and hazard trees may be trimmed or removed. (MND, p. 38.) Dead and dying trees provide critical habitat for birds and other wildlife. Removal of such habitat could pose a potentially significant impact to protected species habitats. Thus, any proposed removal should be done under the stewardship of a wildlife/bird naturalist.

The MND claims that Heritage trees and other trees identified for removal within the Project footprint are owned by the City of Sacramento. (MND, p. 38.) This assertion is not necessarily true. The ownership map developed by the Lower American River Conservancy shows this land as being County owned. (See Exhibit G, Boundary and

⁷ Sacramento City Code 12.56 was amended and adopted by Sacramento City Council on August 4, 2016. The new tree ordinance amends section 2.62.030 & 8.04.100, and deletes chapter 12.60 & 12.64 of the Sacramento City Code, related to trees.

⁸ Available at <https://www.cityofsacramento.org/Public-Works/Maintenance-Services/Trees/Permits-Ordinances>. While the Project trees are not City trees, per se, the intent to require modification in order to avoid removal or damage to trees in City projects is implied.

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Ownership Map, p. 1.)⁹ This is why an agreement between the City and County is required to build and operate the trail. (See MND, p. 18.) Conflicts over tree removal and County property can only be resolved if the City prepares a full EIR.

4. Mitigation for Potentially Significant Biological Impacts is Inadequate

The following mitigation measures in the MND are inadequate, as described below.

Mitigation Measure 3-1: Conduct Worker Environmental Awareness Training Program Regarding Special-status Species and Sensitive Habitats prior to Construction.

Comment: This mitigation measure should include education on tree survival needs.

Mitigation Measure 3-2: Install Temporary Fencing Around Environmentally Sensitive Habitat Before any ground-disturbing activity occurs within the project footprint, the City shall ensure that temporary construction barrier fencing, silt fencing, and/or flagging is installed between the work area and environmentally sensitive habitat areas (i.e., waters of the U.S. and State, riparian vegetation, special-status species habitat, active bird/raptor nests to be avoided), as appropriate. Construction/maintenance personnel and construction/maintenance activity shall avoid fenced environmentally sensitive areas. The exact location of the fencing and/or flagging shall be determined by the resident engineer coordinating with a qualified biologist, with the goal of protecting sensitive biological habitat and water quality. No ground disturbance or vegetation removal activity shall be allowed until this condition is satisfied. The fencing/flagging shall be checked regularly and maintained until all work is complete. For construction, any required barrier or sediment fencing and a note reflecting this condition shall be shown on the final construction documents.

Comment: In order to preserve trees during and after construction, fencing location needs to be determined with consultation of a trained arborist. That is not included in this mitigation measure.

Mitigation Measure 3-4: Return Temporarily Disturbed Areas to Pre-Project Conditions
All temporarily disturbed areas shall be returned to pre-project conditions within one year following completion of construction/maintenance. These areas shall be properly

⁹ Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=154999>.

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protected from washout and erosion using appropriate erosion control devices including coir netting, hydroseeding, and revegetation.

Comment: In order to preserve trees during and after construction, any activity within the trees' driplines needs to be determined with consultation of a trained arborist. That is not included in this mitigation measure.

Mitigation Measure 3-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees In accordance with policies stated in the City's General Plan, to compensate for the permanent removal of riparian vegetation associated with the trail construction, the City shall purchase off-site credits at a mitigation bank or replant riparian trees and shrubs at a 1:1 ratio (e.g., 1 acre planted for every 1 acre removed) ... If an onsite or offsite City-responsible mitigation site is used, the City shall accomplish riparian habitat compensation by implementing the following: after completion of the trail design, the City shall total the number, type, and size of all trees and shrubs to be removed and prepare a planting plan that identifies the location of the riparian mitigation plantings and the number, type, and size of plants ... The City will be responsible for planting, replanting, watering, weeding, invasive exotic eradication, and any other practice needed to ensure this goal ... To ensure success of the mitigation plantings, the City shall prepare and implement an adaptive management plan that identifies specific monitoring tasks, success criteria, and reporting requirements. If mitigation bank credits are purchased, the credits must be purchased at a CDFW-approved site.

Comment: As discussed above, the 1:1 mitigation ration is not adequate to protect VELB in the Project area. Additionally, a 1:1 mitigation ratio does not account for any replacement or replanting failures. Potential off-site mitigation sites are not described in the MND. In order to protect the Parkway, mitigation should occur within the Parkway, not in other regions. Lastly, it is not evident from the MND whether the costs of this mitigation measure – which have been estimated to be over \$1 million – is covered by the Project budget.

Mitigation Measure 3-7: Monitor During Ground Disturbance and Vegetation Removal A qualified biological monitor shall be present during all project activities requiring ground disturbance or vegetation removal within the construction area and shall make weekly monitoring visits to construction/active maintenance areas occurring in or adjacent to environmentally sensitive habitat areas, (i.e., waters of the U.S. and State, riparian vegetation, special-status species habitat, active bird/raptor nests) ...

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Comment: As with other mitigation measures, the inclusion of the City arborist or a contracted arborist is critical for any measure that could result in harm to protected trees.

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F. The Project would Result in Potentially Significant Cultural Resources Impacts

The MND recognizes that built environmental resources and archeological resources exist in the Project area. (MND, pp. 56-57.) According to the MND:

Levee Unit 118 Part 1 (American River South Levee) is considered significant under National Register of Historic Places Criterion A within the context of flood management and for its association with the SRFCP... Levee Unit 118 Part 1 is also considered to be a historical resource for the purposes of CEQA.

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(*Ibid.*) Segment 4 of the trail Project, which is approximately 0.25 miles long, “would be constructed on the water side slope on an artificial bench offset from the top of the levee” and “include a small retaining wall along the inner edge of the trail.” (MND, pp. 9-10.) The MND’s conclusion that the proposed Project “would not alter the character-defining features of the levee” (MND, p. 56) is incorrect at least as to Segment 4, which would alter the character of Levee Unit 118 Part 1. The MND fails to address this potentially significant effect. Moreover, the failure to adequately depict the Project within its cultural setting in readily understandable figures within the MND renders the MND deficient as an informational document.

G. The MND Ignores Past Geotechnical Issues in the Project Area its Geology and Soils Analysis

The MND does not provide any analysis regarding potential erosion at the Project site, and instead makes a blanket assertion that City Standard Construction Specifications will be sufficient to avoid significant impacts. (MND, p. 67.) This lack of analysis ignores potentially significant impacts that can occur despite following relevant codes and standards.

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Recent experience showcases this shortsighted approach. Phase I of the Two Rivers Trail project encountered geotechnical issues, which led to change orders costing over three hundred thousand dollars. According to a January 9, 2007 City of Sacramento staff report to City Council regarding Phase I construction costs:

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The Geotechnical Engineers report found that the existing soil used to construct the original levee did not meet the current Department of Water Resources or American River Flood Control District's new specifications for levee fill material.

(Exhibit H, Two Rivers Trail Phase I Staff Report, January 9, 2007, p. 2.)

The MND states that:

Because the design, construction, and maintenance of levee improvements must comply with the regulatory standards of USACE and CVFPB, it is assumed that the design and construction of all levee modifications to accommodate placement of the trail would meet or exceed applicable design standards for static and dynamic stability, seismic ground shaking, liquefaction, subsidence, and seepage.

(MND, p. 67.) Given the City's experience with Phase I, geotechnical evaluations should be completed as part of the overall environmental analysis in order to evaluate the cost and feasibility of meeting these standards and to adequately evaluate impacts. Mitigation Measure 6-1 impermissibly defers mitigation by delaying the preparation of a final geotechnical investigation of the Project, until after Project approval.

H. The Project would Result in Potentially Significant Hazards Impacts

1. *The MND's Hazards Environmental Setting Omits Crucial Details Necessary to Understand the Project's Potential Impacts*

The environmental setting under the MND hazards section is lacking in critical information. (MND, p. 69.) While the MND notes that the Project area for trail segments 1 and 2 were historically used for waste disposal, no further detail is given. (*Ibid.*) Instead, the MND refers readers to the Phase I Environmental Site Assessment for "additional details." (*Ibid.*) A description of this potential impact must be included in the MND. The hazards section environmental setting also does not provide any relevant information regarding the alternative routes in Segments 1 and 2. The biological resource section differentiated between elderberry bush impacts based on trail alignment (see MND, p. 39); if such differences exist between the two trail alignments with respect to potential hazard impacts, that should be disclosed in the MND. Given that Mitigation Measure 7-1 only applies if the preferred alternative is selected, it appears that there are

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some differences based on potential trail alignment. (See MND, p. 71.) More information is therefore needed regarding hazards in the segments 1 and 2 Project area.

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I. Hydrology and Water Quality Impacts are Potentially Significant

1. *The MND Fails to Provide an Accurate Description of Baseline Hydrological Conditions*

According to local residents familiar with the Project area, the path at the toe of the levee can become submerged when the river is high, sometimes for multiple weeks in recent years. (See, e.g., Exhibit A, Testimony on Aesthetics, p. 10.) The MND does not disclose or analyze this possibility, despite the fact the Project trail would be paved right through flood-prone segments of the south bank. This flood-risk also comes with several potential impacts, including increased trail maintenance to clear mud and debris, increased repairs, which increases air pollution. The MND does not contemplate such a possibility, let alone analyze the resulting impacts.

2. *The Trail Alignment Would Pose a Potentially Significant Flood Risk*

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The MND hydrology and water quality section takes a truncated view of the Project's potential impacts, omitting discussion of entire potentially significant impacts. The MND only acknowledges potential runoff of contaminants during construction activities, caused by erosion and storm water runoff. (MND, p. 74.) However, the MND ignores how the Project's trail alignment would expose the Project, nearby residents, and visitors to potentially significant flood risk.

The Project trail alignment was developed both after the Parkway Plan and the Two Rivers Trail Concept Plan ("Concept Plan"). (See MND, p. 5.) As the MND acknowledges, the mid-levee "bench" alignment would pose a risk to levee performance. (MND, p. 5.) Despite this concern, the Project opts for a mid-levee alignment for Segment 4 of the trail. (MND, pp. 9-10.) The MND does not reconcile the potential to impact levee integrity or maintenance with the decision to use the mid-levee alignment. The MND itself contains evidence of a fair argument of a potentially significant flood impact.

Moreover, the Lower American River Task Force ("Task Force") has identified four segments of the American River's south bank, all in the Project area, as "immediate threat[s] of failure[.]" (See Exhibit I, Lower American River Task Force, Bank

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Protection Working Group, March 13, 2018 Update [“Task Force Presentation”], pp. 9, 11.) The MND fails to analysis these existing conditions and the Project’s effect on them. Some grading activity will occur in segments 5 and 6, which directly overlap the segments the Task Force identified. (See MND, p. 10.)

3. *The MND Fails to Consider the Potential Water Quality Impact of Increased Fecal Coliform*

The Project would increase visitors to the American River Parkway (see, e.g., MND, p. 90), but does not include additional restroom facilities, nor additional trash receptacles. This increase in visitors can be expected to result in an increase in human and dog feces in the area along the trail. Yet, the MND considers only those impacts related to construction and fails to consider any impacts related to increased contamination from feces from humans or dogs. (See MND, p. 74.)

As the new trail would be on the river-side of the levee, any rain event would mobilize fecal contamination into the river. Dog waste is a significant cause of storm water pollution, and particularly, elevated levels of fecal coliform bacteria. (See Exhibit J, *Microbes and Urban Watersheds: Concentrations, Sources, & Pathways*, pp. 69-70.) While the Water Quality Control Plan for the Sacramento River and San Joaquin River basins limits fecal coliform levels to not exceeding 200 colonies per 100 mL for the geometric mean of five samples taken over a 30 day period, storm water runoff in urban areas can have levels of 15,000 or even 22,000 colonies per 100 mL. (*Id.* at 70.) Just one gram of dog feces is estimated to contain 23 million fecal coliform bacteria. (*Id.* at 74.) During storms or floods, contaminated water would drain directly into the American River without any treatment.

The Project does not include additional drainage facilities to address water quality impacts from, increased fecal coliform. Similar to the case of *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1197 (city required to analyze potential environmental impacts from increased visitors with dogs), this Project would also result in significant water quality effects.

There is substantial evidence supporting a fair argument that the Project would cause significant water quality impacts by contaminating the American River, and therefore an EIR is required. Further, additional mitigation, such as proper signage and additional design modifications could alleviate this potential impact.

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J. Project Noise Impacts are Potentially Significant

The MND fails to acknowledge how the Project would potentially increase noise levels claiming there would be no noise impacts. (MND, p. 103.) The MND overlooks several potential sources of noise that would result from the Project including: new trail users playing music with portable speakers; the potential for 24-hour use of the trail leading to unacceptable levels of nighttime noise; and that more pedestrians may use the top of the levee to avoid conflicts with bicyclists on the paved trail, creating new sources of noise closer to residents. However, because the MND fails to consider these potential impacts, it is impossible for the public to understand the extent of the Project’s potential noise impacts.

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K. Project Impacts on Public Services are Potentially Significant

1. *The MND Fails to Accurately Describe Baseline Illegal Camping Activity in the Vicinity of the Project Area*

The MND makes no mention of illegal camping activity that occurs in the vicinity of the Project area. The area immediately adjacent to the Project area has a perennial homeless population, particularly near Sutter’s Landing Regional Park and along the American River south bank. (See Exhibit K, Homelessness in Sacramento County: Results from the 2017 Point-in-Time Count, p. 48 (“Point-in-Time Count”).) The 2017 Point-in-Time Results likely underestimate the number of unsheltered people living along the American River Parkway, because much of the area was flooded at the time the count was done. (Exhibit K, Point-in-Time Count, pp. 25-26.) In the absence of the flooding, the number of people along the bikeway would likely have been substantially higher.

8-33

These locations along the American River Parkway are all accessed by the paved bike trail that connects directly to the services and concentrations of unsheltered people in the north downtown area. The bike trail provides an off-street, paved surface, that allows for the transport of shopping carts and other carts, and bikes heavy with baggage. Crucially, these locations along the parkway are all within 2.5 miles—by paved, off-street bike trail—of the north downtown concentration center, and all provide access to the privacy of densely wooded areas. The Two Rivers Trail is intended to eventually connect the densely wooded riparian areas of the Project area to the north downtown area with 2.5 miles of paved, off-street bike trail.

The MND however, fails to consider the potential increases in illegal camping in the Project area, or the resulting impacts that may result from such an increase. This



includes potential fire risks, water quality degradation from storm runoff, and increased public services demands in the area. A full accounting of the unsheltered population in the Project area is necessary to fully evaluate the Project's environmental impacts.

2. *The MND Fails to Consider Increases in Required Public Services Due to Increased Visitors and Exposure of Illegal Camping*

According to the MND, “[t]here is no evidence to indicate that a paved path would lead to increased crime, fires, or noise relative to the current condition.” (MND, p. 82.) This assertion is made without supporting analysis.

With increased visitors to the Project area, and potential increases in illegal camping activity, the Project would potentially require dramatically more public service resources than current conditions. With increased visitors, cyclists, and potentially unsheltered population, the Project would increase the need for fire services, police services, trash pickup and other maintenance services.

As to fire services, the MND fails to recognize the following:

- 1) that fires within the American River Parkway corridor occur primarily where there is a paved trail and, therefore, that development of a paved trail will increase the incidence of fires within the project area through the ignition by cigarette butts and camp fires;
- 2) that the trail is closely bordered by dense grasses and shrubs that are very dry through much of the year and could easily carry fire;
- 3) that the trail is closely bordered and overhung by trees, many greater than 60 feet tall, that could carry fire above the top of the levee and drop flaming brands over the levee;
- 4) that, unlike other areas along the parkway within the City of Sacramento where fires have occurred—such as directly across the river from the project area, where the bike trail is paved—this section of the Parkway is directly adjacent to residences; and
- 5) that an increase in fire incidence along the parkway would mean an increase in fire risk to the adjacent neighborhood, as an ignition in the grass

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could move to the tree canopy on the river-side, which would send flaming debris over the top of the levee onto yards and houses.

These factors all support a fair argument that the Project would require increased levels of fire services.

Moreover, the MND fails to recognize that the fire department is limited in its ability to access the areas where fires are most likely to occur as a result of this Project, the area at the toe of the levee and in the wooded riparian area along the river. The fire department would presumably need to drive to one of the access points at Glenn Hall Park or Sutter's Landing Park, and would need to open the access gate, all of which would require time. The fire department would be largely limited to the road at the levee crown, and not to the toe road or the area beyond the toe road, which is steep and wooded in many areas and, at Paradise Beach, is too sandy for fire trucks to drive on. This area is particularly problematic for fire department access. In November of this year, firefighters were limited in their ability to fight a fire near Paradise beach because of access limitations. Yet the MND does not include any recognition of this potentially significant impact or any mitigation measures to increase fire service access to the Project area.

Logically, fire ignitions from cigarettes and vandalism are most likely to occur along paved trails where there is greatest visitation and usage. Ignitions from illegal fires are most likely to occur near a paved trail, where the vegetation provides a privacy screen from the trail. Therefore, fires in this location and along the trail can be expected to increase due to increased access and usage due to the Project.

The increased risk of fire from the Project is particularly relevant due to the Project's proximity to residential areas. River Park is a residential neighborhood that borders the project area for approximately two miles from the Capital City Freeway bridge to the H Street. This is one of only two places in the City of Sacramento where the Parkway is directly adjacent to a residential area. In other portions of the Parkway within the City, there is a large thoroughfare as well as a canal, or a golf course, or a large commercial property, standing between the river parkway and any residential buildings. In many places, houses in River Park are only 80 feet from the branches of trees in the wooded area along the river. Trees in backyards can be even closer. This is especially true of the houses along Segments 4 and 5A. The MND fails to acknowledge the uniqueness of River Park's situation, and the potential consequences for the neighborhood should the Project lead to increased fire ignitions.

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Similarly, the MND fails to recognize the potential need for increased police services in the area. The MND states that “[t]here is no evidence to indicate that a paved path would lead to increased crime, fires, or noise relative to the current condition.” (MND, p. 82.) However, the MND does not support this assertion with any analysis, despite the logical conclusion of increased visitors leading to increase crime, fires, and noise relevant to current conditions.

The MND fails to acknowledge that a substantial increase in use and traffic would result in a commensurate increase in incidents requiring emergency services or police attention for incidents including bicycle collisions and accidents, graffiti and vandalism, medical emergencies, and altercations. Also, once the bike trail is paved, it would be considered a transportation corridor and 24-hour access would be allowed. At the River Park neighborhood association spring meeting, the City discussed the possibility of funding additional rangers for the Project area. This tacit admission that the Project area will require more police services is inconsistent with the MND’s conclusions.

The same arguments apply equally to emergency services. The current path along the levee toe is heavily used by families walking, often with small children and dogs. (See Exhibit A, Testimony on Aesthetics, pp. 1-7; see also Exhibit C, Baseline Parkway Use.) The Project would increase the number of bikers on the trail, at the same time allowing those bicycles to travel at much higher speeds. This would inevitably result in an increase in conflicts and collisions between pedestrians and the bike through-traffic within the narrow space at the toe of the levee. The resulting collisions and conflicts would increase the need for emergency and police services.

Last, the MND fails to acknowledge that increased use and traffic due to the project would result in a commensurate increase in the amount of trash generated at Glenn Hall Park. As more people use Glenn Hall Park as an access point for the Parkway, the dumpster at the base of the levee on the river side by Glenn Hall Park would be used more frequently. The trash receptacles in these areas already overflow routinely throughout the summer and on busy weekends. The Project would also result in a substantial increase in litter and trash along the trail from the H Street Bridge to Sutter’s Landing as a result of the increase in traffic and use. This would require more public services to empty the existing and additional trash receptacles and to remove trash littered along the trail. Yet the MND fails to recognize the need for additional services to empty trash receptacles and remove litter along the trail.

Also, the increase in use and traffic at Glenn Hall Park due to the Project would result in a commensurate increase in the use of the toilet facilities at Glenn Hall Park,



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which will require more cleaning and repairs. Currently, these toilet facilities routinely experience clogs, run low on toilet paper, and can become very dirty. The MND fails to recognize the need for additional services to clean and repair the toilet facilities.

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As discussed above, the path at the toe of the levee can become submerged when the river is high, and has been submerged for multiple weeks in recent years. The Project trails would be submerged when the river level reaches the toe of the levee. This would cover portions of the pavement in mud, requiring clean up. The submersion would also potentially wash away portions of the pavement, which in turn would require repairs. The MND fails to recognize the need for additional services to clean and repair the trail following submersion events.

L. The Project May Have Potentially Significant Impacts on Transportation/Traffic

According to the MND, there would be no significant impacts to transportation and traffic from the Project. (MND, p. 87.) Therefore, no mitigation is proposed. The MND is inadequate.

1. *Setting Information Regarding Transportation/Traffic is Incomplete*

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The MND fails to include information regarding existing bicycle and pedestrian uses of the trails in the Project area. As demonstrated in both Parkway user surveys, Exhibits B and C, as well as the testimony in Exhibit A, bicycles and pedestrians use the Project area as a transportation route. The existing trail configuration allows and invites pedestrians to experience a quiet, peaceful, natural and riparian environment. Pedestrians currently have adequate access, lines of travel and paths in other locations within and outside of the Parkway. The MND only describes existing formal transportation paths, City streets and paved sidewalks, ignoring the current transportation uses of the Project area. (MND, pp. 87-88.) The MND also fails to acknowledge that Carlson Drive, while an access point, does not currently include a bike lane. (See Exhibit D, Sacramento Bike Plan Excerpts.) Whether the Project, a trail primarily for bicycle use, has access points that accommodate bicycles, is necessary information to evaluate traffic and transportation impacts.

2. *Significant Transportation/Traffic Impacts*

The MND incorrectly concludes the Project would not have potentially significant impact to pedestrian travel and use of the Project. (MND, p. 90.) As with recreational impacts, the MND fails to consider how the Project’s planned uses, increased bicycle commuting, is incompatible with existing pedestrian use. Without any reasoning or analysis, the MND asserts that the Project design, primarily the gravel shoulders, would “minimize the conflict between bicycles and pedestrians.” (MND, p. 90.)

The access, lines of travel and paths are not traditional in terms of paved sidewalks and asphalt, nor do they meet the requirements of a Class I bike path. However, the Project area is a haven for pedestrians seeking a more natural walking experience. (See Survey, Exhibits B and C; see also Exhibit A, Testimony on Aesthetics, pp. 1-7.) Given the Project objective to provide alternative transportation access for commuters and residents in the eastern part of the City, CSUS, Central City, North Sacramento, East Sacramento, and Richards Boulevard area, the MND inadequately analyzes the potential conflicts between the introduction of numerous commuters on bikes to the existing pedestrian environment. (See especially Exhibit C, crossing estimates.)

The City and County of Sacramento have had to historically address conflicts between pedestrians and cyclists on other segments of bikeways and parkways. The MND, in not reviewing historic information, and successful or failed attempts to manage the conflicts between these two users, is incomplete. The evidence of existing uses and potential conflicts with new users supports a fair argument that the Project would have a potentially significant impact on pedestrian travel in the Project area.

The MND also fails to recognize a potentially significant impact to bicycle travel. As discussed above, Carlson Drive, one of five Project access points, does not currently have a bike lane. (Exhibit D, Sacramento Bike Plan Excerpt.) The Project would presumably increase bike traffic on Carlson Drive, as commuters would use it as an access point to the new paved trail. However the MND does not analyze the impacts of increased bicycle traffic on Carlson Drive, nor does it include mitigation such as constructing a bike lane. (MND, p. 90.) Increased bike traffic, without a bike lane, could potentially impede use of Carlson as an access point and cause public safety issues.

M. The MND Fails to Address the Project’s Cumulative Impacts

CEQA requires analysis of “[t]he cumulative impact from several projects” which “can result from individually minor but collectively significant projects taking place over

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a period of time.” (CEQA Guidelines, §§ 15355, 15130.) “Proper cumulative impact analysis is vital ‘because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact.’ [Citations.]” (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214.)

Despite this mandate, the MND includes no discussion of the interaction between the proposed Project and other past, present, and probable future projects *producing related or cumulative impacts*. It does not appear that the City considered potentially cumulative impacts for any individual resource impacted by the Project. An agency must “determine[] whether the incremental impacts of the project are cumulatively considerable by evaluating them against the backdrop of the environmental effects of other projects. The question is . . . whether the effects of the individual project are considerable.” (*San Joaquin Raptor I, supra*, 42 Cal.App.4th at 624 [internal quotations and emphasis omitted].) While the City did not need to “conduct some sort of grand statistical analysis of the combined purported environmental impacts, if any, of all other” projects in the surrounding area, it should have included some analysis into whether this Project’s incremental effects could be considerable in light of other projects. (*Id.* at 624-625.) Instead the MND only included two paragraphs that are meant to address every impacted resource. (MND, p. 102.) Analysis tailored to specific resources is required by CEQA. (*Ibid.*)

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IV. Conclusion

The MND fails to meet the most basic standards for adequacy under CEQA, and an EIR must be prepared for this Project. In addition, alternatives and mitigation measures are available that would avoid and/or lessen the potentially significant impacts of the Project have not been, but must be, considered. As a result, Save Don’t Pave respectfully requests that the City fully comply with CEQA by preparing an EIR before taking any action on this Project.

Tom Buford, Principal Planner
Community Development Department
City of Sacramento
November 30, 2018
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Thank you for the opportunity to provide comments on the MND and the Project. Please feel free to contact this office regarding any questions about these comments and potential means to address the concerns stated herein.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Osha R. Meserve

ORM/mre

cc (via email): Save Don't Pave

Attachments:

- Exhibit A Parkway User Testimony and Photographs Regarding Aesthetic Impacts
- Exhibit B Survey of American River Parkway Trail Users (June-Oct. 2018)
- Exhibit C Baseline Recreational Use Data (May-August 2018)
- Exhibit D Sacramento Bicycle Master Plan Excerpts
- Exhibit E United States Fish & Wildlife Service, Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (May 2017)
- Exhibit F City of Sacramento, Permits & Ordinances, When is a Tree Permit Needed?
- Exhibit G American River Parkway, County Parcels and Inholdings, Boundary and Ownership Map (November 13, 2017)
- Exhibit H Two Rivers Trail Phase I Staff Report to City Council (January 9, 2007)
- Exhibit I Lower American River Task Force, Bank Protection Working Group, Update Presentation (March 13, 2018)
- Exhibit J Microbes and Urban Watersheds: Concentrations, Sources, & Pathways (March 22, 2016)
- Exhibit K Homelessness in Sacramento County: Results from the 2017 Point-in-Time Count (Excerpt)

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Exhibit L Two Rivers Trail Phase II: Inconsistencies with the American River
Parkway Plan

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EXHIBIT B

Erlewine Access Gate Figure



Erlewine Access Gate from the Project Area



EXHIBIT C

Photographs of Trail Near Sutter's Landing











EXHIBIT D

Homelessness in Sacramento County: Results from the 2017 Point-in-Time Count

A report prepared by
California State University, Sacramento
For
Sacramento Steps Forward



INSTITUTE FOR SOCIAL RESEARCH
BETTER RESEARCH
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Acknowledgements

As with any complex and multifaceted research effort, this study's success is due to the combined efforts of several individuals across organizations. The CSUS research team would like to thank all of those who made data collection and interpretation possible for the 2017 Point-in-Time count for Sacramento County:

- o Navigators and Outreach team of Sacramento Steps Forward
- o Sacramento Housing & Redevelopment Agency
- o County of Sacramento
- o City of Sacramento
- o City of Citrus Heights
- o City of Isleton
- o City of Folsom
- o City District Councilmembers and their Chiefs of Staff
- o Del Paso Blvd. Partnership
- o Power Inn Alliance
- o Mack Road Partnership
- o Downtown Sacramento Partnership
- o Sacramento Police Department
- o Sacramento County Sherriff's Department
- o Galt Police Department
- o Citrus Heights Police Department
- o Elk Grove Police Department
- o Folsom Police Department
- o Rancho Cordova Police Department
- o College of Health and Human Services-CSUS
- o College of Social Science and Interdisciplinary Studies-CSUS

We would like to also give a special thanks to the approximate 360 community volunteers who took the time to engage with individuals in our community experiencing homelessness. Lastly, we thank the 28 volunteer students at CSUS who donated their time to the project by inputting thousands of data forms and pieces of information into a database; we cite these students as formal contributors to this report in the Appendix.

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Executive Summary

Every two years, the U.S. Department of Housing and Urban Development (HUD) requires local communities to conduct a census of all individuals experiencing homelessness in their region—called the Point-in-Time (PIT) Count—during one night at the end of January. This extensive countywide effort to estimate the local homeless population provides a snapshot of nearly all individuals and families staying at emergency/transitional shelters in the county, as well as those sleeping outside, in tents or vehicles and under bridges. In addition to fulfilling a HUD funding requirement, the PIT Count is a detailed and timely information source for local stakeholders and the broader community to assess the state of homelessness in their region.

Sacramento Steps Forward (SSF) is the lead agency of the Sacramento Continuum of Care, and has held the responsibility of conducting the PIT Count for the past several years. In December 2016, SSF commissioned researchers at *California State University, Sacramento* (CSUS) to supervise and enhance the methodology of the 2017 PIT, as well as provide a thorough analysis of the data collected. This report summarizes some of the key findings and recommendation from the 2017 PIT Count.

Analyses of the various data collected on January 25th, 2017, point to some general conclusions about the state of homelessness in Sacramento County:

1. The county has experienced an increase in the number of individuals and families who confront homelessness on a nightly basis.
 - Since 2015, we estimate a real growth in nightly homeless of approximately 30% (from 2,822 to 3,665).
 - The majority of homeless (56%) in the county are sleeping outdoors (unsheltered), a dramatic change in proportion from previous PIT counts
 - Indeed, there has been more pronounced growth among homeless who are unsheltered and sleeping outdoors (from 1,111 to 2,052; or 85% increase).
2. Because of the disproportionate increase in unsheltered homeless—individuals who tend to have higher and more immediate needs than those in a shelter or transitional housing—the 2017 PIT also saw sharp rise of particular at-risk groups.
 - Approximately 31% of the homeless in Sacramento County are chronically homeless—have experienced prolonged bouts of housing instability and are disabled—which is a substantial increase from the 18% rate reported in 2015.

- We also found a 50% increase in the number of homeless veterans since 2015 (313 to 469).
 - Notably, these estimates suggest that the majority of homeless veterans are unsheltered (69%).
3. Some populations saw little to no change, or even a decrease, since 2015. However, it is unclear whether these decreases may reflect, in part, undercounting of difficult to engage subpopulations.
- The 2017 PIT indicated a 20% decrease in the number of young adults (transitional aged youth) that experienced homelessness on the night of the count since 2015 (242 vs 303).
 - Transitional age youth often experience episodic periods of homelessness, which is likely to be missed in a single-point design study like the PIT.
 - The number of reported homeless families with children declined by 25% between 2015 and 2017 (186 vs. 227).
 - The vast majority (95%) of homeless families are found in shelters or in transitional housing, where they comprise over a third (36%) of all homeless that use shelters.
4. Because the PIT count methodology incorporates hundreds of surveys with individuals not using the shelter system, this report also offered a unique glimpse into the experiences of people who are homeless and sleeping outdoors. Results from the 2017 survey point to a number of notable findings on subpopulations, a few of which include:
- Individuals who reported continuous homelessness tended to be substantially older and were often encountered in encampments near the American River Parkway, in contrast to younger homeless who were interviewed nearer downtown Sacramento.
 - Older individuals indicated as chronically homeless – between 55 and 64 – were also more likely (a 70% greater chance) to report a military past (veteran status) or suffer from a disabling medical condition.
 - Chronically homeless are more likely to suffer from PTSD than the most unsheltered homeless group (54% compared to 46%), and more likely to have a mental condition of any type (64% compared to 57%).

While the significant increases in homelessness in Sacramento County are concerning, the report discusses four key contextual factors that likely contributed, at least partially, to these larger estimates in the 2017 PIT.

Improved methodology

CSUS refined the sampling strategy by which geographic zones were selected for volunteers to canvas on the night of the 2017 PIT. This resulted in a more representative selection of canvassed zones, and in particular included areas of South Sacramento that were likely under-sampled in previous years. Greater care was also given in 2017 to provide volunteers clear routing directions, to ensure that the entire geographic areas were canvassed. We estimate that the improved methodology contributed to approximately 15% greater efficiency in the 2017 estimates; as such, we estimate that the 2015 count of unsheltered persons experiencing homelessness would have been approximately 6% larger if the same methodologies had been implemented that year.¹

Severe weather and flooding

Between December 2016 and January 2017, Sacramento County, and Northern California in general, experienced torrential rainstorms, which resulted in severe flooding throughout the region. Notably, the American River rose to historic levels and flooded many of the riverbank areas that some groups experiencing homelessness use to camp, particularly in the unincorporated parts of the county. The extreme weather conditions likely contributed to significant migration of some homeless communities from more rural parts of the county to the urban center of Sacramento. This was evident by reports of several volunteers who described densely packed "tent communities" in non-flooded parts of the park, particularly near the Garden Highway. Notably, the number of tents recorded by volunteers in 2017 was almost three times the number reported in 2015 (363 vs. 133). Moreover, geo-spatial analysis of the count data indicated a clear pattern of high concentrations of homeless near unflooded parts of the American River. While it is difficult to estimate how many of these individuals in tents would have likely been undercounted under normal conditions, it is reasonable to assume that a significant number were included in the 2017 PIT due to their weather based migration.

¹ The 2017 PIT included a broader set of sampled zones than in previous years, particularly in southern parts of the city of Sacramento. These zones yielded approximately 14.7% of the total count for unsheltered homeless in 2017. By rough approximation, one could assume that the 2015 estimate of 948 unsheltered homeless, which omitted these zones, effectively represented only 85.3% of the total unsheltered homeless that year. Dividing the 948 total by its effectiveness rate of 85.3% suggests the 2015 total unsheltered population was approximately 1,111 ($\frac{948}{85.3\%} = 1,111$). Readers should note that these omitted zones would have only impacted the unsheltered count, and not the sheltered count, which would have remained the same at 1,714. In total the adjusted 2015 count would have been approximately 2,822 ($1,111+1,711=2,822$) or 6% higher than the 2,659 reported.

Growth in homelessness in the state

The rise in homelessness between 2015 and 2017 in Sacramento County is consistent with similar increases recently reported across the state. At the time of this writing, a number of communities have reported significant increases between their 2015 and 2017 estimates for persons experiencing homelessness on a nightly basis:

- 39% increase reported in Alameda County (5,629 vs. 4,040).
- 76% increase reported in Butte County (1,983 vs. 1,127).
- 23% increase reported in Los Angeles County (57,794 vs. 44,359).

Trends of homelessness in Sacramento County are generally consistent with the broader patterns of homelessness in California. For example:

- The high proportion of homeless found sleeping outside in Sacramento (56%) is consistent with California's overall average of 66% unsheltered homeless.
- Sacramento's rate of chronic homelessness of 31% is close in range to California's rate of 25%.
- The majority of homeless veterans in the county are unsheltered (69%), consistent with the state average of 66%.

These statewide trends reflect a confluence of social and economic factors, and highlight that homelessness is a local community issue, but one that is likely affected by broad dynamic trends.

Housing market conditions

Given the recent sharp increases in rental rates in Sacramento and the low stock of affordable housing units in the area, the growth in the number of persons experiencing homelessness is consistent with trends reported by other communities across the country with tight housing market conditions. Analyses of national PIT data have found that rental housing market factors – particularly housing costs – are the strongest predictors of homelessness across the communities. In particular, the proportion of residents in these communities who spend more than 30% of their total income on housing was strongly predictive of the overall homelessness rate in the region. These findings are telling given recent reports by the Sacramento Housing Alliance that 4 out of 10 residents in Sacramento spend over 50% of their monthly income on housing (SHA, 2016).

The report concludes by suggesting a number of recommendations to improve the methodology and implementation of future PIT studies in the county. Although extensive efforts were undertaken to improve the geographic sampling of the 2017 PIT count, in future years further measures could improve the efficiency and accuracy of the PIT count. These include increased data sharing with local law enforcement agencies, using technology to increase survey response rates, greater engagement with youth populations, and additional training of survey volunteers. In addition, future efforts could seek to discover rates of homelessness among LGBTQ populations as well as to better understand the factors that contribute to homelessness in Sacramento County.

Finally, the report discusses some general conclusions about community needs that the above findings identify. These include the need for more Emergency Shelter beds, Permanent Supportive Housing programs in the county, and affordable housing options for residents. While these recommendations are not in of themselves new, or unknown by most homeless service providers and advocates, the findings of this report likely highlight a new level of severity for these issues in Sacramento County.

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Introduction

Every two years Sacramento County and its incorporated cities undertake an extensive effort to estimate the number of individuals in the region who experience homelessness. This effort, known as the Homeless Point-in-Time (PIT) Count, is congressionally mandated for communities to receive federal funding from the U.S. Department of Housing and Urban Development (HUD). To adhere to HUD requirements, communities participate in a systematic data collection process to estimate the total number of individuals staying at an emergency/transitional shelter or sleeping outside (i.e., sheltered vs. unsheltered) during one night at end of January. In addition to counting the number of individuals experiencing homelessness encountered outside during the PIT night, HUD encourages communities to collect in-person surveys of these individuals in order to gain further insight into demographic characteristics of these populations. HUD also requires communities to report on specific subpopulations among the homeless, including veterans, transitional age youth, and groups experiencing chronic patterns of housing instability.

In addition to fulfilling a HUD funding requirement, the PIT Count is a detailed and timely information source for local stakeholders and the broader community to assess the state of homelessness in their region. As the PIT count methodology incorporates hundreds of surveys with individuals not using the shelter system, it offers a unique glimpse into the experiences of homeless persons sleeping outdoors, or in locations not suitable for human habitation. Though the PIT is just one “snapshot” of homelessness in the community, and admittedly an imperfect one, the study nonetheless provides stakeholders a broad picture of homelessness and the level of need in Sacramento in 2017. This report summarizes some of the key findings from the 2017 PIT Count and provides recommendations for future PIT counts.

Collaborative Effort

The PIT study requires a high level of coordination and planning between a number of homeless service providers and advocates, city officials, law enforcement, and hundreds of community volunteers. Because of this high level of collaboration, PIT Counts are traditionally facilitated by a community’s *Continuum of Care* (CoC) lead agency—a HUD designation for a central agency in the community that helps coordinate homelessness programs receiving federal funding. As the lead agency of the Sacramento CoC, *Sacramento Steps Forward* (SSF) has held the responsibility of conducting the PIT Count for the past several years. In December 2016, SSF commissioned researchers at *California State University, Sacramento* (CSUS) to improve upon the methodology of the 2015 PIT and to enhance the analysis of the data collected (see methodology section for more detail). While SSF retained primary responsibility of the 2017 PIT and its coordination (e.g., outreach efforts, training of volunteers, deploying teams, etc.), the CSUS research team provided oversight of the methodological design of the study, and conducted all the analyses presented in this report. However, it should be emphasized that the 2017 PIT was a true community effort, reflecting the work of hundreds of stakeholders, volunteers and CSUS students.

Report Roadmap

The goal of this report is to provide community members with a general understanding of the key findings from the 2017 Sacramento PIT Count (hereinafter referred simply as the 2017 PIT) as well as to highlight contextual factors to consider in light of these findings. The report also points to some general conclusions about the level of need in the community and provides recommendations for future PIT Counts. Given these goals, the report is organized in the following five sections:

Section 1 summarizes the research design of the 2017 PIT, focusing primarily on the specific methodologies employed by CSUS (as opposed to logistics and coordination facilitated by SSF). Here, we provide a brief summary of how data from the *Homeless Management Information System* (HMIS) was analyzed to estimate the number of individuals using shelters during the night of the count. A more detailed summary is provided with respect to the unsheltered design, where we discuss the mapping and sampling strategies CSUS used to identify the specific geographic areas that were canvassed by volunteers on the night of the count. We also overview the enumeration (counting) and survey processes deployed, and discuss how the survey data was statistically weighted to the count data in the final stage of analysis. Finally, we provide an overview of some of the limitations of the analysis and some of the likely biases to consider.

Section 2 presents general findings of the 2017 PIT, including a detailed exploration into the substantial growth of these estimates compared to previous years (between 35%-85% since 2015). Three primary factors we address are the improved 2017 methodology, the severe flooding that preceded this year's count, and the ongoing economic conditions likely exacerbating housing insecurity in Sacramento. Lastly, we present breakdowns of overall demographics and household characteristics of unsheltered individuals interviewed on the night of the count.

Section 3 provides further analysis of a selection of subpopulations that are at higher risk for experiencing homelessness. Specifically, we present detailed data on individuals who are chronically homeless, veterans, and transition aged youth. We also present data on several groups and circumstances associated with higher risk of experiencing homelessness (e.g., former foster youth, domestic violence etc.).

Section 4 presents a geo-spatial analysis of the 2017 PIT data, and reports on how the population of unsheltered homeless is likely distributed across the county. Specifically, we estimate an approximate number of unsheltered homeless within each incorporated city in the county, and within the surrounding unincorporated area. We also present maps of the projected homeless in Sacramento County to investigate geographical trends in where these individuals reside. In this section, we present an adjusted, less conservative, estimate of homelessness in Sacramento that incorporates additional SSF data collected outside of the PIT, as well as extrapolated estimates from unsampled regions of the County.

Section 5 summarizes the general trends that the 2017 PIT uncovered, and highlights policy recommendations according to the authors (CSUS). We also discuss our methodological recommendations for future PIT Counts in Sacramento.

Section 1 Methodology

Per HUD requirements, the PIT count is technically a census of all individuals in the county experiencing homelessness on a single night in late January. This means that CoCs are required to account for all individuals experiencing homelessness who are residing in emergency shelters or transitional housing on the night of the PIT. In addition, CoCs are responsible for conducting a robust canvassing of all areas in their regions where unsheltered homeless are likely to be sleeping on the same night. HUD also requires that CoCs provide demographic estimates of specific homeless subpopulations in their community (e.g., the number of homeless families, veterans and chronically homeless, and the respective composition of each group in terms of race, gender and age). Because of these various requirements, multiple methods are used in producing the ultimate homeless count for the region. Below, we introduce the sheltered homeless count method that is organized by SSF before presenting a more detailed report on the sampling methods used by CSUS for the unsheltered count.

Estimating Sheltered Homeless

Sacramento Steps Forward (SSF) provided estimates of all individuals and households residing in an emergency shelter or transitional housing on the night of the count. SSF accomplished this by aggregating data from its *Homeless Management Information System* (HMIS)--a client database SSF coordinates for all HUD-funded and county-funded homeless service providers.

- HMIS records for the night of January 25th were compiled and analyzed by SSF in the weeks following the PIT count.
 - Some homeless programs in Sacramento County are not funded by HUD and consequently do not contribute data into HMIS. To account for individuals who used these programs on January 25th, SSF coordinated a separate manual reporting process to collect this data, which was incorporated into HMIS in the weeks following the PIT count.
- HMIS data captures all of the HUD-required information for persons and households residing in a shelter or transitional housing on the night of the count.
 - This includes demographic characteristics of all individuals, and their homelessness history.

Estimating Unsheltered Homeless

CSUS estimated the number of unsheltered persons experiencing homelessness (those sleeping outside of a shelter on the night of the count) using a combination of fielding and survey methodologies recommended by HUD. In general, these methodologies called for the use of local experts to first define geographical areas where homeless people are likely to sleep. CSUS used this information to map out deployment zones for volunteers to canvas on the night of the count. On the night of the count, volunteer teams traveled to each sampled zone where they visually enumerated (i.e., counted) homeless individuals encountered, and attempted to survey individuals who were awake and willing to be

interviewed. Because volunteers are deployed after shelters have stopped their intakes for the night, it is assumed that all homeless individuals encountered are unsheltered homeless.

We elaborate on the specifics of this unsheltered methodology by summarizing each of the four components below:

1. Mapping & Sampling
2. Canvassing & Enumerating
3. Survey Interviews
4. Survey Cleaning and Analysis

Mapping & Sampling

Pre-Mapping. In the month prior the 2017 PIT, SSF worked with various community stakeholders to identify “known areas” and locations where individuals experiencing homelessness may be sleeping during the night. While CoCs sometimes collect this information several months before the count, SSF had decided in the Fall of 2016 to compile and update this mapping information much closer to time of the actual 2017 PIT. This was done given concerns of SSF staff that homeless encampments move frequently, rendering mapped locations out of date by the time of the PIT count (i.e., areas mapped in November are likely to be out of date by late January, according to SSF staff).

- Between December 2016 and January 2017, SSF collected and compiled information from 38 different local entities and organizations that have regular contact with the homeless (such as outreach teams, service providers, homeless advocates, local businesses, county representatives and law enforcement agencies; see Acknowledgment for a complete list).
- In total, SSF provided CSUS detailed geospatial mapping data on approximately 1,000 locations (e.g., specific street intersections, overpasses, parking lots) where homeless encampments, sleeping bags, or sleeping individuals had been spotted.

In addition, CSUS analyzed data provided by the Sacramento Sheriff's Department that tracked calls for service related to homeless activity (transient-related calls for service) during the three months prior to the count. CSUS also analyzed data from the previous 2015 PIT, including maps and count statistics provided by SSF. Using these data sources, CSUS identified locations where at least 5 homeless-related calls had been made in the three months prior the 2017 Count or at least 5 homeless individuals had been found in the 2015 PIT Count.

Combining both sets of information, CSUS next overlaid the resulting spatial data with the pre-established 84 sampling zones used in the 2015 PIT. Given time constraints, CSUS had anticipated, and hoped, to use as many of the pre-established zones of 2015 as possible. However, analysis of the 2015 zones, and their correlation with the 2017 mapping data revealed the following:

- Only 25 out of the 84 zones from 2015 contained 5 or more calls for service

- Many of the 2015 zones located along the American River Parkway were not accessible in January 2017 due to recent flooding
- Some locations in South Sacramento that contained a high number of mapping data points were insufficiently covered by the 2015 zones

Given these results, CSUS decided to keep 25 of the previously used 2015 zones unchanged while slightly modifying an additional 16 (moving or re-aligning their boundaries so that they would be accessible in 2017). In addition, CSUS generated 104 new possible zones to improve the geographic breadth of the potential sample, as well as to better align zones with the 2017 mapping data. These new zones were approximately 150 square acres (somewhat consistent with the 2015 zones), took into consideration physical barriers that would hinder volunteer access, and contained at least 5 of the 2017 mapping data points. In total, CSUS identified 145 possible sampling zones for the 2017 PIT.

- This sampling universe of 145, non-overlapping, geographic areas contained:
 - 19 "Hot Zones" where 15 or more individuals were anticipated to reside
 - 119 "Warm Zones" where 6-14 individuals were anticipated to reside
 - 7 "Cold Zones" where 1-5 individuals were anticipated to reside

Sampling. CSUS sought to refine the sampling strategy of the 2017 PIT to include a broader breadth of geographic zones for volunteers to canvas on the night of the count. CSUS anticipated that volunteer teams would be able to canvas between 75-80 zones out of the 145 possible. To maximize the efforts of the anticipated 300-400 volunteers, CSUS stratified the sampling by the following method:

- All "Hot Zones" were automatically sampled
 - 19 "Hot Zones" located in and around Carmichael, Rancho Cordova, Arden-Arcade, Downtown Sacramento, Midtown-East Sacramento, South Sacramento, and areas near the American River
- All Warm Zones within Priority Regions were automatically sampled
 - SSF and CSUS designated 4 Priority Regions, to ensure sufficient coverage in areas where warm zones were clustered, or in areas that may have been insufficiently sampled in previous years.
 - All warm zones within each Priority Region were automatically included in the sample, such as those in Downtown Sacramento (18 zones), South Sacramento (15 zones), Citrus Heights (5) and Elk Grove(6)²

² For 2017 there were 6 zones mapped in and around Elk Grove, compared to 7 in 2015, and 5 zones mapped in and around Citrus Heights, compared to 1 in 2015. Law enforcement guided volunteer teams in Citrus Heights

- Randomly Selected Warm & Cold zones
 - A total of 16 zones were randomly selected from the remaining areas
 - These zones were in Tahoe Park, Oak Park, Land Park, Del Paso Heights, Rosemont, and the Antelope area.

A total of 80 zones were sampled out of the 145 possible, and volunteers were ultimately sent to 72 of these zones on the night of January 25th, 2017. The resulting sample included all of the hot spot locations identified in the mapping process and incorporated a broad representation of areas throughout the county, some of which may have been under sampled in previous years. Moreover, other areas of Sacramento County not covered in the 72-zone sample were separately canvassed by either SSF staff or local law enforcement immediately before or after the 2017 PIT. These areas included:

- City of Folsom
 - CSUS designed 4 general zones where SSF staff were deployed on the weekend after the 2017 PIT (January 27th, 2017).
- City of Galt
 - Due to its small size, and distance from the deployment center³, the city of Galt was not included in the sampling universe of potential deployment zones for January 25th. However, SSF staff traveled to Galt on the night following the 2017 PIT (January 26th) and canvassed particular locations identified by law enforcement as areas where homeless reside.
- City of Isleton
 - Similar to Galt, CSUS did not generate zones for Isleton or include it in the universe of sampled areas. Nonetheless, SSF staff worked with the City Clerk's office and identified specific locations to canvass on the night following the count (also on January 26th).
- Capitol Downtown Area
 - The *Downtown Sacramento Partnership* conducts its own census count of the homeless each year in the downtown block area surrounding the state capitol. Because of their experience conducting this count, and familiarity with where individuals sleep, DSP conducted its own census of homeless on the morning of January 25th.

The enumeration (count) data collected at these separately canvassed locations were generally low (with the exception of the Capitol Downtown Area) and were excluded from most of the analyses presented in this report, including the official tally presented to HUD. This was primarily due to methodological concerns regarding the lack of survey data at these locations, which would have complicated the

³ All volunteer teams were deployed from the County of Sacramento Department of Human Assistance (DHA) at 1725 28th Street in Downtown Sacramento.

demographic analysis of the broader sample.⁴ However, the data is included in the final extrapolated homelessness count for the County presented in this report (See Section 4).¹

Canvassing and Enumerating

In the weeks prior to the 2017 PIT, SSF conducted a series of training workshops required of all volunteers. The two-hour sessions reviewed the protocols of canvassing, mapping directions, and the enumeration and survey instruments to be used. A separate vendor assisted SSF in recruiting and coordinating volunteers for these training sessions, which were attended by approximately 360 community volunteers.

CSUS provided SSF a total of 80 canvassing maps for volunteer teams to use on the night of the count. Each map included general driving directions to the sampled zone, and specific routing instructions for volunteers to follow. Based on feedback from SSF, CSUS attempted to provide as much visual detail as possible in maps and direction to help volunteer teams navigate their respective location and sufficiently cover the sampled areas.

With respect to the enumeration (count) tool, volunteers were instructed to count every individual that they encountered during their canvassing route, with some minor exceptions consistent with HUD guidelines.⁵ The enumeration tool directed volunteers to record each homeless person *individually*, where each row in the form corresponded to each individual observed. However, volunteers were also instructed to note when individuals were standing, sitting, or sleeping next to each other, and designate these individuals as being members of a single household. Volunteers were also asked to record demographic characteristics of all individuals they encountered (age, gender and race). These data provided a baseline of broad estimates of the underlying characteristics – for instance age categories were “Under 18”, “TAY”, or “Over 25”, and some racial/ethnic distinctions were more difficult to make for individuals counted at night. Finally, volunteers were asked to record the number of cars, tents and RVs they encountered that they suspected were being used for permanent habitation by a group or

⁴ As is discussed below, demographic data of unsheltered homeless was captured through the use of surveys, which were conducted with a sub-group of individuals counted on the night of the count (n=168). Results from the surveys were extrapolated to the broader count sample of unsheltered homeless (n=2,052) using a two-level statistical weight based on the location of the survey and the household size. Because the additional sites did not have survey data, their inclusion in the demographic analyses would have introduced higher levels of uncertainty in the calculated estimates. Moreover, the canvassing methodology employed in these location likely differed from those used in other areas, introducing other unknown biases.

⁵ Per HUD guidelines volunteers were instructed to count every person they observed, even if they doubted the individual’s homeless status. The only exceptions to this rule were persons: who are clearly working (e.g., construction or road maintenance workers), who are conducting ordinary business at a site that provides 24-hrs services (such as a gas station or grocery store), or who are driving by (cars and RVs must be stationary to be counted).

individual.⁶ Volunteers were generally instructed not to disturb or wake individuals during their canvassing, and consequently were encouraged not to collect individual-level data of persons inside a vehicle or tent. The exception was if individuals in tents or vehicles greeted the volunteers, in which case volunteers could record the specific individuals encountered. During the analysis stage, CSUS estimated that each car and tent corresponded to approximately two homeless individuals on average (unless otherwise noted by volunteers), while RVs corresponded to three individuals.

In total, volunteers filled out approximately 450 enumeration forms across the 72-zone sample, and reported 1,558 individual data points (including 363 tents, 117 cars, and 30 RVs); as discussed in Section 2 this was approximated to 2,052 unsheltered individuals. In the weeks following data collection, volunteer CSUS students assisted with entering the data into an online database and CSUS analysts then checked the data for consistency.

Survey Interviews

In addition to providing a general count of those in the community experiencing homelessness, HUD requires that CoCs estimate the general demographic composition of the local homeless population (e.g., age, race, gender, etc.), and that they report on the prevalence of certain conditions and subpopulations (e.g., homeless who have a disability, are chronically homeless, etc.). While background information on sheltered homeless is readily available in HMIS, for *unsheltered homeless* these estimates are more difficult to accurately assess with just a visual counting process. For this reason, HUD recommends that in-person surveys be administered to a subpopulation of unsheltered homeless during the PIT, the responses from which can be extrapolated to the broader unsheltered population (i.e., using the demographic composition of survey respondents as an approximation of the demographic composition of all unsheltered).

The 2017 PIT survey instrument was inspired from HUD guidelines and templates, and incorporated questions from the 2015 Sacramento County PIT. CSUS revised the survey instrument to reduce the page length of the paper survey, minimize redundancy, and simplify the wording of some questions. CSUS also explored options of administering the surveys electronically (either through smartphones or tablets) but decided against using these mechanisms given time and logistic constraints.

Generally speaking, the 2017 survey instrument collected information on respondents':

- Demographics (such as their race, age, and gender/transgender status)⁷

⁶ When volunteers encountered parked vehicles, they were ask to look for clues of habitation such as: the vehicle was on and running with the windows partially open, the windows were fogged over, the vehicle was parked in a lot behind a shopping center, or in an alley.

⁷ In 2016 HUD introduced new guidelines for the 2017 PIT with respect to how respondents should be asked about their gender status, and whether they identify as male, female, transgender or don't identify with any of the these categories.

- Sleeping location (e.g., street, tent in the woods, car etc.)
- Involvement in the military (e.g., veteran status, use of veteran benefits, etc.)
- Number of times and duration they have been homeless (e.g., first time homeless)
- Disabilities and other life conditions (e.g., mental health status, etc.)
- Household size (i.e., broadly defined as the number of “people who live with you now or most of the time”)
- First two letters of their first and last name⁸

Volunteers were trained to approach every adult who was awake during the PIT count (not in a tent or vehicle) and invite him or her to complete a set of screener questions that assessed their housing status (see Appendix for survey prompt). A \$10 McDonald’s Gift Card was offered as an incentive to respondents who completed the screener and, if qualified, the subsequent survey. Volunteers were instructed to provide the incentive regardless if the participant completed the survey or not, and were encouraged to let respondents stop the survey at any time. For respondents residing in a group/family, the survey instrument included duplicates of every question for up to five members of a household (additional forms were provided to volunteers if households were larger than five). Volunteers were trained to ask each respondent one set of questions at a time, completing each section of the survey, before asking the same questions to the next respondent.

Survey Cleaning and Analysis

After the data were collected, SSF provided CSUS a total of 201 paper surveys. In the weeks following the 2017 PIT, CSUS recruited the help of student volunteers to compile and enter the data into a database, similar to the enumeration form process (i.e., each survey was entered two times into an online system and analysts then checked these final entries for consistency). Preliminary analysis of the 201 survey packets revealed 158 completed surveys and 43 partially or incomplete surveys. Ten of the partially complete surveys contained enough data to be included in the final analysis, increasing the total to 168 useable surveys.

Missing data varied slightly by responses; generally speaking demographic data for head of households were completed by 90% to 98% of respondents (2% to 10% missing), while for more sensitive questions (disability status, mental health, experiences with domestic violence) the rate varied between 87% and 93% (7% to 13% missing data). This was generally a strong level of completed data given the challenging settings in which volunteers conducted the surveys (i.e., outside in the middle of the night).

⁸ To reduce the risk of including respondents who may have completed the survey with multiple volunteer teams (i.e., duplicated response), the survey asked respondents for the first two letters of their first name and last name (as well as month and day they were born) to generate unique identifiers for each survey, in way that minimized like. In 2017, CSUS found no evidence of duplicated responses.

Because missing responses indicated no gender, racial or age bias (specific demographic groups were not more likely to omit responses), CSUS excluded non-responses when calculating proportions of specific question responses, and applied these proportion to the overall sample.

For other members of the household, however, missing data was more prevalent, particularly in the end of the survey where more sensitive questions were asked. Demographic questions were completed by 90% to 94% of the second household respondents, but more sensitive questions were completed by only 50% to 70% of these individuals. Generally, answer integrity seemed to deteriorate as more members in the household were asked more questions. Because of these issues, CSUS sometimes inputted missing values from the responses provided from the head of household. Overall, however, these data issues were minimal as 90% of the respondents were in households with two or fewer members.

Survey Weights. As discussed above, surveys were designed to estimate the size of specific subpopulations among the total enumerated unsheltered population (N=2,052). In previous Sacramento County PIT counts, researchers simply calculated proportions from specific demographic responses in the survey and applied them as estimated proportions of the unsheltered population (i.e., because 18% of the 266 survey respondents in 2015 were indicated as chronically homeless, it was assumed that 18% of the unsheltered population was chronically homeless). However, this method requires the data fit a number of specific characteristics to ensure accuracy; characteristics that are rarely met with extrapolated census data (for instance, that there is little variation in population averages and that these data are normally distributed).⁹

In 2017, CSUS attempted to improve upon the methodology by calculating weights for each survey response based on two primary characteristics: the region in which the survey was administered and the household size of those individuals surveyed. To accomplish this, CSUS established five Regions within the county that were likely to have internally consistent populations, including a Downtown Sacramento Region and a region that followed the length of the American River. These characteristics were chosen as they had nearly 100% response rates in both headcount and survey data, and were the most accurate data collected from the headcounts (as discussed earlier, few demographic characteristics collected during the enumeration process had perfect accuracy). Surveys were then matched to the PIT headcount, and weighted so that the overall household distribution and the overall geographic distribution of the surveys and counts varied by no more than 5%. These weights were trimmed for

⁹ Additionally, this proportional weighting hinders accuracy of the data on subpopulation groups. Following the above example, if 18% of respondents reported spending three years homeless and 18% reported having a disabling condition, this method assumes that 18% of the respondents (and therefore 18% of the population) are chronically homeless. However, the 18% who are disabled and 18% with extended periods homeless are not necessarily the same individuals – as such the 18% chronic population statistic is an inaccurate characteristic of the underlying population. By weighting individual survey responses, CSUS alleviated a significant source of this type of response bias.

consistency and then applied to all of the demographic data from the completed surveys to provide expected percentages for each count response.

Limitations

As with any research project, the 2017 PIT has some limitations that the reader should consider. First, it is important to note that the definitions of homelessness used by HUD, and operationalized in the 2017 PIT, do not capture all forms of housing insecurity occurring in the community. For example, a young person “couch surfing” in a friend’s living room, or multiple families needing to “double up” in a single two-bedroom apartment represent real forms of housing instability that are nonetheless missed by the official definitions of homelessness.

Similarly, it is likely that some groups were undercounted in the unsheltered count of the 2017 PIT; while researchers attempted to achieve a census of all individuals experiencing homelessness in the community, some individuals may undoubtedly be missed by volunteer teams.

- Some groups, like transitional age youth, as well as youth under 18, may attempt to intentionally avoid canvassing teams. Indeed, HUD has encouraged communities during the last two years to improve their methodology for canvassing young people, precisely because of a documented reluctance among vulnerable youth to talk and engage with adults in the community.
 - This year SSF took concerted efforts to collaborate with service providers, advocates, and even transitional age youth themselves to help identify locations and areas of the city where unaccompanied may congregate at night.
 - Youth interviewers were also hired by SSF in hopes of increasing the number of surveys completed by this age group.
 - Even with these efforts, however, estimates for youth may be lower than their actual representation in the community.

- While homeless families with children are more likely to be found in shelters than outdoors (particularly compared to other homeless groups, like single adult males), it is assumed that unsheltered families are often undercounted in the PIT methodology. In particular, it has been reported that families are more likely than other groups to use a car or RVs for shelter, as opposed to sleeping outside or in a tent. Because volunteers are trained not to approach and disturb occupants of these vehicles, there is often incomplete data for researchers to extrapolate an accurate estimate of families sleeping in these situations.

Readers should also be mindful that survey responses, from which most of the demographic data on unsheltered homeless are captured, likely reflect some biases in the data collection process. First, there is the bias of self-selection; respondents self-selected to participate in the survey, and may have different

motivations to do so. Though researchers assume a certain level of error in their estimates,¹⁰ which captures some of these selection biases, it is likely that some groups are less likely than others to participate in a survey study. Secondly, it is important to keep in mind that all of the information provided by respondents is self-reported. Individuals may be reluctant to disclose high-risk behaviors to a stranger, including drug use, emotional and physical disabilities, and instances of domestic violence. Additionally, it is impossible for the volunteer team to independently verify this self-reported information. This is important to remember, as our estimates can only be as accurate as the survey responses on which they are based on.

Finally, as with any statistical imputation method, the mechanism of weighting surveys is inherently imperfect as it attempts to predict a large universe of behavior from a small amount of information. However, weighting mechanisms have a long history of use for such extrapolation (e.g. national polls based on a survey of a few thousand individuals) and the CSUS research team has advanced training and experience with these methods.¹¹

¹⁰ Another source of error is the fact that 2017 saw a significant decrease in the number of completed surveys relative to the count population as compared to previous years. In 2015, researchers reported 266 completed surveys out of the 948 unsheltered individuals enumerated (a ratio of 3.5 individuals per survey completed). In 2017, only 168 surveys were completed out of the 2,052 unsheltered individuals counted (a ratio of 12.2 individuals per survey). This may have contributed to less efficiency and more error in demographic estimates than in previous years— particularly for sparsely populated subgroups, such as those individuals with HIV. Nonetheless, CSUS is confident that the estimates approximate real growth in the overall homeless population as well as the primary subpopulations analyzed in this report.

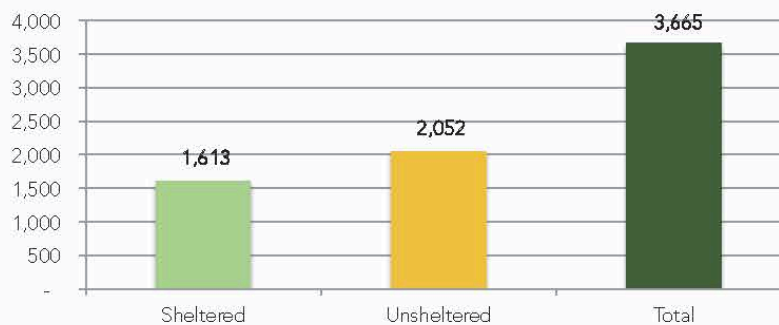
¹¹ Members of the CSUS research team have been trained in statistical weighting for surveys through a partnership with the Bureau of Labor Statistics.

Section 2 General Findings

Nightly Estimates

On a single night in January 2017, a total **1,613 individuals** accessed emergency shelters or transitional housing across Sacramento County. In addition, it is estimated that a total **2,052 individuals** were sleeping outside or in a location not suitable for extended human habitation (e.g., tents by the river, automobiles, or trailers). Combined, these numbers suggest that approximately **3,665** people in Sacramento County experience homelessness on any given night in 2017.

Figure 1:
2017 PIT Estimates of Total Homeless



Examining these estimates more closely indicates that on January 25th:

- Only 44% of the homeless in the county (1,613 out of 3,665) were *sheltered*
 - 26% accessed emergency shelters (n= 947)
 - 18% accessed transitional housing (n=643)

- In contrast, 56% of all homeless (2,052 out of 3,665) were *unsheltered*
 - 29% were sleeping outside (1,058 out of 3,665)
 - 18% were sleeping in tents (an estimated 687 individuals in 335 tents)
 - 8% were sleeping in cars (an estimated 307 individuals in 139 vehicles)

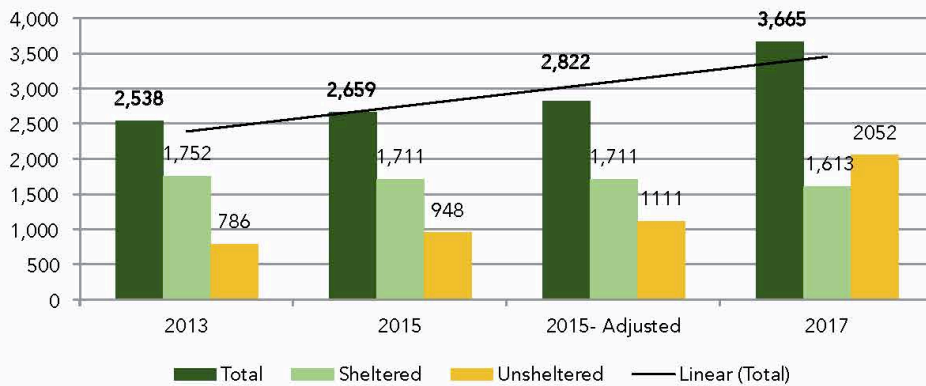
Changes Over Time

The 2017 PIT estimate of 3,665 individuals in Sacramento County experiencing homelessness on a nightly basis represents a substantial increase compared to previous PIT estimates, and is likely the highest estimate on record.

- Overall, there was a 38% increase in total homeless from the 2015 PIT (3,665 vs. 2,659), and a 42% increase from the 2013 PIT (2,538).

As figure 2 shows, the increase is most substantial with respect to unsheltered homeless sleeping outside. Indeed, the ratio of unsheltered to sheltered homeless has dramatically changed from recent years; in prior PIT studies, unsheltered homeless were estimated to be approximately half the size of the sheltered population, but in 2017 the unsheltered population exceeded the sheltered population by a quarter.

Figure 2:
PIT Estimates over Time



- Between 2015 and 2017 the number of unsheltered homeless grew from 948 to 2,052 (a 110% increase).

There are various factors contributing to the substantial increase in homelessness in Sacramento County, including improved methodology. Specifically, CSUS refined the sampling strategy by which geographic zones were selected for volunteers to canvas on the night of the 2017 PIT (see Section 1). This resulted in a more representative selection of canvassed zones, and in particular included areas of South Sacramento that were likely under sampled in previous years. Greater care was also given in 2017 to provide volunteers clear routing directions, to ensure that entire geographic areas were canvassed. We estimate that the improved methodology contributed to approximately 15% greater efficiency in the 2017 estimates; roughly speaking we estimate that 2015 estimates of unsheltered homeless would have been

approximately 6% larger if the same methodologies had been implemented.¹² Taking into consideration this adjusted-2015 estimate suggests:

- The *real* growth in total homeless in Sacramento County was approximately 30% between 2015 and 2017 (3,665 vs. 2,822).
- The *real* growth in unsheltered homeless in Sacramento County was approximately 85% between 2015 and 2017 (2,052 vs. 1,111).

Context to Consider

The *real numbers* of individuals experiencing homelessness in the county are undoubtedly even higher than the 2017 PIT estimates, particularly given the limitations and narrow definitions of homelessness assumed in the study design.¹³ Nonetheless, the above estimates are useful to consider as a standard barometer of relative change in homelessness; assuming that PIT studies are implemented generally consistently from year to year, their results likely capture relative change in the homeless population over time. It is clear that even considering the adjustments in methodologies in 2017, homelessness has likely increased in Sacramento County by at least a third (30%).

A reported rise in the number of homeless is often met with concern by the public, who may worry about the number of homeless migrating from other communities, the effectiveness of current programs, and public safety in general. While these are important issues to consider, the authors of this report nonetheless believe it is important to consider the rise of homelessness in the context of the following contributing factors:

Severe weather and flooding

Between December 2016 and January 2017, Sacramento County, and Northern California in general, experienced torrential rainstorms, which resulted in severe flooding throughout the region. Notably, the American River rose to historic levels and flooded many of the riverbank areas that some homeless use to camp, particularly in the unincorporated parts of the county. Indeed, in the week prior the 2017 PIT CSUS had to adjust or abandon many of the geographic zones in the American River Park used in prior

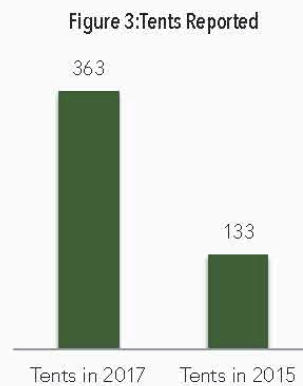
¹² The 2017 PIT included a broader set of sampled zones than in previous years, particularly in southern parts of the city of Sacramento. These zones yielded approximately 14.7% of the total count for unsheltered homeless in 2017. By rough approximation, one could assume that the 2015 estimate of 948 unsheltered homeless, which omitted these zones, effectively represented only 85.3% of the total unsheltered homeless that year. Dividing the 948 total by its effectiveness rate of 85.3% suggests the 2015 total unsheltered population was approximately 1,111 ($\frac{948}{85.3\%} = 1,111$). Readers should note that these omitted zones would have only impacted the unsheltered count, and not the sheltered count, which would have remained the same at 1,714. In total the adjusted 2015 count would have been approximately 2,822 (1,111+1,711) or 6% larger than the reported 2,659.

¹³ In section 4 of this report we consider other data sources and statistical approaches to provide a less-conservative estimate of homelessness within each of the seven incorporated cities in the county. This includes extrapolating estimates from un-sampled regions of the county (estimating the predicted number of homeless that could have been encountered in regions not-canvassed on January 25th) and incorporating data collected beyond the time parameters of the PIT study design.

PIT studies due to severe flooding. The extreme weather conditions likely contributed to significant migration of some homeless communities from more rural parts of the county to the urban center of Sacramento. This was evident by reports of several volunteers who described densely packed “tent communities” in non-flooded parts of the park, particularly near the Garden Highway. Notably,

- The number of tents recorded by volunteers in 2017 was almost three times the number reported in 2015 (363 vs. 133).

- The additional 230 tents in 2017 represented an additional 460 homeless individuals.
- These additional individuals account for approximately 47% of the total change in homelessness between 2015 and 2017 (470 out of the 941 increase in adjusted unsheltered).



- It is likely that individuals in many of these tents generally reside in areas of the American River that are not typically canvassed in PIT studies. But due to flooding and their subsequent migration, these individuals were more likely to be counted in the 2017 PIT than in previous years. While it is difficult to estimate how many of these individuals would have likely been undercounted under normal conditions, it is reasonable to assume that a significant number were included in the 2017 PIT due to their weather based migration.

Growth in homelessness in the state

California has the largest homeless population in the US; approximately a quarter of all people experiencing homelessness in the country reside in the state (AHAR, 2015). The state also has the highest proportion of chronically homeless individuals—individuals with a disability who have experienced prolonged periods of housing instability. These statewide trends reflect a confluence of social and economic factors, such as the high cost of living, dearth of affordable housing and a high poverty rate. They also highlight that homelessness is a local community issue, nonetheless affected by broad statewide dynamics. This is important to consider in light of the above reported increases in the 2017 PIT estimates. Indeed, the rise in homelessness between 2015 and 2017 in Sacramento County is consistent with similar increases recently reported across the state. At the time of this writing, a number of communities have reported significant increases between their 2015 and 2017 estimates for nightly homeless:

- 39% increase reported in Alameda County (5,629 vs. 4,040).
- 76% increase reported in Butte County (1,983 vs. 1,127).

- 23% increase reported in Los Angeles County (57,794 vs. 44,359).
- Little change reported in Yolo County (482 vs. 490).
- Little change in San Francisco County (7,499 vs. 7,539).

While not all communities have made their PIT findings public at this time, these early reports suggests that HUD will likely find—after aggregating all the PIT data— a significant increase of homelessness in California overall, if not the country itself.

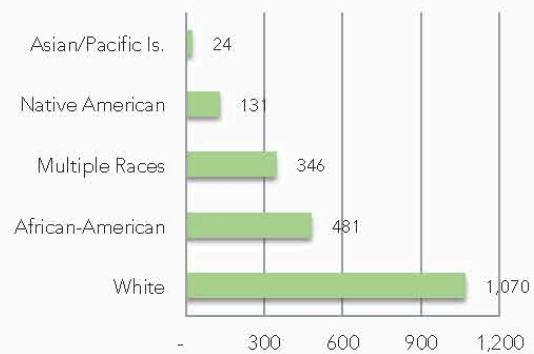
Housing Market

As discussed above, housing market conditions, and in particular the dearth of affordable housing in the region, should be considered as an important contextual factor to the rise in homelessness in Sacramento County. Indeed, researchers from the US Dept. of Veteran’s Affairs recently published a complex analysis of PIT data aggregated from hundreds of communities across the county, and found that rental housing market conditions were the most important factors affecting homelessness, above and beyond other factors associated with the poverty rate such as drug use and crime (Byrne et. al 2013). Their analysis confirms previous findings that rental housing market factors, particularly housing costs, are the strongest predictors of homelessness across communities. Specifically, their analysis suggests that the proportion of residents who spend more than 30% of their total income on housing was strongly predictive of the overall homelessness rate in a community. These findings are telling given recent reports by the Sacramento Housing Alliance that 4 out of 10 residents in Sacramento spend over 50% of their monthly income on housing (SHA, 2016). Given the recent sharp increases in rental rates in Sacramento, and the low stock of affordable housing units in the area, the growth of the homeless population is consistent with trends reported by other communities across the county with tight housing market conditions.

Demographics of Unsheltered Homeless

On the night of the count, volunteers conducted a total of 168 survey interviews with individuals who were homeless and not sleeping in a shelter. Results from these surveys¹⁴ indicate that a large majority of unsheltered homeless were male (74%) and Non-Hispanic (82%). With respect to race, approximately half identified as White (52%), and a quarter as African American (23%). The remaining respondents identified as either multi-racial (17%), or Native American (6%); very few identified as Asian or Pacific-Islander (less than 2% combined).

Figure 4: Racial Identity of Unsheltered Homeless



¹⁴ As discussed in Section 1, results from the 168 surveys were used to extrapolate the overall demographic composition of all unsheltered homeless encountered on January 25th (N=2,052). Towards this end, CSUS computed a two-stage statistical weight for each survey to improve the accuracy of this extrapolation (see Section 1).

In terms of age, the average respondent was approximately 42 years old. As the figure below shows, however, there was a wide distribution in reported age; respondents were almost evenly distributed between the age groups of 25-34, 35-44, 45-54, and 55-64. There were also a small, but notable number of very young adults 18-24 (7%).

Figure 5: Age of Unsheltered Homeless

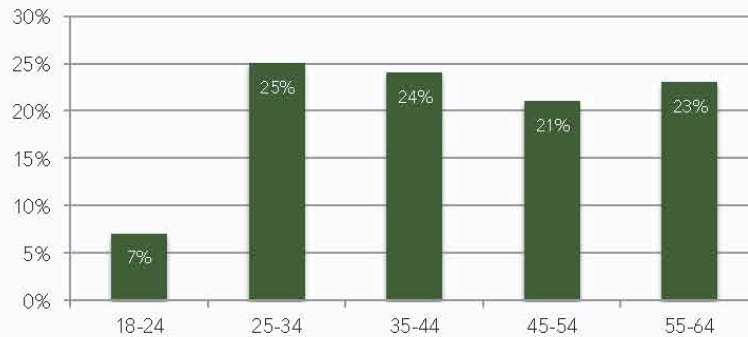


Table 1 on the next page presents the overall demographic estimates for unsheltered homeless, as well as compares these estimates to the composition of homeless who accessed shelters on the night of the 2017 PIT (provided by the HMIS system). These comparisons suggest that some groups were more likely to be sleeping outdoors on the night of the PIT than others. For example:

- Males were more likely to be unsheltered than sheltered (e.g., 74 % vs. 57%).
- Homeless who identified as Native American (6% vs. 3%) or Multi-Racial (17% vs. 9%) were more likely to be unsheltered than sheltered.
- Individuals who met definitions of chronically homeless were almost twice as likely to be unsheltered than sheltered (39% vs. 20%).

More generally, comparing the total homeless population to the demographic composition of Sacramento County (US Census, 2015) indicates that some groups experience housing insecurity at a disproportionate rate. These include:

- Men (who only represent 49% of the county but comprise 66% of all homeless).
- African Americans (who represent 10% of the county but comprise 30% of all homeless).
- Native Americans (who represent 1% of the county but comprise 5% of all homeless)

- Individuals who identify as multi-racial (who only represent 6% of the county but comprise 13% of all homeless)

It is important to note that other groups also experience higher levels of homelessness, such as LGBT youth, veterans and women with children (groups that we examine further in the next section). Moreover, even though some groups have a lower relative likelihood of becoming homeless, individuals from these groups are not immune to these experiences. These include:

- Women (who represent 51% of the county but comprise only 32% of people experiencing homeless).
- Individuals who identify as White (who represent 64% of the county but comprise only 50% of people experiencing homeless).
- Individuals who identify as Asian American (who represent 16% of the county but comprise only 1% of people experiencing homeless)

Table 1. 2017 PIT Demographic Characteristics			
	Unsheltered (N=2,052)	Sheltered (N=1,613)	Total Homeless (N=3,665)
Gender			
Male*	1,517 (74%)	918 (57%)	2,435 (66%)
Female	488 (24%)	681 (42%)	1,169 (32%)
Transgender or Other	47 (2%)	14 (1%)	61 (2%)
Ethnicity			
Hispanic/Latino*	370 (18%)	286 (18%)	656 (18%)
Non-Hispanic/Non-Latino	1,682 (82%)	1,327 (82%)	3,009 (82%)
Race			
White	1,070 (52%)	747 (46%)	1,817 (50%)
Black/African American	481 (23%)	643 (40%)	1,124 (31%)
Asian	14 (1%)	10 (1%)	24 (1%)
American Indian/Native	131 (6%)	48 (3%)	179 (5%)
Hawaiian/Pacific Islander	10 (1%)	21 (1%)	41 (1%)
Multi-Racial*	346 (17%)	144 (9%)	490 (13%)
Chronically Homeless	802 (39%)	323 (20%)	1,126 (31%)

*Statistically significant at p <= .10

Section 3 Subpopulations

In this section we delve deeper into the survey results of the 2017 PIT and report on specific homeless subpopulations, including the chronically homeless, veterans, and transitional aged youth. We also summarize survey results that highlight particular risk factors associated with experiencing homelessness, such as being a victim of domestic violence and interaction with the foster care system.

As discussed in the methods section, much of the information that we use to report on persons sleeping outdoors (unsheltered homeless) is derived from the 168 survey interviews conducted by volunteers on the night of the count. Unlike the visual count data collected by volunteers, survey interviews captured detailed and personal demographic information from a subsample of respondents. The results of these surveys were extrapolated to the total unsheltered population (N=2,052) using a two-level statistical weight (weighted to the count data based on the location in which the interview was conducted, and the household composition reported by the respondent).

Readers should note that these estimates contain a certain level of statistical imprecision; lack of perfect and complete survey data on every person/household experiencing homelessness means that estimates are an approximation of the true number in the community.¹⁵ As elaborated in the methods section, there may also be biases in the survey results given that most of information is self-reported, and some groups may have been more likely than others to decline an interview. Despite these shortcomings, the survey results provide a unique glimpse into the situations facing the unsheltered homeless population in Sacramento County. To assist readers, we report each estimate in this section with a corresponding margin of error, which approximates a general range of possible values that the real number lays within to a 90% confidence level.

Chronically Homeless

HUD designates individuals as *chronically homeless* if they meet two conditions, one pertaining to the length of time an individual has been homeless and the other to suffering from one of a potential group of disabilities. Specifically, a chronically homeless person:

- Has been continuously homeless for over a year; OR has had four (4) or more episodes of homelessness in the past three (3) years.

- AND they have a physical, developmental or mental disability that hinders their ability to maintain gainful employment.

¹⁵ The statistical power of the extrapolation tool was based primarily on the variation and response rates of the underlying (survey) data. For many responses, the estimates were fairly precise with little missing data. However, this was not the case with smaller population groups – especially groups such as families with children and individuals living with HIV/AIDS. For these reasons, CSUS chose to focus our analysis on the subgroups and at-risk behaviors with the most data, and took care to examine the underlying distribution of this data for aberrant behavior.

In addition, in 2015 HUD clarified that all individuals within a household should be considered chronically homeless if the head of household meets the above criteria

Individuals who experience chronic patterns of homelessness can often have complex mental health and physical disabilities, which complicate their transition into stable housing (NAEH, 2015). Moreover, chronic homelessness can deteriorate one’s well being, and lead to disproportionate use of emergency resources. Because of these issues, there have been deliberate efforts by the federal government to reduce, if not end, chronic homelessness (NAEH, 2015). Reflective of these efforts, HUD has reported a steady decline in chronic homelessness around the country since 2007 (the number of people experiencing chronic homelessness has declined by approximately third), though more recently California saw a slight rise in unsheltered and chronically homeless (AHAR, 2016). Indeed, California sadly still retains one of the highest rates of chronic homelessness in the country (approximately 25% of homeless experience chronic patterns of housing instability). Moreover, California reports the highest proportion of chronically homeless sleeping on the streets (87%) (AHAR, 2016).

The 2017 PIT indicates that a total **1,126** individuals in Sacramento County experienced chronic patterns of homelessness in January (or approximately 31% of the 3,665 total homeless population).

- As the figure below shows, this represents a substantial increase from 2015, when only 18% of the homeless population was indicated as chronically homeless (466 out of 2,659).

Figure 6:
Sheltered and Unsheltered Chronically Homeless in the Sacramento 2013-2017 PIT counts



- This suggests that the number of people who are chronically homeless has more than doubled in recent years in Sacramento County.

- The largest increase in the last two years was among people experiencing chronic homelessness and *sleeping outside* on the night of the count.
 - The number of people who were chronically homeless and unsheltered increased from 313 individuals in 2015 to **803** (with a margin of +/- 67) in 2017.
- The number of people who were indicated as chronically homeless but *sheltered* on the night of the count also experienced a similar, though less steep, growth/
 - Chronically homeless individuals who were sheltered increased from 153 to **323**, between 2015 and 2017.

Despite the substantial increase in the number of people in Sacramento experiencing chronic patterns of homelessness, the *proportion* of this group that sleeps outdoors has remained relatively constant during the last several years.

- In 2015 approximately 65% of people experiencing chronic patterns of homelessness were reported unsheltered in Sacramento (153 out of 466). This is similar to the approximately 71% of chronically homeless who were found outside in 2017 (801 out of 1,125).

This high rate of *unsheltered* chronic homelessness in Sacramento also seems consistent with broader patterns of unsheltered homeless across the state, as discussed above. Specifically, the 31% rate of chronically homeless reported in 2017 is slightly closer to the overall 25% rate of chronically homeless in California (29,178 out 115,738) than the 18% rate reported in 2015 (AHAR, 2016).

**Figure 7:
Percent of Chronically Homeless who are Unsheltered
Sacramento 2013-2017 PIT**



Analysis of surveys conducted with individuals who were unsheltered and indicated as chronically homeless show that they share some demographic characteristics with the broader unsheltered population in Sacramento. For example:

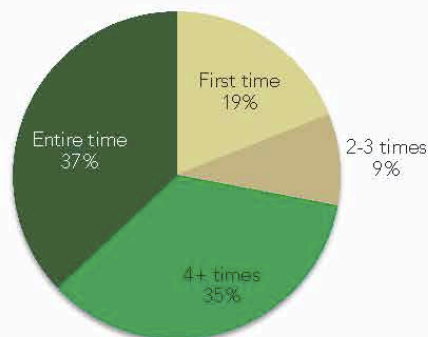
- The sizable majority of chronically homeless were male (75%), as were most unsheltered homeless (74%).
- Approximately half of all unsheltered homeless, including chronically homeless, identified as White (52%).
- Given the racial composition of Sacramento County (see Section 1) a disproportionate percentage of both unsheltered, and chronically homeless were people of color (48%).
- A little less than half (46%) of all chronically homeless were 45 years old or older, similar to many unsheltered groups.

Table 2. Demographic Characteristics of Unsheltered Chronic Homeless vs. All Unsheltered Homeless		
	Chronic Unsheltered (N=803)	All Unsheltered (N=2,052)
Gender		
Male	75%	74%
Female	25%	24%
Transgender or Other	0%	2%
Race		
White	52%	52%
Black/African American	21%	23%
Asian	1%	1%
American Indian/Native	8%	6%
Hawaiian/ Pacif Islander	1%	1%
Multi-Racial	18%	17%
Age		
18-24	8%	7%
25-34	26%	25%
35-44	20%	24%
45-54	24%	21%
55-65	22%	23%
65+	0%	0%

Other survey responses suggest that the chronically homeless in Sacramento are comprised of both individuals who are *continuously* homeless as well as individuals who move regularly back and forth into homelessness. For example, when asked how many times they had been homeless in the last three years:

- Approximately a fifth of respondents indicated as chronically homeless (19%) reported that this was their “first time homeless,” and that they had been homeless for over a year.
 - Among these first-time homeless, the average number of months homeless was 22.5 months.
 - Two-thirds of these first-time homeless claimed that they had been *continuously* homeless for over 36 months.

**Figure 8:
Number of times homeless during the past 3yrs
Among Chronically Homeless**



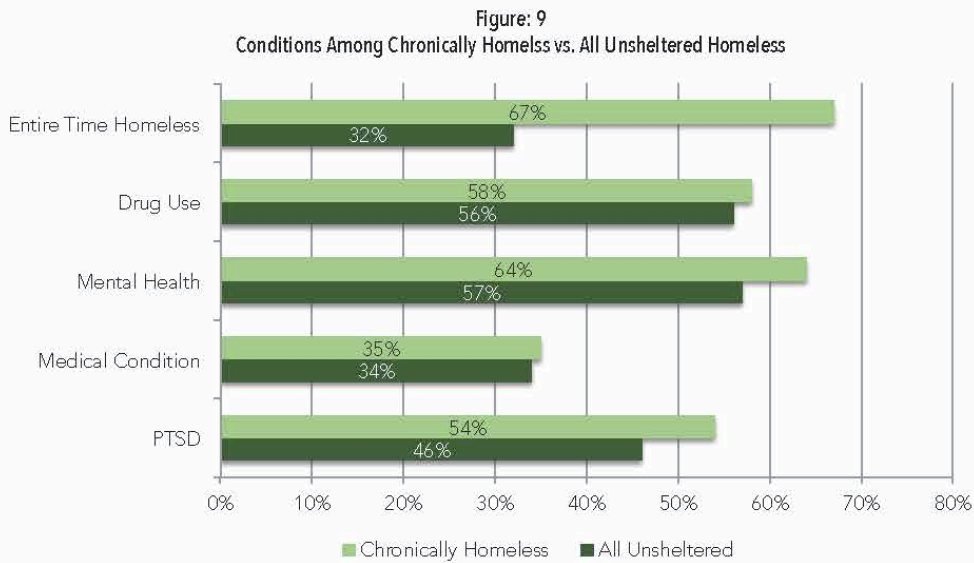
- Approximately 10% of respondents reported that they had been homeless two to three times in the past three years.
 - On average these episodes of homelessness averaged 7 to 11 months, according to respondents.
- Approximately 35% of respondents described experiencing homelessness “four or more times” during the past three years.
 - When asked to add all the times they had been homeless across these episodes, respondents reported that they had been homeless 12 to 24 months (average of 18.1 months).
- The remaining respondents (approximately 37%) reported that they had been homeless the “entire time” over the last three years.

More generally, 67% of people indicated as chronically homeless reported being continuously homeless close to three years, while 35% percent indicated more episodic periods of housing instability (i.e., “four or more times”) during this time. These groups likely face different challenges and life situations, and highlight the need for various types of housing interventions. Indeed, individuals who reported continuous homelessness tended to be substantially older and were often encountered in encampments near the American River Parkway, in contrast to younger homeless who were interviewed nearer downtown Sacramento.¹⁶ Older individuals indicated as chronically homeless – between 55 and 64 – were also more likely (a 70% probability) to report a military past (veteran status) or suffer from a disabling medical condition.

¹⁶ 25-34 year olds had a 60% chance of reporting that they sleep on the “street or sidewalk,” while 55-64 year olds were as likely to report sleeping in the “woods or encampments

As the figure below shows, people indicated as chronically homeless were also more likely to report suffering from PTSD than the other unsheltered homeless (54% compared to 46%), and more likely to indicate a mental health condition (64% compared to 57%).

In addition to asking about their various afflictions, the survey also directly asked respondents to identify the specific condition that prevents them from working. Individuals indicated as chronically homeless most commonly cited a disabling mental health condition (55%), followed by a physical disability (33%), or ongoing medical condition (33%) that kept them from finding work. Additionally, 27% said they couldn't work because of a substance abuse problem.



Among veterans who reported chronic periods of homelessness, PTSD and ongoing medical conditions (such as a traumatic brain injury) were the most commonly cited disabilities preventing them from work. As we discuss next, the substantial growth in the number of veterans experiencing homelessness seemed interrelated with the rise of chronic homelessness more broadly in the community.

Veterans

Although rates of homelessness among veterans have recently declined in the United States (as much as 47% in the last six years; AHAR 2016), individuals with a military background remain at higher risk of homelessness than civilian populations (NAEH, 2016). The effects of trauma, difficulty re-adjusting to civilian life, and higher rates of substance use, are all thought to contribute to the difficulties of obtaining employment and affordable housing (NAEH, 2016; Tsai & Rosenheck, 2015). Like chronic homelessness, the rate of veteran homelessness in California is one of the highest in the country (approximately 8%, or 9,612 out of 118,142). Moreover, homeless veterans in California are more likely to be sleeping outdoors than in other parts of the country; two-thirds (65%) of homeless veterans in the country are typically found in shelters, but in California the rate is closer to 44% (AHAR, 2016).

The 2017 PIT indicates that **469** veterans in Sacramento County experienced homelessness (approximately 13% of the 3,665 total homeless).

- As the figure below shows, this represents a 50% increase in absolute numbers from 2015, when 313 of the homeless population were identified as veterans. Even with this increase the relative percentage of veterans in 2015 (12% out of 2,659) is approximately equal to the 13% found in 2017
- An estimated **327** veterans (with a margin of error of +/- 33 individuals) were unsheltered in 2017, compared to the **142** encountered in shelters.

Figure 10:
Sheltered, and unsheltered Veterans in 2013, 2015, and 2017 Sacramento PIT counts.



- Since 2013 the number of veterans in shelters decreased by 17%, while the number of unsheltered veterans more than doubled.

- o Approximately 70% of Veterans were unsheltered in the 2017 PIT, compared to 45% in 2015.

These figures suggest homeless veterans in Sacramento County are now more likely to be unsheltered than sheltered.

With respect to the broader demographic composition of all homeless veterans (both sheltered and unsheltered), most were non-Hispanic, white males over 40 years old. Veterans tended to be older than other homeless, and more likely to report long continuous periods of homelessness (as opposed to episodic).¹⁷ Most were also more likely to report sleeping by themselves as opposed to in a group.

Comparing the demographic composition of sheltered to unsheltered homeless veterans indicates that non-White veterans were more likely to be sleeping outdoors (unsheltered) than homeless veterans who identified as White.

- Specifically, Hispanic veterans (23% vs. 11%), American Indian/Native American veterans (13% vs. 1%), and individuals who identified as Multi-Racial (13% vs. 6%) were all more likely to be unsheltered than sheltered.
- Female veterans were also more likely to be sleeping outside than in a shelter (24% vs. 8%), as well as veterans who identified as transgender.
- In contrast, African Americans were more likely to be in a shelter than sleep outdoors (12% vs. 33%).

In addition to these demographic differences, the most salient contrast between sheltered and unsheltered veterans was the self-reported level of chronic homelessness

In particular, survey results suggest that 57% of veterans who were unsheltered were chronically homeless at the time of the 2017 PIT (compared to 18% of sheltered homeless veterans).

**Table 3.
Demographic Characteristics of
Sheltered Veterans vs. Unsheltered Veterans**

	Unsheltered (n=327)	Sheltered (n=142)
Gender		
Male	73%	92%
Female*	24%	8%
Transgender or Other*	3%	0%
Ethnicity		
Hispanic/Latino*	23%	11%
Non-Hispanic/Non-Latino	77%	89%
Race		
White	59%	57%
Black/African American*	12%	33%
Asian	3%	1%
American Indian/Native *	13%	1%
Hawaiian/ Pacif. Islander	0%	1%
Multi-Racial*	13%	6%
Chronically Homeless*	57%	18%

*Statistically significant at p <= .10

¹⁷ Over 65% of veterans interviewed were between 35 and 54, and many reported being homeless for over 36 months. Given this, it is likely that many of the veterans are years out of their service period and have been homeless on multiple occasions. This is borne out in the data, in that veterans are roughly twice as likely to have reported being homeless 4 or more times in the past year than other homeless groups.

Even among other unsheltered groups, veterans reported the highest rate of chronic homelessness.

Interestingly, veterans and non-veteran group reported similar duration times for being homeless.

- Approximately 28% of veterans had been homeless for 12 months or less, compared to 22% of the total homeless population.
- 60% of both veterans and non-veterans had been homeless for three or more years.

However, veterans reported more significant health and disability challenges than other homeless populations, in particular severe conditions that prevented them from employment and which contributed to their higher rates of chronic homelessness.

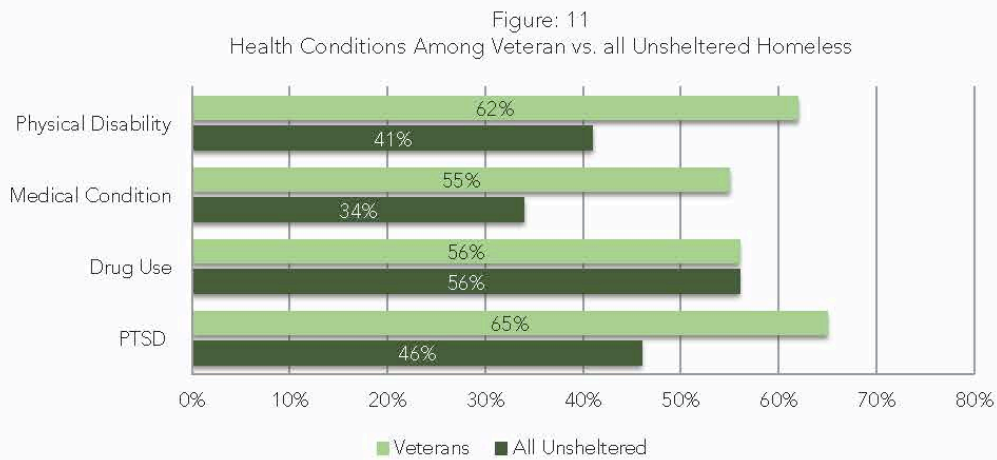
- 65% of veterans reported a mental or physical disability, compared to 57% and 41% among other unsheltered individuals.
- Though a relatively high percentage of survey respondents indicated they suffered from PTSD (46%) in 2017, this proportion was considerably higher for veterans (65%).
- In addition, while 55% of unsheltered veterans reported suffering from a medical condition – compared to 34% of other unsheltered homeless – there was a significantly greater chance among veterans (90%) that they would cite the medical condition as preventing them from working.
- Veterans who reported suffering from PTSD were also very likely to indicate suffering from a traumatic brain injury (90% chance) and to report being homeless for the first time (80% chance).

	Unsheltered (N=327)
Time homeless	
1-5 Months	18%
6-11 Months	10%
12-17 Months	6%
18-23 Months	3%
24-29 Months	0%
30-35 Months	3%
36+ Months	60%
Afflictions	
Severe Physical Disability	36%
Severe Medical Condition	55%
Severe Mental Health	31%
Traumatic Brain Injury	54%
PTSD	65%
Drug Use	56%
Severe Drug Use	13%
Chronically Homeless	57%

More generally, it is clear that veterans report significantly higher rates of debilitating conditions – which are major factors underpinning their higher rate of chronic homelessness. Despite these high level of needs, however, only 26% said they access VA facilities.

Examining correlations between survey results, in conjunction with how respondents reported their demographic status, revealed other notable relationships:

- Veterans who reported living primarily in the woods had a 80% chance to also report living alone and more than a 95% chance to say they were between 55-64. These older veterans were more likely to report regular drug use (72%) and report being chronically homeless (67%).¹⁸
- In contrast, veterans that reported living on the streets had a 52% chance of being between 25-34 and a 63% chance of being homeless between 1-6 months.
- Younger veterans were also more likely to be homeless for the first time (a 90% chance for those between 25-34) and to be living in a two-person household (65% chance). Female veterans, on the other hand, were often found in two-person households with a non-veteran (90% chance). They are also often homeless for the first time (60% chance) while male veterans are more likely to be homeless the entirety of the previous three years (69% chance).



¹⁸ This could be one explanatory factor for the significant increase in the unsheltered veteran status, as more volunteers in 2017 were sampling less-densely populated areas of Sacramento County than in previous years due to the flooding mentioned earlier.

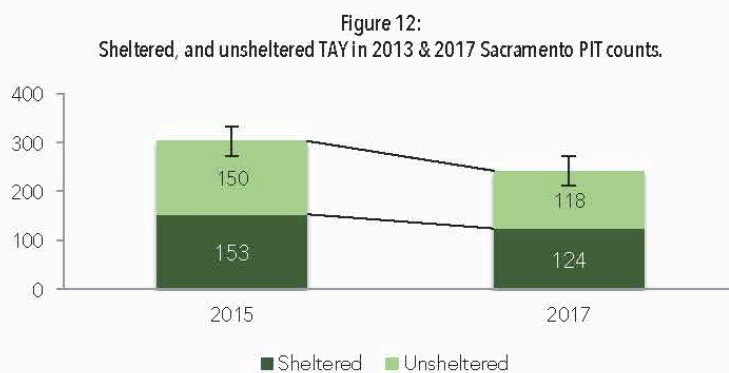
Transitional Age Youth

Early adulthood—roughly defined as the age period between 18 and 25—is a time when young people navigate a number of life transitions related to their changing status as adults. During a relatively short phase of the life course, young people manage multiple changes with respect to their housing, education, employment, relationships, partnerships, family as well as cognitive development. Because many of these transitions occur under uncertain and changing circumstances, young adults often experience heightened levels of stress and instability during this phase of life. A growing body of research shows that how well a young person manages this transitional period has far-reaching consequences throughout the life course—consequences related to socioeconomic status, family structure and well being (Shanahan 2000; Hayward & Gorman 2004). In addition, many young people today rely on financial and social supports from their families and social networks for extended periods of time.

Policymakers and researchers have recently emphasized, however, that young people from disadvantaged backgrounds (particularly those who have experienced conflict and/or maltreatment from their families) often have few social and economic resources to draw upon during this turbulent and critical phase of life. Young adults who face such social disadvantages (generally categorized as “transitional age youth”—or TAY) are much more likely to experience housing insecurity and struggle to maintain stable income (Osgood, Foster & Courtney 2010). Moreover, if a transitional age youth becomes homeless they are less likely to pursue their education/career ambitions, and maintain gainful employment (Courtney 2009). They are also, unfortunately, more at risk to experience incarceration, victimization and diminished wellbeing (Osgood et al. 2010).

The 2017 PIT indicates that **242** unaccompanied TAY in Sacramento County experienced homelessness (approximately 6% of the 3,665 total homeless).

- As the figure below shows, this represents a 20% decrease from 2015, when 303 of the homeless population were identified as TAY (11% out of 2,659).



- Both sheltered and unsheltered TAY showed significant decline between 2017 and 2015
 - An estimated **118** unaccompanied TAY (with a margin of error of +/- 30 individuals) were unsheltered in 2017, which is a 21% decline from the 150 reported in 2015.
 - An estimated **124** young adults were indicated in shelters and transitional housing, which is a 19% decline from the 153 reported in 2015.

- However, because of the small size of this group, and the relative large margin of error, the decrease in unsheltered TAY may be modest
 - There were approximately 2 to 62 fewer youth sleeping on the streets in 2017 compared to 2015.

While these trends are positive, and potentially illustrative of progress being made in Sacramento County toward addressing youth homelessness, there is also a strong likelihood that these estimates may be undercounts. One issue is simply the fact young adults are much more likely to experience *episodes* of homelessness, as opposed to *continuous* periods. Single point-in-time designs are inherently biased toward over-sampling individuals with longer periods of homelessness (as they more likely to be homeless during the time of the study). Another methodological concern is that young people experiencing housing instability often “couch surf” with friends, which is a form of housing instability not captured by the PIT design. Homeless youth are also reportedly less likely to be found in typical homeless locations frequented by adults, or to engage with adult volunteers more generally.¹⁹

With respect to surveys completed by transitional aged youth, the following patterns emerged:

- The majority of young adults reported having some sort of mental illness (54%) or PTSD (64%), even though physical disabilities (12%), medical disabilities (7%), and drug use (19%) are all significantly lower than the general unsheltered population (41%, 34%, and 56% respectively).

- Twenty-two percent (22%) of transitional age youth had been homeless 4 or more different times.

- Ninety-one percent (91%) of transitional age youth had been homeless for the last three years.

¹⁹ Because of these reasons HUD has encouraged CoCs to target their efforts to collect additional, and more accurate information, on the number of young adults experiencing homelessness in their respective communities. Towards this end, SSF has collaborated with local advocacy and service organizations that work explicitly with homeless young adults, to improve outreach to this population as well as to enhance canvassing during the PIT. In 2017 SSF also hired TAY individuals to participate in the count and conduct surveys with their peers. While methodologies are still improving, HUD has announced that estimates reported on the 2017 PIT will serve as the baseline, initial comparison year to assess progress that communities make toward addressing youth homelessness.

Other Risk Factors

Responses from the PIT survey also highlighted a number of interrelated risk factors associated with experiencing or complicating homelessness, such as interaction with the foster care system, being a victim of domestic violence, and families with children. In this section, we briefly review some of the key findings from the survey that shed light on these experiences in the context of Sacramento County.

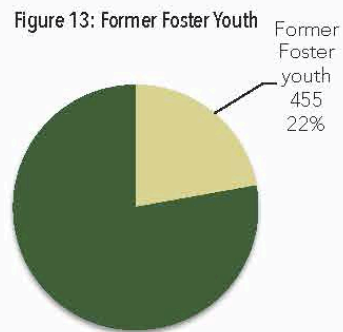
Former Foster Youth

Young people aging out of the foster care system often fit the definition of a transitional-age youth facing various social disadvantages (Osgood, Foster & Courtney 2010). Foster youth often lack access to stable family and social networks, and many have complex needs related to trauma and past maltreatment (Courtney 2009). While California has made considerable progress extending support to young people transitioning out of the foster care system (e.g., passage of Assembly Bill 12) former "system youth" still face elevated risk for experiencing homelessness during young adulthood and beyond. One often cited PIT study in Minnesota (Wilder, 2006) estimated that nearly half of the homeless population in the state had some experience in the foster care system. While estimates of homelessness among foster youth vary widely, past PIT studies have suggested between 20% to 30% of homeless individuals have interacted with the child welfare system.

In the 2017 PIT survey, 22% of respondents identified themselves as having experience in the foster care system (estimate 455 out of 2,052).

Examining the survey results from these individual revealed the following:

- Homelessness was experienced at a variety of ages by former foster youth. While 30% were aged 34 or younger, 60% were 35 years or older.
 - More than half, 58% had been homeless for the past three years
 - Approximately one-third (33%) had been homeless four or more times in the past three years.
- The vast majority of unsheltered homeless former foster youth were male (85%).
- The majority of unsheltered homeless former foster youth were White (57%), with the next highest percentages multi-racial (15%) and African-American (12%).
- Almost one-half (49%) of unsheltered homeless former foster youth were suffering from post-traumatic stress disorder.



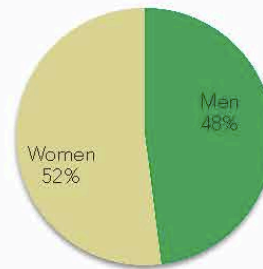
- More than one-half (56%) of former foster youth were dealing with a mental health disorder

Victims of Domestic Violence

Domestic violence is common in the United States (NCADV, 2015). Victims of domestic violence are susceptible to homelessness because of missed work, job loss, and behavioral, physical, or mental health issues related to the abuse (NCADV, 2015). It is also assumed that individuals fleeing a domestic violence situation face precarious housing options, as their departure from their home was often abrupt and unplanned.

In the 2017 PIT survey, 4% of responses indicated that they had left their last place due to violence from a partner or family member (estimate of 90 out of 2,052).

**Figure 14:
Gender & Victims of Domestic Violence**



- While a slight majority of victims of domestic violence were women (59%), a sizable percentage was men (41%).
- Approximately half of victims of domestic violence reported a diagnosis of post-traumatic stress disorder or some sort of physical disability (52%), while a majority reported suffering from some sort of mental disability (69%).
- A majority (67%) of victims of domestic violence reported experiencing homelessness for the entirety of the previous three years.

Victims of domestic violence are more likely than the general homeless population to report at-risk behaviors across all measures, which demonstrates that these individuals are – as expected – a particularly high-needs group. On average, victims of domestic violence are 6% more likely to report suffering from mental, physical, or medical disabilities (including PTSD) than those who were not victims of domestic violence.

Families with Children

Though homelessness in the US has shown substantial decline in the last ten years—with perhaps some notable exceptions this year in California—the number of homeless families with children has not followed this broader trend. In particular, single-headed households with 2-3 children have seen some modest increases during the past decade. Accounting for homeless families, however, remains methodologically difficult. Like transitional aged youth, this population is likely undercounted in the unsheltered portion of the count.

The 2017 PIT indicates that **186** families with at least one child in Sacramento County experienced homelessness in January, and the vast majority of these families stayed in shelters.

- 180 families, comprising of a total 572 individuals, were in shelters or transitional housing on January 25
 - Families represented 36% of all homeless accessing shelters in 2017, which is a slight decline from 2015, when they represented 45% of the shelter population.
- Considering both sheltered and unsheltered families (of which there were very few) indicates there has been a 25% decrease in the number of families from 2015, when 238 homeless families were reported (10% out of 2,659).
- The 589 individuals in these families represent approximately 16% of the 3,665 total homeless.
- The majority of homeless families were single-parent families, with an average of 2 or more children. However, there was insufficient survey data from families to explore further demographic statistics.

As was the case in 2015, 95% of homeless families in 2017 were reported from the shelter HMIS data; only 6 homeless families with children were identified during the unsheltered count in 2017. Researchers from the previous 2015 PIT employed a day-after service approach in an effort to record more homeless families leaving shelters on the day following the night count, but researchers reported only 5 additional families overall (11 total unsheltered families were recorded that year). While the day-after service was not possible in 2017 due to logistic challenges, it is not apparent that this had much substantial impact on estimates.

While it is reasonable to assume that homeless families make concerted efforts to stay in shelters as opposed to sleeping outdoors, it is nonetheless likely that the PIT methodology is systematically undercounting unsheltered families staying in vehicles and tents. In particular, volunteers are trained not to attempt interviews with individuals in parked cars or groups sleeping in their tents. While these guidelines are reasonable precautions, as well as courteous, they undoubtedly bias survey estimates. Future PIT researchers may want to consider a different sampling approach, or conduct a separate study to estimate the proportion of tents and cars that are, on average, occupied by families.

Section 4 Geo-Spatial Analysis of the 2017 PIT

In this section we present a geo-spatial analysis of the 2017 PIT data, and report how the unsheltered homeless population is likely distributed across the county. Specifically, we estimate an approximate number of unsheltered homeless within each incorporated city in the county, and within the surrounding unincorporated areas. We also provide GIS maps of the distribution of unsheltered homeless across Sacramento County more broadly. For these analyses, we incorporate additional information beyond what was collected on the night of the 2017 PIT. Supplemental data include:

- Additional count data collected the same week as the 2017 PIT, but not on the same night.
- Extrapolated estimates for 70 regions not sampled on the night of the 2017 PIT

Incorporating this information allows us to broaden our 2017 PIT estimates to cover areas that were not canvassed by volunteers on the night of the count. However, readers should note that these analyses are based on statistical extrapolation as opposed to the census methodology of the PIT, and are therefore more speculative in nature than other results presented (see Appendix for a summary of the enumeration process). Nonetheless, the following results provide an additional general depiction of how homelessness is distributed across the county as can be seen in the following table and figures.

Estimates by City

We first present the estimated distribution of unsheltered homeless across the county; the below chart shows the estimated proportion of unsheltered homeless by city (dark green bar), in contrast to an area's relative population proportion (tan color bar) (Census, 2015). In addition, the table on the following page provides the specific estimates by city, as well as the different data sources included in these estimates.

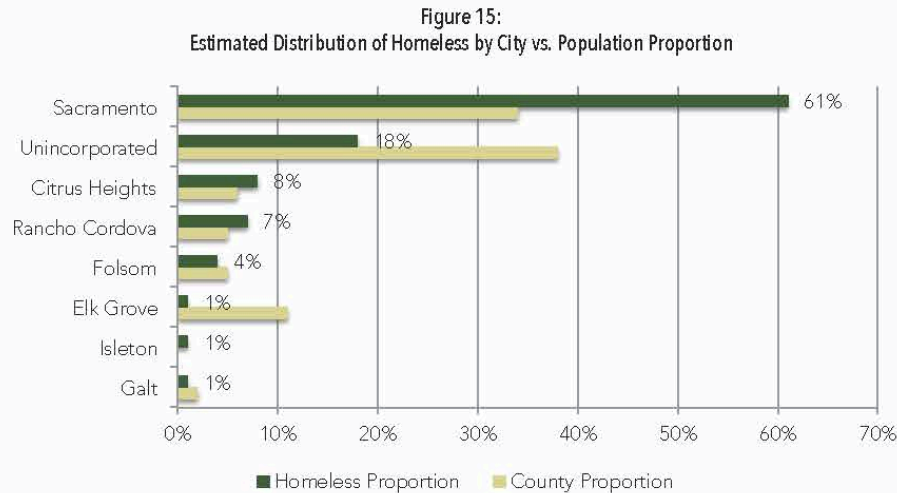


Table 5.
City Estimates

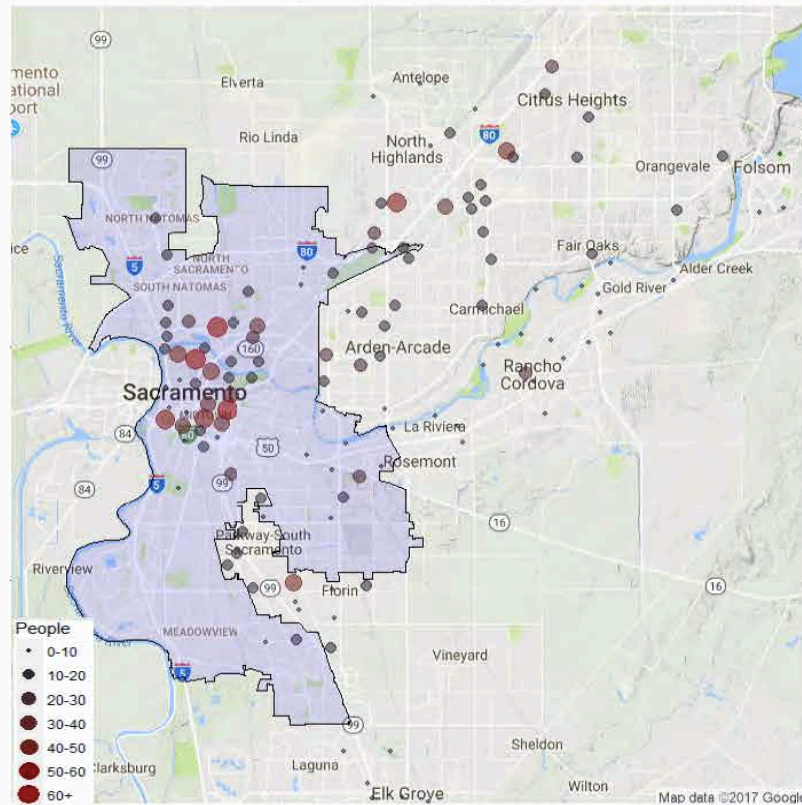
Area	2017 PIT Count	Extrap. Count	Post PIT Count	Total Count	Margin of Error ²⁰	Homeless Prop.	County Prop.
Citrus Heights	188	51	0	239	+/- 28	8%	6%
Elk Grove	18	22	0	40	+/- 4	1%	11%
Folsom	0	118	4	122	+/- 6	4%	5%
Galt	0	0	5	5	-	0%	2%
Isleton	0	0	5	5	-	0%	>1%
Rancho Cordova	76	136	0	212	+/- 25	7%	5%
Sacramento	1,400	284	95	1,779	+/- 101	61%	34%
Unincorporated	370	162	0	532	+/- 55	18%	38%
Total	2052	773	109	2,934	+/- 121	100%	100%

Unsurprisingly, the areas with the largest percentages of county population (Sacramento and the Unincorporated Areas) also saw the largest percentages of homeless (61% and 18%, respectively). Interestingly, these percentages are almost exact inverses in terms of their relationship to the actual population percentages – about twice as many homeless are found in downtown (with a population share of 34%), while about half as many homeless are found in the unincorporated areas (with a population share of 38%). Rancho Cordova, Citrus Heights, and Folsom had homeless populations roughly equal to their county population shares, as did Galt and Isleton (though these numbers are insignificant). While the results from Sacramento City and the unincorporated areas are not surprising – many more volunteers were sent to zones in downtown than in the unincorporated areas, and downtown is much easier to traverse – it is not immediately clear why Elk Grove has such a smaller homeless population relative to its county population. This will be an interesting finding to keep in mind for future PIT counts.

²⁰ Since the extrapolated counts are formed by using single regional averages, there is less variation in the predicted scores than the actual scores. Therefore, these margins are not actually as accurate as those reported for the sampled scores.

GIS Maps

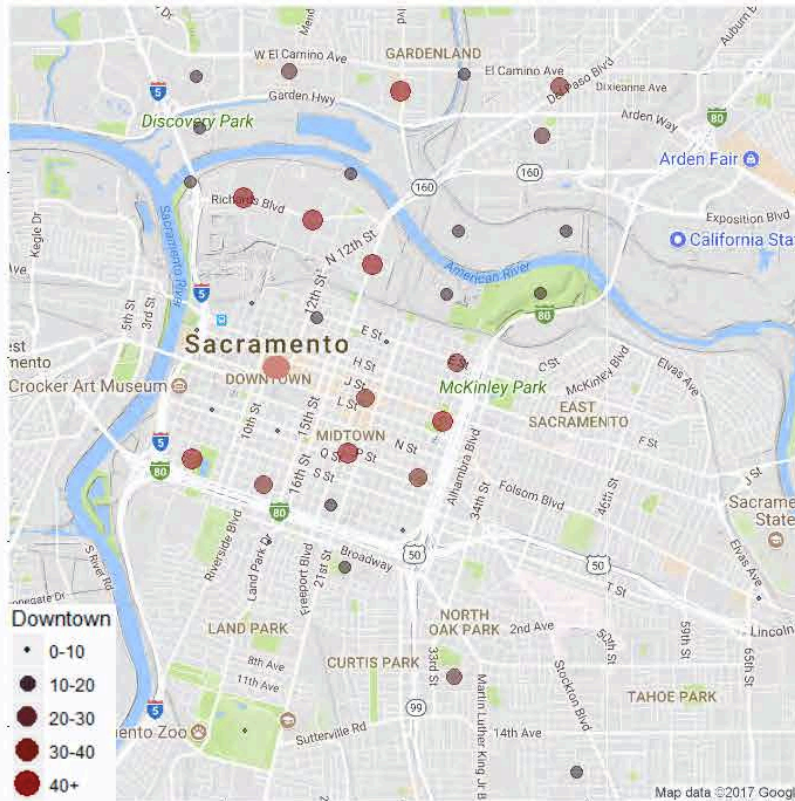
**Figure 15:
Spatial Distribution County Map**



As with most spatially defined data, one of the best mechanisms for understanding patterns in homeless population density is through GIS mapping. The above map provides a clear picture of many of the trends we have discussed throughout this report. In this image, the light blue outlined space is the Sacramento City boundaries, while the counted (and estimated) populations are represented by a color and size gradation – so that the larger bright red circles represent high-density zones and the smaller grey and black circles represent low-density zones.

As previously mentioned, Sacramento and the surrounding areas saw a record-breaking winter weather system that caused severe flooding – especially around the cresting American River. The map shows that, especially in the length between Rosemont and Folsom, volunteers found very few homeless in most of the areas situated next to the river. Indeed, with the exception of Rancho Cordova, spatial patterns strongly suggest that homeless individuals were pushed north into the less densely populated unincorporated areas of Sacramento County. In future PITs, it is expected that many more homeless individuals will return to areas near the river – a trend that will be particularly interesting to investigate.

Figure 16:
Spatial Distribution Downtown Sacramento Map



Focusing on downtown Sacramento, one can also clearly see concentrations of individuals being pushed further north and south from the river's edge. This is especially true near Discovery Park and the State Fairgrounds – two areas that saw the largest impact from the floods. The areas near Richards Boulevard and El Camino Avenue saw significant numbers of homeless individuals in tents, which further illustrates the impact of the flooding on migrating homeless communities. It is also evident a large portion of the homeless population in Sacramento is found in the midtown corridor, and along the main highways. In the midtown corridor, specifically between K and Capitol and from 23rd to 26th streets, there are four large churches for homeless individuals to find shelter. Between P and R streets from 19th to 23rd there are also large warehouses and structures under which homeless individuals can find shelter – particularly near the Safeway, the Light Rail stop, and the Sacramento Bee offices. As expected, there is a dense population of homeless individuals near the Capitol and Caser Chavez park. Along the main highways, there are a number large parking structures beneath the overpasses as well as sections between X and Broadway that see little regular foot traffic. These areas are ideal spaces for homeless individuals to take shelter during inclement weather.

Extrapolated vs. Sampled Zones

Interestingly, the extrapolated data suggests that many of the zones that were not sampled on the night of the 2017 PIT would have yielded relatively low count numbers if they had been; many extrapolated zones yielded relatively few additional homeless compared to the actual zones sampled. About a quarter of the non-sampled zones had extrapolated values of 0 or 1. In other words, the analysis suggests that the 72 zones for the 2017 PIT likely accounted for the majority of potential homeless in Sacramento County. Even though more zones could have been deployed (if more volunteers were present), there is likely a decline in the “return on investment” for researchers to sample a large collection of zones for the PIT. While the PIT Count would benefit from more volunteers and more covered zones, it is unlikely that having more than 100 sampled zones on the night of the PIT would provide significant new information on the distribution of homeless individuals in the county.

Section 5 Conclusions and Recommendations

In this last section of the report, we review the overall findings of the 2017 PIT and draw parallels between trends found in Sacramento County and those reported across the state. We also briefly review the methodological changes and challenges of the 2017 PIT, and suggest recommendations for the 2019 PIT. Lastly, we discuss recent trends in Sacramento County – particularly trends in the housing market – which may be correlated with the reported increase in homelessness in the area. We believe these data, in conjunction with the 2017 PIT findings, point to a number of issues to consider for policy makers, services providers, and others interested in reducing homelessness in Sacramento.

In this 2017 PIT report, we found a significant increase in the number of residents in Sacramento County who experienced homelessness on a nightly basis.

- Since 2015, we estimate a real growth in nightly homelessness of approximately 30% (from 2,822 individuals to 3,665), with a more pronounced growth among people who are experiencing homelessness and sleeping outdoors (from 1,111 to 2,052; or 85% increase).

Because of the disproportionate increase in unsheltered homeless—individuals who tend to have higher and more immediate needs than those in a shelter or transitional housing—the 2017 PIT also saw a sharp rise of particular at-risk groups.

- We estimate that approximately 31% of the homeless in Sacramento County are chronically homeless (that is, they have experienced prolonged bouts of housing instability and are disabled), which is a substantial increase from the 18% rate reported in 2015. Most of this growth, however, was among chronically homeless who sleep outdoors, who are the majority in this group (803 out of 1,126).
- We also found a 50% increase in the number of veterans experiencing homelessness since 2015 (313 to 469). Notably, our estimates suggest that the majority of homeless veterans are unsheltered (69%).

While the overall significant increases in homelessness in 2017 are concerning, the patterns of homelessness found in Sacramento County are nonetheless consistent with statewide trends reported in 2015.

- The proportion of the unsheltered population estimated by the 2017 PIT (56%) aligns with California's 2015 average of 66%.
- Similarly, the 2017 the rate of chronic homelessness (31%) is closer to the 25% California rate than the 18% reported in 2015.
- The proportion of unsheltered veterans (69%) found in 2017 is also more consistent to the state average of 66% than what was reported in 2015 (47%).

And while the majority of communities have yet to release their 2017 reports, the few that have indicate similar increases in homelessness since 2015 as found in Sacramento County: 39% increase in Alameda County, 76% increase in Butte County, and a 23% increase in Los Angeles County.

In this report, we also discussed a number of contextual factors that likely contributed to the general increase in estimates. These include improvements in methodology, but also severe weather and flooding that likely resulted in significant migration of homeless encampments to areas more regularly sampled in the Sacramento PIT Counts. Indeed, the spatial analysis of the 2017 PIT data show clear patterns of concentration of homeless in areas near the American River Parkway that were not flooded.

In contrast to the general upward trend, we also report that some populations saw little change in the 2017 PIT. Estimates for transitional age youth (TAY) declined slightly as did those from families with children (approximately 20% each), but the relatively small sizes of these two populations make them difficult to assess accurately from year-to-year (small errors in counting have a relatively larger impact estimating those groups). In addition, TAY and families are also methodologically difficult to capture with the PIT methodology of sampling and canvassing. Nonetheless, it is notable that these two groups did not increase, while other subpopulations did, and that declines were present in both the sheltered and unsheltered count.

As the PIT count methodology incorporates hundreds of surveys with individuals not using the shelter system, this report also offered a unique glimpse into the experiences of persons sleeping outdoors. Results from the 2017 survey point to a number of notable findings on subpopulations, including:

- People experiencing chronically periods of homelessness are more likely to suffer from PTSD than the general unsheltered homeless group (54% compared to 46%), and more likely to have a mental condition of any type (64% compared to 57%).
- Older individuals indicated as chronically homeless – between 55 and 64 – had a 70% chance to also be a veteran or report suffering from a disabling medical condition.
- Veterans experiencing homelessness were more likely to report a mental or physical disability than other groups (65% compared to 41%-57%). While 46% of unsheltered homeless reported suffering from PTSD, this number was 65% for veterans. Veterans and those suffering from PTSD had a 90% chance of reporting difficulty finding a job due to their chronic condition.
- The majority of TAY individuals also indicated some sort of mental illness (54%) or PTSD (64%), even though physical disabilities (12%), medical disabilities (7%), and drug use (19%) are all significantly lower than the general unsheltered population (41%, 34%, and 56% respectively).
- 22% of respondents identified themselves as having experience in the foster care system (estimate 455 out of 2,052). Interestingly, most of these individuals (65%) were older than 35,

though some were also young adults. Among former foster youth, almost half (49%) reported suffering from PTSD.

Methodology Recommendations

Given our experiences conducting the 2017 PIT analyses, the CSUS team suggests the following methodological changes for future PIT counts.

- 1. Increase data sharing with local law enforcement.** In 2017, CSUS used “calls for service” data provided by the Sacramento County Sheriff’s Department to establish PIT sampling zones within the unincorporated regions of the county. Making use of this additional data allowed researchers to more accurately predict where individuals experiencing homelessness might be found on the night of the PIT count. Similar data from the Sacramento City Police Department (and other incorporated cities) could be useful to supplement future PIT pre-mapping stages.
- 2. Use technology to increase survey response rates.** It is notoriously difficult to survey individuals experiencing homelessness and sleeping outdoors, both due to the challenges of interviewing someone in a difficult situation, but also the obstacle of recording data accurately at night. By carrying tablets or electronic devices, volunteers would have a better and easier tool for documenting responses data in a systematic way. They could also use these devices to better record where individuals are counted with GPS coordinates. Having this data automatically stored electronically would also result in considerable efficiency in the data analysis stage of the project, as well as improve the overall accuracy of results.
- 3. More engagement with youth populations.** Transition age youth (TAY) who experience homelessness face a unique set of risk factors. Accurate data on the TAY community in Sacramento PIT, however, continues to be limited. Despite efforts this year to engage homeless youth through volunteer training and hiring of youth surveyors, it is likely that this group may have been significantly undercounted. Moreover, some of the 2017 surveys done with youth showed some inconsistencies, which limited our ability to fully analyze this data. As we discuss below, we recommend that all surveys, including those with youth, be administered by a subset of volunteers who receive additional training in survey methods (these could include specific youth volunteers, county social workers, or CSUS MSW students). In addition, SSF and researchers should continue to work and collaborate with advocacy and service organizations to explore better ways to identify areas where homeless youth reside. While methodologies are still improving, it should be noted that HUD has announced that estimates reported on the 2017 PIT will serve as the baseline, initial comparison year to assess progress that communities make toward addressing youth homelessness.
- 4. Additional training of surveyors.** Our estimates and analyses of specific subpopulations (such as the number of individuals experiencing chronic homelessness or who are veterans) are only as accurate as the surveys collected. As discussed above, some of the surveys in 2017 showed

inconsistencies, which challenged our analysis of specific subpopulations. Moreover, the overall number of survey responses (N=168) relative the counted data (N=2,052) is a significant concern for the Sacramento County PIT. While volunteer groups are given some training in approaching homeless individuals and administering these surveys, it is reasonable to assume that some volunteers were not comfortable conducting surveys with individuals experiencing homelessness. For these reasons, we recommend that SSF designate a specific subset of volunteers to conduct surveys on the next PIT. This specific subset of volunteers could receive additional training in survey methods as well as on how to engage vulnerable individuals more generally. Moreover, we recommend SSF consider recruiting individuals who have experience in the social service fields (such as county social workers) as well as graduate students at CSUS (i.e., CSUS MSW students). CSUS could also provide additional training in survey methods. Finally, we recommend that surveys also be administered within shelters themselves on the night of the county, to improve the comparative analyses of sheltered vs. unsheltered groups.

With respect to the survey tool itself, we recommend the following topics be included that go beyond those suggested by HUD guidelines.

5. **LGBTQ Population.** The survey tool currently does not ask about LGBTQ status, as no questions directly ask about a respondent's sexuality (though HUD did include new questions this year about transgender status and gender identity). It is well known that LGBTQ persons, especially youth, face a unique set of circumstances in regards to high-risk factors and transience. While there are some complications in asking respondents about intimate details, such questions can be done sensitively and with respect. Specifically, researchers and SSF could consult with a local organization like the Gender Health Center and/or the CARES clinic, to design specific prompts and protocols to explore these issues.
6. **Reason for Homelessness and Transience.** The significant increase in homelessness is difficult to explain without further data about how and why individuals found themselves experiencing housing instability on the night of the PIT count. Some of this information is already collected through the assessments conducted by SSF Navigators, and could be explored through an analysis of HMIS data. But some of these issues could also be explored further with PIT surveys that ask respondents to self-identify factors that contributed to their homelessness (e.g., medical bills/conditions, rent, unemployment, mental health etc.). While these factors are likely interrelated and difficult to unpack, the PIT instrument could ask respondents to simply respond to a set of Likert-style questions about the various factors that contributed to their state of homelessness (e.g., a 5-point scale where 1=Strongly Agree and 5=Strong Disagree).

Relatedly, the rise of homelessness in a community often raises questions about where the homeless individuals come from; there can often be a public perception that most homeless are transients who have come from other communities. This reflects, in part, a stigma towards homeless that views them as "inherent outsiders" of the community, even though many if not most might be lifelong residents of Sacramento. Research on this issue suggests that some

individuals experiencing housing instability do travel as way to cope with their situation and are in search of opportunities (Rahimian, Wolch, and Koegel 1992), but research in metropolitan areas suggests that this encapsulates a small percentage (e.g., 10%-20%) of the overall homeless population (Parker and Dykema, 2013). As there is little data on this issue itself in Sacramento County, the PIT survey could ask respondents about the length in time that they have lived in area and how often they might move from location and location. More than just addressing the perception of homelessness, these questions could shed light on the different needs and circumstances that homeless in the community are experiencing, and the various resources they may have available to them in the county. Indeed, research on transient and non-transient homeless suggests that these groups may be facing substantially different circumstances (Gray, Chau, Huerta, and Frankish, 2011).

Policy Needs

Finally, the overall findings of the 2017 PIT point to some clear needs in the community. These reflect:

- ✓ **The need for more Emergency Shelter capacity**
The sharp increase in unsheltered homeless and particularly those who have experienced longer periods of housing instability than the past, likely speaks to lacking service capacity issues within Sacramento’s emergency shelter system. Since the collection of this data both the city of Sacramento and county (as well as others) have made efforts to increase access to emergency shelter for individuals, which this reports suggest is a critical issue. On January 25th approximately 3,665 individuals experienced homelessness, compared to the approximate 1,200-1,400 emergency shelter beds available that night in the county.
- ✓ **The need for more Permanent Supportive Housing**
While increasing access to temporary shelter is important, survey results suggest that almost a third of individuals sleeping outdoor have complex mental and physical needs that complicate their transition into stable housing. While these individuals would benefit from a quicker transition to Permanent Supportive Housing (PSH) programs—“housing first” programs designed to help individuals who are disabled and chronically homeless—the large number of 1,126 individuals experiencing chronic homelessness in the county likely also exceeds PSH capacity. It is telling that two-thirds of chronically homeless report being homeless longer than 36 months, which could reflect excessive waiting periods for PSH. And while a large proportion of these individuals indicated that they had severe mental health challenges (and in particular PTSD), these issues are unlikely to improve in the absence of stable, permanent housing.
- ✓ **The need for more Affordable Housing**
Analyses of national PIT data have found that rental housing market factors – particularly housing costs – are the strongest predictors of homelessness across communities (Byrne et. al 2013). In particular, the proportion of residents in communities who spend more than 30% of their total income on housing was strongly predictive of the overall homelessness rate in the region. These

findings are telling given recent reports by the Sacramento Housing Alliance that 4 out of 10 residents in Sacramento spend over 50% of their monthly income on housing (SHA, 2016). Given the recent sharp increases in rental rates in Sacramento, and the low stock of affordable housing units in the area, the growth of the homeless population is consistent with trends reported by other communities across the county with tight housing market conditions. Though addressing the need for affordable housing is complex and multifaceted, it is clear that more, continued, attention needs to be paid to this issue. Indeed, affordable housing is not a new concern, or one that is unknown by most homeless service providers and advocates, but findings of this report likely highlight a new level of severity for these issues in Sacramento County. Housing costs play a critical role in the prevalence of homelessness in a community. While it is important to highlight the high prevalence of mental health and physical needs among some homeless groups (such as the estimated 31% chronically homeless in the county), it is equally important to remember that not every person experiencing homelessness faces these challenges. Indeed the results of this report suggest most people experiencing homelessness do not have a severe mental health, physical disability or substance abuse problem, but are likely confronting a life crisis in the context of very few viable housing options. Moreover, all groups of homeless, including those with more serious challenges, would be helped by better access to affordable housing in our community.

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Appendix

HUD Data Tables

**Table 1
Total ALL Households and Persons**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	747	473	1,220	1,435	2,655
Total Number of Persons	977	636	1,613	2,052	3,665
Number of Children (under age 18)	212	151	363	7	370
Number of Persons (18 to 24)	46	78	124	118	242
Number of Persons (over age 24)	719	407	1,126	1927	3,053
Gender					
Female	422	259	681	488	1,169
Male	545	373	918	1,517	2,435
Transgender	10	4	14	47	61
Ethnicity					
Non-Hispanic/Non-Latino	812	515	1,327	1,682	3,009
Hispanic/Latino	165	121	286	370	656
Race					
White	414	333	747	1,070	1,817
Black or African-American	402	241	643	481	1,124
Asian	6	4	10	14	24
American Indian or Alaska Native	25	23	48	131	179
Native Hawaiian or Other Pacific Islander	12	9	21	10	31
Multiple Races	118	26	144	346	490
Chronically Homeless					
Total number of persons	323	0	323	803	1,126

Table 2
Persons in Households with at least one Adult and one Child

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	100	80	180	6	186
Total Number of Persons	330	242	572	17	589
Number of Children (under age 18)	209	151	360	7	367
Number of Persons (18 to 24)	18	22	40	0	40
Number of Persons (over age 24)	103	69	172	10	182
Gender					
Female	214	151	365	7	372
Male	116	90	206	10	216
Transgender	0	1	1	0	1
Don't Identify as male, female, or transgender	0	0	0	0	0
Ethnicity					
Non-Hispanic/Non-Latino	259	190	449	4	453
Hispanic/Latino	71	52	123	13	136
Race					
White	414	333	747	3	185
Black or African-American	170	105	275	6	281
Asian	1	2	3	0	3
American Indian or Alaska Native	10	8	18	0	18
Native Hawaiian or Other Pacific Islander	3	6	9	6	15
Multiple Races	72	13	85	2	87

**Table 3
Persons in Households with only Children**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	3	0	3	0	3
Number of Children (under age 18)	3	0	3	0	3
Gender					
Female	0	0	0	0	0
Male	0	0	0	0	0
Transgender	3	0	3	0	3
Don't Identify as male, female, or transgender	0	0	0	0	0
Ethnicity					
Non-Hispanic/Non-Latino	1	0	1	0	1
Hispanic/Latino	2	0	2	0	2
Race					
White	2	0	2	0	2
Black or African-American	0	0	0	0	0
Asian	0	0	0	0	0
American Indian or Alaska Native	0	0	0	0	0
Native Hawaiian or Other Pacific Islander	0	0	0	0	0
Multiple Races	1	0	1	0	1

Table 4
Persons in Households without Children

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	644	393	1,037	1,429	2,466
Number of Persons (Adults)	644	394	1,038	2,035	3,073
Number of Persons (18-24)	28	56	84	118	202
Number of Persons (over age 24)	616	338	954	1,917	2,871
Gender					
Female	208	108	316	481	797
Male	429	283	712	1,507	2,219
Transgender	7	3	10	0	10
Don't Identify as male, female, or transgender	0	0	0	47	47
Ethnicity					
Non-Hispanic/Non-Latino	552	325	877	1,678	2,555
Hispanic/Latino	92	69	161	357	518
Race					
White	338	225	563	1,067	1,630
Black or African-American	232	136	368	475	843
Asian	5	2	7	14	21
American Indian or Alaska Native	15	15	30	131	161
Native Hawaiian or Other Pacific Islander	9	3	12	4	16
Multiple Races	45	13	58	344	402

**Table 5
Unaccompanied Youth Households**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	31	56	0	98	185
Number of Children (under age 18)	31	56	0	118	205
Number of Persons (18-24)	3	0	0	0	3
Number of Persons (over age 24)	28	56	0	118	202
Gender					
Female	8	16	0	39	63
Male	21	39	0	79	139
Transgender	2	1	0	0	3
Don't Identify as male, female, or transgender	0	0	0	0	0
Ethnicity					
Non-Hispanic/Non-Latino	25	45	0	78	148
Hispanic/Latino	6	11	0	40	57
Race					
White	13	25	0	59	97
Black or African-American	14	30	0	39	83
Asian	0	0	0	0	0
American Indian or Alaska Native	1	1	0	0	2
Native Hawaiian or Other Pacific Islander	0	0	0	0	0
Multiple Races	3	0	0	20	23

Table 6
Total Veteran Households

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	64	78	142	276	418
Total Number of Veterans	64	78	142	327	469
Gender					
Female	2	9	11	80	91
Male	62	69	131	238	369
Transgender (male to female)	0	0	0	9	9
Transgender (female to male)	0	0	0	0	0
Ethnicity					
Non-Hispanic/Non-Latino	56	70	126	251	377
Hispanic/Latino	8	8	16	76	92
Race					
White	40	41	81	194	275
Black or African-American	17	30	47	39	86
Asian	0	1	0	10	11
American Indian or Alaska Native	1	1	0	43	45
Native Hawaiian or Other Pacific Islander	0	2	0	0	2
Multiple Races	6	3	0	41	50
Chronically Homeless					
Total number of persons	25	0	25	185	210

Extrapolating process

To extrapolate the number of homelessness in areas not canvassed, CSUS generated a formula that calculated the difference between expected and actual count numbers within each sampled zone (i.e., the difference between what CSUS expected volunteers to report and what volunteers actually reported). As discussed in Section 1, CSUS had used pre-mapping data (e.g., information from community stakeholders and law enforcement regarding possible sleeping locations for the homeless) to generate 145 possible sampling zones in the county. CSUS had also used this information to calculate an expected number of homeless likely to be found within each zone on the night of the count (these expected values allowed CSUS to stratify the sampling by “cold,” “warm” and “hot” zones). Additionally, CSUS separated the zones into five “regions”: Downtown, East Sacramento, River, North Sacramento, and South Sacramento.

As anticipated, there was significant variation in count data between the five established regions, and so we used this additional information to calculate five separate extrapolation formulas for each regional part of the county. The general formula for extrapolating a predicated actual count for un-sampled zones was then simply:

$$Y_{\text{Predicted Actual}} = X_{\text{Average Region Diff}} + X_{\text{Expected}}$$

Using this formula to predict unsampled zone counts resulted in a small number of zones that were given scores beyond two standard deviations above the mean predicted score, while some zones indicated predicted values below zero. Because these results skewed the calculated standard error, some zones were replaced with either a value of 0 (for those zones with negative predicted value) or with the average predicted value for the broader region where the zone was located (for those more than two standard deviations from the mean). For both the sampled and unsampled zones, there was an average of 15 zones per region – providing a reliable distribution of the spatial data (though there were no unsampled zones downtown, as all of these zones were automatically selected for the count). On average, the differences between expected and actual count numbers in the sampled zones was 7.2, with a margin of error of 3.9. The following table presents the average regional breakdowns for sampled scores and extrapolated scores

Zone	Sampled Average	Sampled Margin of Error	Unsampled Average	Unsampled Margin of Error
Downtown Region	25.6 (n=14)	5.9	-	-
East Region	6.9 (n=10)	2.7	1.1 (n=20)	0.8
North Region	16.9 (n=19)	3.2	13.2 (n=21)	0.6
River Region	27.5 (n=8)	6.7	17.15 (n=10)	0.8
South Region	11.1 (n=19)	2.4	7.2 (n=10)	0.9

Enumeration Instructions

SSF Point-in-Time Homeless Count 2017 Count Form INSTRUCTIONS AND PROTOCOLS FOR VOLUNTEER TEAMS

Team Member Names

Please indicate your team-map number on every count form used. Also, make sure to write out the complete names of all the people in your team on each form. **Please note:** volunteer names will not appear in any published reports. However, we may need to contact you if we have to clarify something.

One line per Person

Remember to count each homeless persons *individually*, by reporting one person per line. That is, each row in your form will correspond to each individual you observe.

The exception is if you encounter a car, tent or RV that you suspect is being used for permanent habitation by a group, but you can not easily/accurately count the number of individuals inside. In this case you should indicate "number unknown" in the first the column (e.g., checking off the boxes for location type and "unknown #") and leave all other boxes unchecked in that row. If you are able to easily observe the number of people in a car, tent or RV, report each person separately in a different row.

Counting Family Groups

If you observe a family group standing, sitting, or sleeping next to each other, you will still report each person individually (again, ONE ROW for EACH person). But to designate these separate observations as a single household, please circle the two or more rows that make up the family group. **Please note:** a family group does not need to include children; a family group can be two adults.

Age Group, Gender and Race

Please make your best guess for each person's age grouping, gender, race and ethnicity. If you are unsure, then check "not sure" for the respective box.

PROTOCOLS FOR WHO TO COUNT

Do not wake up or disturb any individual being counted

Do not wake any sleeping individuals. If you encounter people in cars, tents, or RVs do not ask them to come out and talk with you, unless law enforcement initiates communication. You should only announce yourself in these situations if people can see you approaching and/or if you think you might scare them as you approach. Remember that you are in their "living room" and so you want to avoid stepping right up next to their vehicle window or tent door.

Count everyone that you see

Count everyone you observe, even if you doubt they are homeless. The only exceptions to this rule are:

- ✓ People who are clearly working (e.g., construction or road maintenance workers)
- ✓ Cars that are driving by (cars and RVs must be stationary to be counted)
- ✓ People conducting ordinary business at 24-hr services (such as a gas station or grocery store).

Tents, Vehicles (Car or RV)

If you see a tent or vehicle that appears to be permanently inhabited and you do not see people standing/sitting next to it or if you announce yourself and no one responds, then simply check the location type and the "unknown #" box, and move to the next row (skipping age group and gender). Clues that people may be living inside a vehicle include: the vehicle is on and running; the windows are partially open; the windows are fogged over; the vehicle is parked in a lot behind a shopping center, or in an alley. If you do see people standing or sitting next to the tent or vehicle, then use one row for each individual and be sure to mark age group and gender.

Confidentiality - The count is confidential and anonymous. Please do not record any identifying information, particularly the names – or any part of a name – of the people you count, even if personal information is volunteered.

MAP/TEAM #: _____

Names of all Team Volunteers:

	Location	Age	Gender	Race	Ethnicity
1	<input type="checkbox"/> Outside <input type="checkbox"/> Car <input type="checkbox"/> Tent <input type="checkbox"/> RV <input type="checkbox"/> unknown #	<input type="checkbox"/> Under 18 <input type="checkbox"/> TAY 18-24 <input type="checkbox"/> Adult 25+ <input type="checkbox"/> Not sure	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Not sure	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Not Sure <input type="checkbox"/> Other _____	<input type="checkbox"/> Hispanic/ Latino <input type="checkbox"/> Non-Hispanic / Non-Latino <input type="checkbox"/> Not sure
2	<input type="checkbox"/> Outside <input type="checkbox"/> Car <input type="checkbox"/> Tent <input type="checkbox"/> RV <input type="checkbox"/> unknown #	<input type="checkbox"/> Under 18 <input type="checkbox"/> TAY 18-24 <input type="checkbox"/> Adult 25+ <input type="checkbox"/> Not sure	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Not sure	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Not Sure <input type="checkbox"/> Other _____	<input type="checkbox"/> Hispanic/ Latino <input type="checkbox"/> Non-Hispanic / Non-Latino <input type="checkbox"/> Not sure
3	<input type="checkbox"/> Outside <input type="checkbox"/> Car <input type="checkbox"/> Tent <input type="checkbox"/> RV <input type="checkbox"/> unknown #	<input type="checkbox"/> Under 18 <input type="checkbox"/> TAY 18-24 <input type="checkbox"/> Adult 25+ <input type="checkbox"/> Not sure	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Not sure	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Not Sure <input type="checkbox"/> Other _____	<input type="checkbox"/> Hispanic/ Latino <input type="checkbox"/> Non-Hispanic / Non-Latino <input type="checkbox"/> Not sure
4	<input type="checkbox"/> Outside <input type="checkbox"/> Car <input type="checkbox"/> Tent <input type="checkbox"/> RV <input type="checkbox"/> unknown #	<input type="checkbox"/> Under 18 <input type="checkbox"/> TAY 18-24 <input type="checkbox"/> Adult 25+ <input type="checkbox"/> Not sure	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Not sure	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Not Sure <input type="checkbox"/> Other _____	<input type="checkbox"/> Hispanic/ Latino <input type="checkbox"/> Non-Hispanic / Non-Latino <input type="checkbox"/> Not sure
5	<input type="checkbox"/> Outside <input type="checkbox"/> Car <input type="checkbox"/> Tent <input type="checkbox"/> RV <input type="checkbox"/> unknown #	<input type="checkbox"/> Under 18 <input type="checkbox"/> TAY 18-24 <input type="checkbox"/> Adult 25+ <input type="checkbox"/> Not sure	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Not sure	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Not Sure <input type="checkbox"/> Other _____	<input type="checkbox"/> Hispanic/ Latino <input type="checkbox"/> Non-Hispanic / Non-Latino <input type="checkbox"/> Not sure

Please remember: 1) One line per person 2) Circle family units after counting and 3) Start a new sheet if there isn't enough lines for all family members.

Survey Instrument															
2017 SSF PIT Unsheltered Night Survey Final Draft															
Interviewer: _____	Date: _____														
Time: _____:AM/PM															
<p>Hello, my name is _____ and I'm a volunteer with Sacramento StepsForward. We are conducting a survey to better understand homelessness in our community and improve programs. If you participate, I have a small gift for you. Your participation is voluntary and your responses will be kept confidential. You can choose to skip any question and your answers will not affect your eligibility for services, or be shared with anyone outside of our team. I need to read each question all the way through. Can I have about 10 minutes of your time? Check [] if participant agrees. (If interview ends early, check the reason below)</p>															
<input type="checkbox"/> Lost Interest <input type="checkbox"/> Became Frustrated <input type="checkbox"/> Language Barrier, if so what language: _____ <input type="checkbox"/> Other _____															
1. Where will you sleep tonight?	<p style="text-align: center;">[Do not read categories, select only one]</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input type="checkbox"/> Street or sidewalk</td> <td style="width: 50%; border: none;"><input type="checkbox"/> Emergency shelter</td> <td rowspan="6" style="font-size: 3em; vertical-align: middle; padding-left: 10px;">}</td> <td rowspan="6" style="vertical-align: middle; padding-left: 10px;">Stop interview & offer gift</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Vehicle (car, van, RV, truck)</td> <td style="border: none;"><input type="checkbox"/> Transitional housing</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Park</td> <td style="border: none;"><input type="checkbox"/> Motel/hotel</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Abandoned building</td> <td style="border: none;"><input type="checkbox"/> House or apartment</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Bus, train station, airport</td> <td style="border: none;"><input type="checkbox"/> Jail, hospital, treatment program</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Under bridge/overpass</td> <td style="border: none;"><input type="checkbox"/> Woods or outdoor encampment</td> </tr> </table>	<input type="checkbox"/> Street or sidewalk	<input type="checkbox"/> Emergency shelter	}	Stop interview & offer gift	<input type="checkbox"/> Vehicle (car, van, RV, truck)	<input type="checkbox"/> Transitional housing	<input type="checkbox"/> Park	<input type="checkbox"/> Motel/hotel	<input type="checkbox"/> Abandoned building	<input type="checkbox"/> House or apartment	<input type="checkbox"/> Bus, train station, airport	<input type="checkbox"/> Jail, hospital, treatment program	<input type="checkbox"/> Under bridge/overpass	<input type="checkbox"/> Woods or outdoor encampment
<input type="checkbox"/> Street or sidewalk	<input type="checkbox"/> Emergency shelter	}	Stop interview & offer gift												
<input type="checkbox"/> Vehicle (car, van, RV, truck)	<input type="checkbox"/> Transitional housing														
<input type="checkbox"/> Park	<input type="checkbox"/> Motel/hotel														
<input type="checkbox"/> Abandoned building	<input type="checkbox"/> House or apartment														
<input type="checkbox"/> Bus, train station, airport	<input type="checkbox"/> Jail, hospital, treatment program														
<input type="checkbox"/> Under bridge/overpass	<input type="checkbox"/> Woods or outdoor encampment														
2. Did another volunteer or survey worker already ask you these same questions about where you will stay tonight?	<input type="checkbox"/> Yes [Stop interview & offer gift] <input type="checkbox"/> No <input type="checkbox"/> Don't Know /Refused														
<p>All of your answers to these questions will be completely confidential. But to make sure we are not interviewing people more than once, can I ask you for the first 2 letters of your first and last name, and the day and month you were born?</p>															
3a. The first 2 letters of your first name?	_____ _____ <input type="checkbox"/> Refused														
3b. The first 2 letters of your last name?	_____ _____														
3c. Month & day of your birth?	_____ _____														
<p>The next set of questions ask about you and the people in your household <u>who will also stay with you in the same location tonight</u>. By <u>household</u>, I mean the people who live with you now or most of the time.</p>															
4a. Including yourself, how many are there in your <u>household</u> that will also stay with you tonight?	_____ If more than 5 members attach additional Household Question sheets and check this box []														
4b. Including yourself how many are adults (18 years old or older)?	_____														
4c. How many are under 18 years old?	_____														

	Self	Person 2	Person 3	Person 4	Person 5
10. Is this your/their first time homeless?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
11. How many separate times in the past 3 years have you/they lived in a shelter, on the streets, or in a car?	<input type="checkbox"/> My first time <input type="checkbox"/> 2 – 3 Times <input type="checkbox"/> 4 Times or + <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	<input type="checkbox"/> My first time <input type="checkbox"/> 2 – 3 Times <input type="checkbox"/> 4 Times or + <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	<input type="checkbox"/> My first time <input type="checkbox"/> 2 – 3 Times <input type="checkbox"/> 4 Times or + <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	<input type="checkbox"/> My first time <input type="checkbox"/> 2 – 3 Times <input type="checkbox"/> 4 Times or + <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	<input type="checkbox"/> My first time <input type="checkbox"/> 2 – 3 Times <input type="checkbox"/> 4 Times or + <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused
12. If you add up all the times you/they have been homeless in the last 3 years, how many weeks /months would that be?	____Weeks ____Months <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	____Weeks ____Months <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	____Weeks ____Months <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	____Weeks ____Months <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused	____Weeks ____Months <input type="checkbox"/> Entire Time <input type="checkbox"/> DK/Refused

[If respondent is in a household, return to questions 7-12 for other members, in order of oldest to youngest]

Sensitive Questions

Some of these next questions touch on sensitive topics (and are only for the adults in your group). We can skip questions you don't feel comfortable answering, but I'm going to just list a couple different situations and you tell me "Yes" or "No" if any apply to you. You can also say "Not sure" or "Don't Know." Again, this survey is confidential and your answers will not affect your eligibility for services or programs. But what you share may help to improve programs in our community.

[Ask questions 13-29 only to adults; leave blank if member is under 18. Repeat questions 13-29 per adult.]

	Self	Person 2	Person 3	Person 4	Person 5
13. Have you served in any branch of the US Armed Forces*?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF <input type="checkbox"/> Not Adult	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF <input type="checkbox"/> Not Adult	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF <input type="checkbox"/> Not Adult	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF <input type="checkbox"/> Not Adult REF

[*Armed Forces=Army, Navy, Air Force, Marine Corps, or Coast Guard]

[If question 13 is Yes, SKIP to question 16]

14. Were you ever called into active duty as a member of the National Guard or as a Reservist?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
15. Have you ever received health care benefits from a Veterans Administration medical center?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF

	Self	Person 2	Person 3	Person 4	Person 5
16. Do you* ever receive special education services (special ed.) while in school for more than 6 months?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
[*= If asking about other members substitute "Did this person" or "Does this person"...]					
17. Do you* have a developmental disability?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
[Clarifying Prompt: Like ADHD, autism, cerebral palsy, or other developmental delays?]					
18. Do you* have a physical disability?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
19. Do you* drink alcohol or use non-medical drugs ?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
[Clarifying Prompt: Non-medical means using an illegal drug or a drug without a prescription]					
20. Do you* have an ongoing medical condition, such as diabetes, cancer, or heart disease?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
21. Do you* have a psychiatric or emotional condition such as major depression or schizophrenia?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
22. Do you* have a traumatic injury to the brain?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
23. Do you* have Post-Traumatic Stress Disorder or PTSD?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
24. Do you feel any of the situations we just discussed keep you from holding a job or living in stable housing?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
[If question 24 is No, SKIP question 25 and go to question 26]					

	Self	Person 2	Person 3	Person 4	Person 5
25. Which ones keep you from holding a job or living in stable housing? [Mark all the general conditions that apply]	<input type="checkbox"/> Alcohol/drug use <input type="checkbox"/> Psychiatric/emotional condition <input type="checkbox"/> Medical condition <input type="checkbox"/> Physical disability <input type="checkbox"/> Develop. disability	<input type="checkbox"/> Alcohol/drug use <input type="checkbox"/> Psychiatric/emotional condition <input type="checkbox"/> Medical condition <input type="checkbox"/> Physical disability <input type="checkbox"/> Develop. disability	<input type="checkbox"/> Alcohol/drug use <input type="checkbox"/> Psychiatric/emotional condition <input type="checkbox"/> Medical condition <input type="checkbox"/> Physical disability <input type="checkbox"/> Develop. disability	<input type="checkbox"/> Alcohol/drug use <input type="checkbox"/> Psychiatric/emotional condition <input type="checkbox"/> Medical condition <input type="checkbox"/> Physical disability <input type="checkbox"/> Develop. disability	<input type="checkbox"/> Alcohol/drug use <input type="checkbox"/> Psychiatric/emotional condition <input type="checkbox"/> Medical condition <input type="checkbox"/> Physical disability <input type="checkbox"/> Develop. disability
We're almost done; just have a few questions left for you.					
26. Do you* receive any disability benefits such as SSI, SSDI, or Veteran's Disability?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
27. Do you* have AIDS or an HIV-related illness?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
28. Did you leave your last place because a partner or someone else in the family was hurting or threatening to hurt you	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF
29. Before age 18, were you ever placed in a foster home or a group home?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DK/REF

[Repeat questions 13-27 for each adult-member of the household]

Those are all the questions I have for you. We realize that some of the topics covered are personal and can be difficult to think and talk about. We appreciate your willingness to participate tonight. Thank you for taking the survey!

Student Contributors

We greatly appreciate the work of our 28 student contributors from Social Work, Sociology and Criminal Justice, who made this project possible.

- o Social Work:
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 - o Gayane Stepahyan
 - o Lia Ek
 - o Vanessa Mendez
 - o Maria Perez
 - o Tai Duong
 - o Jazmin Orozco
 - o Kalynn Cornet
 - o Anne Brackney
 - o Meg Taylor
 - o Daniel Lizardo
 - o Franco Cruz
 - o Destiny Rogers
- o Sociology:
 - o Matthew Jara
 - o Pao Lor
 - o Cheryl Hogue
 - o Danielle Walker
 - o Catherine Lipchik
 - o Elisabeth Ferguson
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 - o Luis Martinez
 - o Adriana Silva
 - o Duran Ahtziri
 - o Edgar Cruz
- o Criminal Justice:
 - o Anabel Chavez
 - o Ysabel Garcia

EXHIBIT E



Homelessness in Sacramento County

Results from the 2019 Point-in-Time Count

A report prepared by California State University, Sacramento
for Sacramento Steps Forward

Acknowledgments

The research team would like to thank the approximately 900 volunteers who participated in the 2019 Homeless Count—the largest turn out of volunteers to date in Sacramento—who collectively canvassed over 42 square miles of area in Sacramento County, and walked a combined 462 miles of canvassing routes, to talk and engage with some of the most marginalized members of our community. The overwhelming response from our diverse community to the call for more volunteers was inspiring and exceeded our expectations. The breadth and scope of this project would have not been possible without the generosity of time and effort exhibited by hundreds of volunteers.

The research team would like to also acknowledge the tremendous support and resources provided by dozens of organizations and community-partners that made the 2019 Homeless Count possible.

- California Homeless Youth Project
 - Citrus Heights Police Department
 - City of Citrus Heights
 - City of Folsom
 - City of Isleton
 - City of Sacramento
 - College of Health and Human Services, Sacramento State University
 - Community Engagement Center, Sacramento State University
 - Continuum of Care agencies
 - Del Paso Blvd. Partnership
 - District Councilmembers and their Chiefs of Staff
 - Division of Social Work faculty and staff
 - Downtown Sacramento Partnership
 - Elk Grove Police Department
 - Folsom Police Department
 - Galt Police Department
 - Institute for Social Research Interns
 - Lutheran Social Services
 - Mack Road Partnership
 - Maryhouse-Loaves & Fishes
 - Mustard Seed School-Loaves & Fishes
 - Power Inn Alliance
 - Public Affairs & Advocacy, Sacramento State University
 - Rancho Cordova Police Department
 - Sacramento 100 Day Challenge to Tackle Youth Homelessness team
 - Sacramento County
 - Sacramento County Dept. of Human Assistance
 - Sacramento County Sheriff's Department
 - Sacramento Homeless Organizing Committee
 - Sacramento Housing & Redevelopment Agency
 - Sacramento LGBT Community Center
 - Sacramento Police Department
 - Sacramento Self-Help Housing
 - Sacramento State Students Volunteers
 - Sacramento Steps Forward Navigators and Outreach Team
 - Sacramento Youth Council (Youth Action Board)
 - Women's Empowerment
 - Waking the Village
 - Wind Youth Services
-

While many volunteers and staff contributed to the 2019 Homeless Count, the research team would like to specifically acknowledge three individuals at Sacramento Steps Forward and Sacramento State who contributed hundreds of hours to the logistics, community engagement, and implementation of this year's ambitious and complex count.

- Nick Lee, Project Coordinator
- Peter Hoy, Volunteer Coordinator
- Professor Ethan Evans, Community Engagement and Training

Finally, we would also like to thank the 550 individuals who agreed to be interviewed by volunteers and who shared their experiences and perspectives. With humility, we dedicate this report to the thousands of individuals in our community who face homelessness every night in Sacramento County.

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Recommended Citation

Baiocchi, A., Curry, S., Williams, S., Argüello, T., Price Wolf, J., & Morris, J. (2019, June). *Homelessness in Sacramento County: Results from the 2019 Point-in-Time Count*. Sacramento, CA: Institute for Social Research and Sacramento Steps Forward.

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Executive Summary

Every two years Sacramento County and its incorporated cities undertake an extensive effort to document every individual in the county experiencing homelessness during a twenty-four-hour period. This effort, known as the “Point-in-Time Homeless Count” (Homeless Count), provides a single-night snapshot of nearly all individuals and families staying at emergency/transitional shelters in the county, as well as those sleeping outside, in tents or vehicles, under bridges, or other places not meant for human habitation. Homeless Counts are coordinated across the nation to fulfill a federal funding requirement from the U.S. Department of Housing and Urban Development (HUD). However, the Homeless Count is also a detailed and timely information source for local stakeholders and the broader community to assess the state of homelessness in their region.

Sacramento Steps Forward (SSF) has partnered for a second time with faculty researchers from Sacramento State University and the Institute for Social Research, to develop and implement the 2019 Homeless Count for Sacramento County. This year’s Homeless Count was a much more ambitious endeavor than previous years—deploying new statistical methods as well as greater community engagement to improve the scope of the count. Approximately 900 community volunteers participated in the 2019 Homeless Count, who collectively walked 462 miles of canvassing routes, to talk and engage with some of the most marginalized members of our community. This report summarizes some of the key findings from these efforts as well as general conclusions about the state of homelessness in Sacramento County.

General Findings

- **Similar to statewide trends, Sacramento County continues to experience substantial increases in nightly homelessness.** The number of individuals experiencing homelessness on any given night in the county increased by an estimated 19 percent since 2017.¹ This increase in nightly homelessness in the county follows an estimated 30 percent growth from 2015 to 2017.² The two results combined suggest that while the *rate of growth* may have abated a bit since 2017, homelessness continues to show marked increases in Sacramento County during the last 4-5 years, much like the rest of the West Coast.³

1 It is important to note that this year’s count used a modified methodology from 2017 and so the raw totals for 2017 and 2019 cannot be compared directly. As described in Section 3 of this report, statistical adjustments were made to account for changes in methodology, which allow an estimate of a real (adjusted) increase of 19% from 2017-2019 in the number of people experiencing homelessness.

2 It should be noted that the 30% growth for 2015-2017, was also an adjusted estimate that the researchers calculated.

3 The two-year 19% increase in Sacramento County is consistent with increases already reported by other counties across California in 2019 at the time of this reporting. For example: County of San Francisco reports a 17% increase since 2017; Santa Clara County reports a 31% increase; Alameda County reports a 43% increase.

- **On the night of the 2019 Homeless Count an estimated 5,570 individuals experienced homelessness throughout the county—which is the highest estimate of nightly homelessness reported for our community.** Per capita, this corresponds to 36 per 10,000 residents in the county experiencing homelessness each night. In 2018, the state average was 33 per 10,000 Californians experiencing homelessness each night, whereas in the US more broadly it was 17 per 10,000 individuals. We anticipate that Sacramento County’s per capita average will be similar to the per capita rate that HUD will report for California later in 2019.
- **The vast majority of individuals experiencing homelessness each night in Sacramento County are *sleeping outdoors* or in vehicles, abandoned buildings or other location not suitable for human habitation.** Approximately 70 percent of individuals experiencing homelessness in the county are unsheltered, which is consistent with California’s large and growing outdoor homeless population (estimated at 69% in 2018).
- **The estimate of 5,570 people who are homeless each night could correspond to between 10,000 to 11,000 residents in Sacramento County experiencing homelessness during the span of the year.** The Homeless Count provides only a snapshot of individuals experiencing homelessness in one night—but during the course of a year *different* individuals enter, exit and return to a state of homelessness in our community. Taking into account this dynamic of homelessness, we estimate that between 10,000 to 11,000 residents of the county will experience at least one episode of homelessness during the course of the year.

Unsheltered Homelessness

The 2019 Homeless count resulted in nearly **550 in-person interviews conducted with individuals sleeping outdoors during a twenty-four hour period**; the highest number of surveys conducted on record in Sacramento County.⁴ This large number of surveys means better information about individuals who are unsheltered (i.e., not using the shelter system). Consequently, this report presents a number of new findings related to unsheltered homelessness in Sacramento County.

- **Despite some local concern that many people experiencing homelessness are from other communities, the vast majority (93%) are from Sacramento County.** Almost all unsheltered individuals (93%) identified as either “long-time residents of Sacramento County” or as “originally from Sacramento.” Only seven percent (7%) of respondents said they had moved to Sacramento County within the last year. A few of these individuals said they had moved to Sacramento as a result of the Northern California Camp Fire that occurred in the fall of 2018.
- **Many more families with children are sleeping outside of shelters each night (and particularly, in vehicles) than had been previously assumed;** on the night of the Homeless Count

⁴ While 550 surveys were collected, only 525 met the threshold for analysis.

approximately 195 families were estimated to be unsheltered, which represented 52 percent of all families experiencing homelessness that night.

- **A substantial proportion of individuals sleeping outdoors (approximately 30%) are older adults** over the age of 50, and one-in-five are 55 or older. Older adults are more likely to report various health conditions and other challenges than younger adults, which can complicate their transition into stable housing. Older adults experiencing homelessness are less likely to be staying with others at the time of the interview, and may have limited support systems.
- **For the first time, we were able to gain an understanding of how gender and sexual orientation intersect with experiences of unsheltered homelessness in our community.** Approximately nine percent (9%) of unsheltered respondents identified their sexual orientation as gay/lesbian, bisexual or another sexual identity other than heterosexual.
- Though almost half of the individuals interviewed outside identified their race as White, they are nonetheless underrepresented given the demographics of the county (which is approximately 64% White). In contrast, **Black and American Indian/Alaska Native people are significantly overrepresented in the unsheltered homeless population; this is particularly the case for unsheltered families.**
- **Approximately 30 percent of people experiencing homelessness met the definition of “chronic homelessness” as defined by HUD, a *slightly lower rate than anticipated*.** In 2017, 31 percent of individuals experiencing unsheltered homelessness met the HUD definition of chronic homelessness (which is based on both length of time homeless and presence of a disabling condition). Given the substantial 19 percent increase in the number of individuals experiencing homelessness in the community, and particularly those reporting long-term homelessness lasting over a year, we anticipated a substantial and proportional increase in the rate of chronic homelessness for Sacramento County. The rate instead remained stagnant, and some groups even indicated some modest declines in chronic homelessness, such as older adults and veterans. Though it is beyond the limits of the data to explore this possible decline, efforts to engage chronic homeless populations could have had a mitigating effect on the broader upward trends of long-term homelessness.

While significant increases in homelessness in Sacramento County are concerning, this report discusses some key contextual factors that contributed to these larger estimates in the 2019 Homeless Count.

Contextual Considerations

- **The 2019 rise in homelessness reflects the continued challenges with housing affordability locally and across the state.** A number of studies show that rental market conditions are the strongest predictors of community levels of homelessness; one of the most salient conditions is the proportion of renters that spend more than 50 percent of their monthly income on

rent—which represent nearly 30 percent of all renters in the county.⁵ Sacramento has seen major increases in rental rates in the context of a state-wide housing crisis. From January 2017 to April 2019, the median rent in Sacramento rose 14 percent, compared to a five percent (5%) increase nationally. And in 2017-2018 Sacramento faced the highest rent increases among California cities. This continues a broader five-year upward trend in which Sacramento renters experienced the second highest continuing increases in rent among major California cities.⁶

- **The increase in homelessness in Sacramento County is consistent with the double-digit increases being reported across communities in California.** Double-digit increases are being reported in Southern California counties, as well as nearby counties of San Francisco, Santa Clara, and Alameda Counties. Moreover in the past year, 43 communities and 11 major cities throughout California have formally declared a shelter crisis in their respective areas. While homelessness is undoubtedly a local community issue, it is nonetheless impacted by state-wide trends. This suggests that partnerships across local, regional, and state entities are going to be required to address factors such as the lack of affordable housing.
- **The 2019 Sacramento Homeless Count provides a more accurate estimate of individuals sleeping outdoors than ever before, consequently direct comparisons to previous counts are less intuitive.** Readers of this report should note that the 2019 Homeless Count employed a number of design modifications that greatly improved the accuracy of the estimate, but also make it different from previous community efforts to document homelessness. These modifications include deploying hundreds of additional volunteers (e.g., over 900 in 2019 vs. 300 in 2017), canvassing different parts of the county over *multiple nights*, and using sampling and statistical techniques to estimate the number of individuals sleeping in locations not canvassed. These modifications improve the overall accuracy and scope of the count and we therefore caution against direct comparisons of raw estimates to previous counts. Given this, a later section of this report (Section 3) discusses how readers should interpret the 2019 nightly estimates in the context of the total numbers reported in 2017.

In the final section of this report, we discuss both policy recommendations for Sacramento County and methodological considerations that we believe will continue to improve the accuracy and consistency in the 2021 Homeless Count.

⁵ The US Census *American Community Survey* (2018) estimates that 28.5% of renters in Sacramento County are severely burdened renters; meaning they spend more than 50% of their income on rent.

U.S. Census Bureau. (2018). Financial characteristics: Sacramento County, CA. 2013-2017 American Community Survey 5-Year Estimates. Washington, D.C.: Author.

⁶ RentCafe. (June 2019). *Sacramento, CA: Rental market trends*. Retrieved from <https://www.rentcafe.com/average-rent-market-trends/us/ca/sacramento/>

Bizjak, T. (2019, September 6). Sacramento had state's second highest rent increase. But there's good news for tenants, too. *The Sacramento Bee*. Retrieved from <https://www.sacbee.com/news/business/real-estate-news/article217796560.html>

Introduction: 2019 Homeless Count

Every two years Sacramento County and its incorporated cities undertake an extensive community effort to document every individual in the county experiencing homelessness during a twenty-four-hour period. This effort, known as the *Homeless Point-in-Time* Count, results in a *census* of all individuals in the county accessing shelters and transitional housing (“sheltered homelessness”). The count also estimates the total number of individuals who, in the same period, are sleeping outdoors in tents, cars, or other locations not suitable for extended human habitation (“unsheltered homelessness”).

Most communities conduct the Point-in-Time Count (hereafter referred to as the “Homeless Count”) every two years, during the last week of January, to fulfill a federal funding requirement from the United States Department of Housing and Urban Development (HUD). Accordingly, Homeless Counts must adhere to an evolving set of guidelines and methodologies established and updated by HUD each year--though HUD allows some flexibility given the varying contexts of communities (e.g., rural vs. urban areas). In addition to providing information about the total counts and demographics of the sheltered and unsheltered homeless in the community, Homeless Counts must also report on specific at-risk populations, including veterans, transition age youth, and individuals experiencing chronic homelessness.

The results from the Homeless Count depict a “snapshot” of total homelessness in the county, and provide detailed and timely information for local stakeholders and the broader community to assess the state of homelessness in our region. Moreover, hundreds of surveys conducted with individuals not using the shelter system, offer unique insights into the experiences of unsheltered homelessness in Sacramento County in 2019.

Sacramento Steps Forward has partnered for a second time with faculty researchers from Sacramento State and the Institute for Social Research to develop and implement the 2019 Homeless Count for Sacramento County. This report summarizes some of the key findings from these efforts and provides recommendations for future homeless counts.

A Collaborative Effort

Sacramento Steps Forward (SSF) is the administrative entity for the community's Homeless Continuum of Care (CoC) Program. The CoC is led by a 25-member community board that coordinates homelessness planning efforts and federally funded programs. CoCs are typically charged with implementing Homeless Counts because of their strong connections to a variety of stakeholders.

In late summer of 2018, SSF solicited a request for proposal (RFP) for researchers to outline a new strategy to update and improve the accuracy of the 2019 Sacramento Homeless Count. Responding to continuing concerns in the community that Homeless Counts may substantially underreport the

true rate of unsheltered homelessness in Sacramento - and echoing recommendations raised by the 2017 Homeless Count report - SSF requested that researchers propose a more robust strategy to improve the accuracy of the unsheltered count. In fall 2018, SSF selected the proposal submitted by Sacramento State and commissioned the authors to implement an improved Homeless Count design, the process of which is discussed in the appendix of this report. While SSF held primary responsibility for the 2019 Homeless Count, including outreach to partners and recruiting and training volunteers, the Sacramento State research team held primary responsibility for the design of the study, data collection, and analyses of the data. However, many other stakeholders, community volunteers, and Sacramento State students were instrumental in this effort.

Report Roadmap

The goal of this report is to provide community members with a general understanding of the key findings from the 2019 Sacramento Homeless Count as well as to highlight contextual factors to consider in light of these findings. The report also points to some general conclusions about the level of need in the community and provides recommendations for future Homeless Counts. Given these goals, the report is organized in the following four sections:

Section 1 presents general findings of the 2019 Homeless Count, and summarizes the total homeless estimate of both sheltered and unsheltered homelessness in Sacramento County. In this section we discuss what these estimates mean in terms of a per capita rate of nightly homelessness, as well as how these numbers can be interpreted as annualized estimate of homelessness throughout the year. Lastly, we present breakdowns of overall demographics and household characteristics of sheltered and unsheltered individuals.

Section 2 provides further analysis of the 550 surveys collected with individuals experiencing unsheltered homelessness. We focus on three key subpopulations that are at higher risk for experiencing homelessness. Specifically, we present detailed data on transitional age youth (ages 18-24), families with children, and older adults. We also present data on veterans experiencing homelessness.

Section 3 presents the results of our analysis to assess the changes over time in the size of the homeless population as indicated by a careful comparison of the 2017 and 2019 Counts. The 2019 Count modifications improved the accuracy and scope of the count, but also required a statistical accounting for these modifications, which provide an *estimate a 19 percent relative increase in homelessness in Sacramento County since 2017*. We discuss the improved methodology and our process for accounting for methodological changes in Section 3.

Section 4 summarizes the general homeless trends that the 2019 Count uncovered, and highlights policy recommendations according to the authors. We also discuss our methodological recommendations for future Homeless Counts in Sacramento.

Methodology Appendix summarizes the updated research design of the 2019 Homeless Count, focusing primarily on the specific changes implemented this year as compared to previous Counts.

Readers of this report should note that these methodology modifications make the 2019 Homeless Count substantially different from previous community efforts to document homelessness. These modifications include deploying hundreds of additional volunteers, canvassing different parts of the county over multiple nights, and using sampling and statistical techniques to estimate the number of individuals sleeping in locations not canvassed.

Section 1: The State of Homelessness in 2019

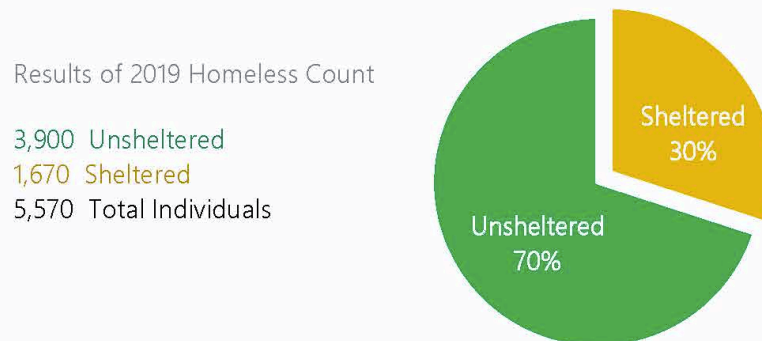
In this section, we discuss the general results of the 2019 Homeless Count, starting first with the estimates for nightly homelessness in Sacramento County. We elaborate on the significance of these estimates in terms of the ratio of sheltered to unsheltered homelessness, as well as how these numbers correspond to per capita and annualized rates of homelessness for the county. We also discuss these estimates in the broader context of increasing homelessness in California. Later in this section we overview the demographic profile of individuals experiencing homelessness in Sacramento County, including both those that were sheltered and unsheltered on the night of the count.

Estimates of Homelessness in Sacramento County

On a single night in January 2019 an estimated **5,570 individuals** were experiencing homelessness in Sacramento County.

- This is the largest report of nightly homelessness on record for Sacramento County.
- The estimate of 5,570 includes the 1,670 *sheltered* individuals who accessed emergency shelters or transitional housing the night of the count, and the 3,900 *unsheltered* individuals who slept outside or in a location not suitable for human habitation (e.g., on the street, in a vehicle, or in a tent).
- This suggests that over 70 percent of individuals experiencing homelessness in the county are unsheltered as opposed to sheltered on any given night (i.e., not accessing shelters or transitional housing).

Figure 1 | Sheltered vs. Unsheltered Individuals in 2019 Homeless Count



The high number of people experiencing unsheltered homelessness in our region signals a troubling trend first noted in the 2017 Sacramento Homeless Count, that the vast majority of county residents facing homelessness today are unsheltered, even during presumably one of the coldest nights of the year.

- The 2017 Homeless Count was the first year that Sacramento County reported more people experiencing unsheltered than sheltered homelessness (56% vs. 44%).
- Though this trend has continued to worsen, it follows a larger pattern of growing unsheltered homelessness reported across communities in California.
- According to HUD, California reports the highest proportion of unsheltered homelessness in the country, currently averaging 69 percent (HUD, 2018). This proportion of unsheltered homelessness has grown over the last four years, consistent with the growth observed in Sacramento.

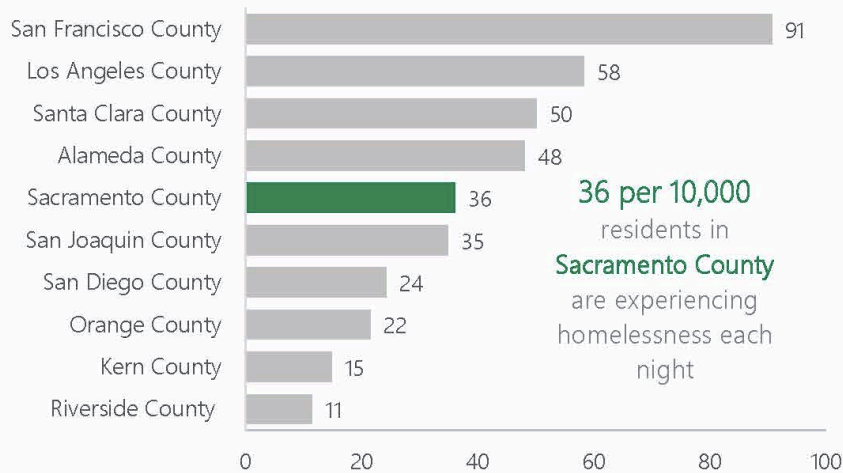
Given Sacramento County's population of approximately 1.5 million residents, the estimate of 5,570 people experiencing homelessness each night suggests that approximately 36 in every 10,000 residents in the county experience homelessness each night.⁷

- This per capita rate of nightly homelessness is about ten percent higher than the 2018 state average of 33 per 10,000 Californians experiencing homelessness each night.⁸
- While 2019 data for the state will not be available until 2020, we anticipate that the per capita homelessness rate for California will rise and Sacramento County will approximate the state average (i.e., we anticipate that the state average will reach or exceed 36 out of 10,000).

⁷ U.S. Census Bureau. (2018). Financial characteristics: Sacramento County, CA. 2013-2017 American Community Survey 5-Year Estimates. Washington, D.C.: Author.

⁸ U.S. Department of Housing and Urban Development [HUD]. (2017). 2017 AHAR, Part 2, Section 4: Unaccompanied homeless youth in the United States. Washington, D.C.: Author. Retrieved from <https://files.hudexchange.info/resources/documents/2017-AHAR-Part-2-Section-4.pdf>.

Figure 2 | 2019 Per Capita Homelessness, by County⁹



⁹ US Census, 2018

San Joaquin Continuum of Care. (2019, April 22). *San Joaquin Continuum of Care report on the point in time count of the sheltered and unsheltered homeless*. Retrieved June 6, 2019, from <http://www.sanjoaquinccoc.org/wp-content/uploads/2019/04/San-Joaquin-Continuum-of-Care-Report-on-the-2019-Point-in-Time-Count.pdf>

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 San Diego Regional Task Force on the Homeless. (2019, April 29). *2019 point-in-time count (WeAllCount) results* [News Release]. Retrieved June 3, 2019, from https://www.rtfhsd.org/wp-content/uploads/2019/05/STATEMENT_-_RTFH_-_PITC.pdf

2019 Annualized Estimate

A common misconception of the Point-in-Time Homeless Count is that it provides a total yearly estimate of all of the individuals experiencing homelessness within the community--for example, approximating the total number of individuals who fall into homelessness or access shelters across the span of the year. As the name implies, however, the Point-in-Time count provides only a snapshot of one night of homelessness in a community.

- During the course of an entire year *different* individuals enter, exit, and return to a state of homelessness in our community. In other words, the homeless population is in constant flux as different individuals enter and exit homelessness each week.
- Taking into consideration this dynamic of homelessness, researcher can use the results of the Point-in-Time Count to approximate the total number of individuals who will likely experience homelessness or access shelters at least once during the course of the year. These annualized estimates are typically calculated as two to three times the nightly estimate of nightly homelessness.¹⁰
- The 2019 Homeless Count suggests that approximately 10,000 to 11,000 residents in Sacramento County will experience homelessness during the next year.¹¹
- This is consistent with a recent analysis by Sacramento Steps Forward of the Housing Management Information System (HMIS).¹² It is not clear, however, how many individuals encountered during the Homeless Count overlap with individuals interacting with broader system of homeless services.

¹⁰ Burt, M.R. & Wilkins, C. (2005). Estimating the need: Projecting from Point-in-Time to annual estimates of the number of homeless people in a community and using this information to plan for Permanent Supportive Housing. New York, NY: Corporation for Supportive Housing. Retrieved from <https://www.csh.org/wp-content/uploads/2013/08/Estimating-the-Need.pdf>.

Carlen, J. (2018). Estimating the annual size of the homeless population in Los Angeles using Point-in-Time data. Los Angeles, CA: Economic Roundtable. Retrieved from <https://economicrt.org/publication/estimating-the-annual-size-of-the-homeless-population/>

¹¹ We used the conventional Burt & Wilkins (2005) formula to extrapolate an annualized estimate from survey responses from the 2019 Homeless Count. Similar to other techniques, the Burt & Wilkins formulas considers the number of individuals who reported becoming homeless in the past week, while discounting the proportion of all homeless individuals who have had a previous homeless episode in the past year. While these estimates are generally accepted as a reliable approximation of the true annualized rate, future analyses may be able to integrate aspects of HMIS data to provide more accurate estimates.

¹² Data provided by Sacramento Steps Forward, June 7, 2019.

It is estimated that approximately 10,000 to 11,000 residents in Sacramento County will experience homelessness during 2019.

Changes over Time

The 2019 Homeless Count provides a more accurate estimate of individuals experiencing homelessness in Sacramento County than ever before—indicators for unsheltered homelessness in particular appear more aligned with state and regional trends than prior counts. However, readers of this report should note that the improvements to methodology make direct comparisons to previous counts less intuitive.

For instance, comparing the raw results of the 2019 Homeless Count with previous counts done in Sacramento County is problematic given that a larger geographic area was canvassed for the unsheltered count in 2019 than in previous years (with three times the number of volunteers deployed this year compared to 2017). In addition, we used new statistical techniques in 2019 to estimate the number of individuals experiencing homelessness in areas not canvassed. Nonetheless, in Section 3 of this report we statistically account for these modifications and estimate an adjusted-increase to help readers interpret trends.

- We estimate a 19 percent relative increase in homelessness in Sacramento County since 2017 (See Section 3).
- This 19 percent increase follows an already-reported 30 percent increase from 2015 to 2017.
- The two results combined suggest that while the *rate of growth* may have abated a bit since 2017, Sacramento continues to experience substantial increases in homelessness, much like the rest of the West Coast. At the time of this reporting, several communities in California have reported similar substantial increases during the last two to four years of reporting.¹³

¹³ As of June 2019, these percent increases were not yet official but had been reported in the media.

While it is not clear at this point to what extent differences in percent increase across different Californian communities are a result of methodological change or real differences in change, the main takeaway from the figure above is that the rate of homelessness since 2017 has increased in the double digits across almost all California counties. Housing market conditions remain the main driver of this growth in homelessness, particularly the availability of affordable housing in our region. From January 2017 to April 2019, the median rent in Sacramento rose 14 percent, compared to a five percent (5%) increase nationally; and from 2017-2018 Sacramento faced the highest rent increases among California cities.¹⁴

Description of Homelessness in Sacramento County

Below we provide some general descriptive and demographic information of people experiencing homelessness in Sacramento County. We start by reviewing the household composition of all people experiencing homelessness (including both sheltered and unsheltered homeless) and later focus more specifically on unsheltered individuals who were interviewed during the 2019 Homeless Count. In the next section of the report, we delve deeper into survey results to report on specific populations (e.g., transitional age youth, older adults etc.)

Household Composition of Total Sacramento Homeless Population

People experiencing homelessness can be found in various household situations; some people navigate homelessness by themselves, while others experience homelessness as a family or household. The 2019 Homeless Count indicates that the majority of people experiencing homelessness in Sacramento County (73%) are *single adults*, most of whom of who are unsheltered.¹⁵

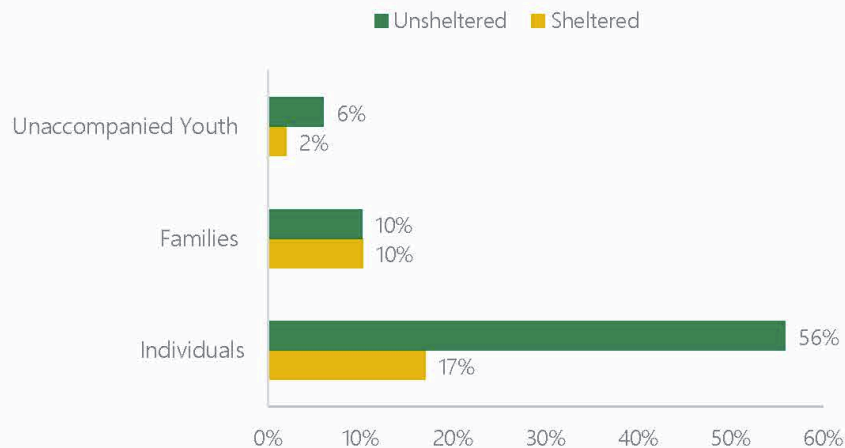
- Over half (56%) of all people experiencing homelessness are unsheltered, single-adults. Single-adults who are sheltered represent another 17 percent of all people experiencing homelessness.
- People in *families with children* represent 20 percent of all people experiencing homelessness in Sacramento County. Half of these families were encountered in shelters and transitional housing (representing 10% of the total population) and the other half outside of shelters (10% of total population). As we elaborate in Section 2 of this report, this is a relatively high proportion of families staying outside of shelters.¹⁶

¹⁴ RentCafe, 2019; Bizjak 2019

¹⁵ It should be noted that this analysis simplified the distinction between single-adult and multi-adult households with no children (e.g., married/partnered couples). This was to align this particular analysis with HUD reporting conventions. Nonetheless, approximately 75% of single adults reported that they were indeed in a household of one.

¹⁶ US Census, 2018

Figure 3 | Type of Household by Sheltered Status in 2019 Homeless Count

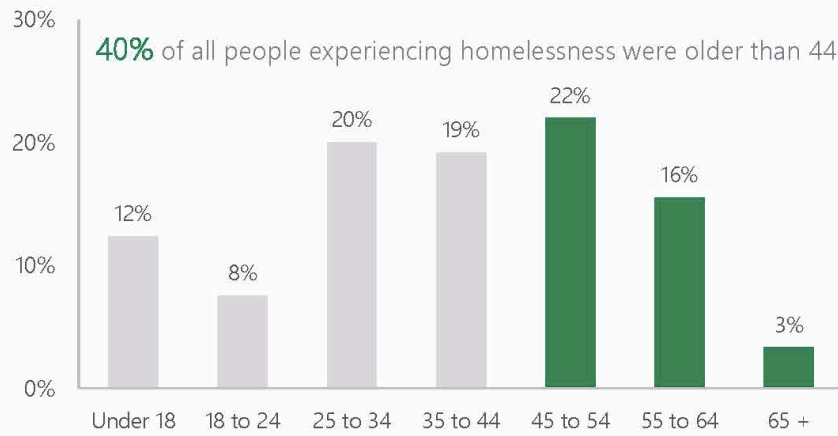


Finally, approximately eight percent (8%) of individuals experiencing homelessness would be considered *unaccompanied youth households*--this includes some minors (under 18) but is comprised mostly of transitional age youth (ages 18-24). Section 3 of this report also elaborates on the survey responses from this group, particularly those who are transitional age youth.

Age Groups of Total Sacramento Homeless Population

People experiencing homelessness also represent a wide range of ages, from very young children to seniors in their 70s. As Figure 4 below shows, the vast majority of people experiencing homelessness (80%) were adults aged 25 and over, nonetheless a substantial proportion were children under age 18 (12%) and transitional age youth (ages 18-24; 8%).

Figure 4 | Age Distribution of Total Homeless Individuals in 2019

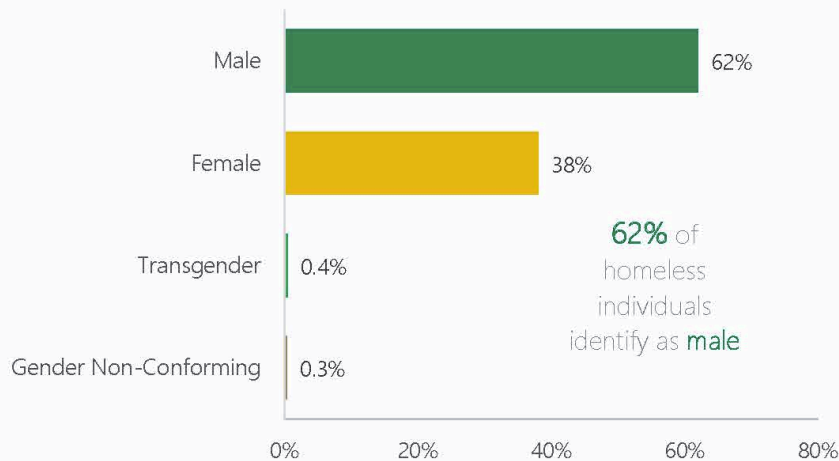


- The distribution of ages also indicates that the homeless population tends to be older; over 40 percent of all people experiencing homelessness are older than 44, and almost one-in-five are older than 54.
- Additional analyses indicate that the average of people experiencing homelessness was 39, with unsheltered adults reporting significantly older ages than adults staying in shelters (average age of 42 vs. 37).

Gender of Total Sacramento Homeless Population

The majority of people experiencing homelessness self-identified their gender as male (62%), while 38 percent self-identified as female (see Figure 5 below). Approximately 25 adults identified as transgender, and approximately 16 identified as gender non-conforming (each representing less than 1%).

Figure 5 | Gender within the Total 2019 Homeless Count



Sexual Orientation of the Unsheltered Sacramento Homeless Population

In addition to questions about gender identity, unsheltered adults were also asked about their sexual orientation during the 2019 Homeless Count—a new addition to this year's effort. Results indicated that approximately nine percent (9%) of individuals identified as either Gay/Lesbian, Bisexual or another non-heterosexual orientation. More specifically, three percent (3%) identified as Gay/Lesbian, three percent (3%) as Bisexual and two percent (2%) of respondents chose to self-describe with another term or other category.

9 percent of the unsheltered homeless population identify their sexual orientation as either Gay, Lesbian, Bisexual, or another term or category.

Ethnicity and Race of Total Sacramento Homeless Population

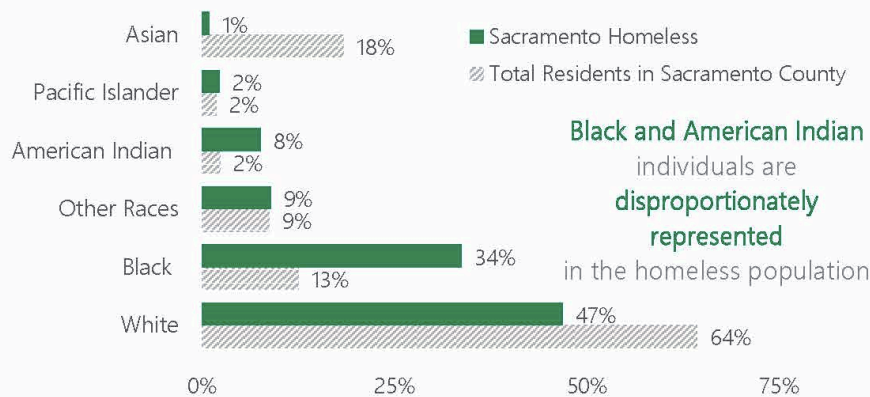
Approximately 18 percent of people experiencing homelessness identified their ethnicity as Hispanic, while the majority identified as non-Hispanic (82%). With respect to racial identity, the majority of individuals identified as either White (47%) or Black/African American (34%). As Table 1 shows, a substantial proportion of individuals also identified as American Indian or Alaska Native (8%), while nine percent (9%) identified themselves with multiple races or considered themselves Multiracial. Relatively few individuals identified as either Hawaiian-Pacific Islander (2%) or Asian (1%).

Table 1 | Ethnicity and Race within the 2019 Homeless Count

Ethnicity	Total Homeless Count	
	#	%
Hispanic	985	18%
Non-Hispanic	4,585	82%
Race		
White	2,608	47%
Black	1,875	34%
Asian	49	1%
American Indian	421	8%
Native Hawaiian	123	2%
Multiracial	494	9%

Comparing the racial composition of people experiencing homelessness to the total racial composition of all residents of Sacramento County reveals some notable trends (see Figure 6 below).

Figure 6 | Racial Composition: Sacramento Co. Total Population vs. 2019 Homeless Count



- While Whites comprise the largest racial group of people experiencing homelessness in Sacramento County (47%), they are nonetheless underrepresented given that 64 percent of Sacramento County residents identify as White.¹⁷
- In contrast, Blacks/African Americans are disproportionately represented in the county's homeless population (34% vs 13% of Sacramento County).
- American Indian/Alaska Native individuals are also overrepresented in the homeless population in Sacramento County (8% vs. 2% of Sacramento County), which mirrors national trends.¹⁸
- In contrast, individuals who identify as Asian are substantially underrepresented in the homeless population (1% vs 18% of Sacramento County).

It should be noted that the overrepresentation of racial minorities in the homeless population is largely consistent with trends reported across California, as well as the United States more broadly. These patterns reflect the racialized and enduring levels of inequality in our state and community.¹⁹

Unsheltered Homeless Experiences

Volunteers interviewed hundreds of individuals experiencing unsheltered homelessness for the 2019 Homeless Count. These survey responses were combined with the count data to generate demographic estimates of the unsheltered homeless population. Below we highlight some general demographic trends revealed in the survey responses provided by individuals experiencing unsheltered homelessness.

Demographic Patterns of People Who Are Unsheltered

Analysis of the survey data suggests that demographic composition of people experiencing unsheltered homelessness varies slightly from those who are sheltered.

- Unsheltered individuals are on average five years older than individuals staying in shelters/transitional housing (42 vs. 37).

¹⁷ US Census, 2018

¹⁸ Biess, J. (2017, April 11). Homelessness in Indian Country is a hidden, but critical, problem. Washington, D.C.: Urban Institute. Retrieved from <https://www.urban.org/urban-wire/homelessness-indian-country-hidden-critical-problem>

¹⁹ The racial disproportionality of homelessness was the subject of a recent groundbreaking report by the Los Angeles County Department of Homeless Services, which offers a series of recommendations to address policies that have led to this overrepresentation. LAHSA (2018, December). Report and recommendations of the Ad Hoc Committee on Black People Experiencing Homelessness. Los Angeles Homeless Services Authority. Retrieved from <https://www.lahsa.org/documents?id=2823-report-and-recommendations-of-the-ad-hoc-committee-on-black-people-experiencing-homelessness>

- Individuals encountered outside were also much more likely to report themselves in a single-adult household (78%) than those in shelter/transitional housing (56%).

As the demographic tables illustrate below, a higher proportion of individuals sleeping outside identified as male than those in sheltered situations (65% vs 53%). In contrast, a slightly lower proportion of unsheltered individuals self-identified as either White (45%) or Black/African American (31%) compared to sheltered individuals (50% and 40%, respectively).

Table 2 | Ethnicity and Race within the 2019 Homeless Count

Ethnicity	Unsheltered Count		Sheltered Count	
	#	%	#	%
Male*	2,549	64%	882	53%
Female	1,318	34%	780	47%
Transgender	19	.5%	6	.4%
Gender Non-Conforming	14	.5%	2	.1%
Ethnicity				
Hispanic	663	17%	322	19%
Non-Hispanic	3,237	83%	1,348	81%
Race				
White**	1,768	45%	840	50%
Black**	1,214	31%	661	40%
Asian	32	1%	17	1%
American Indian	380	10%	41	3%
Native Hawaiian	112	3%	11	1%
Multiracial	394	10%	100	6%

*p<.05; **p<.01

Despite these differences, however, unsheltered individuals indicated similar responses with respect to ethnicity (Hispanic and Non-Hispanic), other racial identities, as well as transgender and non-gender conforming identities.

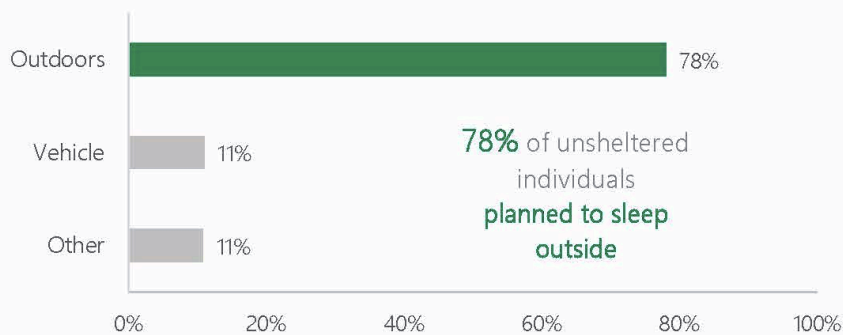
In sum, unsheltered individuals were more likely to be older, single, and male compared to sheltered individuals.

Sleeping Locations of Unsheltered Individuals

At the start of each interview, unsheltered individuals were asked where they anticipated sleeping for the evening of January 30th (or where they had slept that night, if the survey was conducted after the 30th).²⁰ Analysis of how individuals responded to this open-ended question indicated the following:

- Most unsheltered people (78%) were planning to *sleep literally outside* such as “on the sidewalk or underpass,” an “outdoor encampment, or “other outside location.”
- Eleven percent (11%) indicated that they were sleeping in a vehicle.
- Eleven percent (11%) cited another location, such as an abandoned building, motel/hotel with a county voucher, or a bus station.²¹

Figure 7 | Sleeping Locations of Total Unsheltered Population in 2019



Geographic Distribution of Unsheltered Individuals

The survey data also indicated the general region of the county where unsheltered homeless individuals were residing on the night of the county. Overall, the geographic distribution of

²⁰ This open-ended question was one of the several HUD-required questions in the survey instrument designed to assess respondents' homelessness status.

²¹ It should be noted that HUD now considers individuals staying at a hotel/motel paid by a county/program voucher, to be technically sheltered homeless. Because the sheltered count already includes individuals using motel/hotel vouchers—and to ensure there was not a double count—the researchers cross-referenced the birth month and ages of surveyed individuals who reported using a hotel/motel vouchers on the night of the count, with the birth month and ages of individuals who were documented in the sheltered portion of the count. Because there was no match with any of the survey respondents, it was unclear if these individuals had accessed a program outside of the CoC, or in some case believed they would be using a hotel/motel voucher that night but ultimately did not. This may have been the case for some youth who were interviewed earlier in the day than other individuals.

unsheltered individuals was reflective of population densities in the county, though not always proportional to the total populations within these regions.

Table 3 | Geographic Distribution of the Unsheltered Individuals

	Total Unsheltered Count	Percent of County's Unsheltered
Areas in Sacramento County		
City of Sacramento	2,858	73%
Rancho Cordova	249	6%
Citrus Heights	45	1%
Folsom	17	0.4%
Galt	10	0.3%
Elk Grove	7	0.2%
Isleton ²²	3	0.1%
Other areas (Cites & Unincorporated)	711	18%
Total Sacramento County	3,900	100%

A large proportion of unsheltered homeless reside within the City of Sacramento (approximately 2,858 individuals out of the 3,900 estimated throughout the county). This is not surprising given that the City of Sacramento is the geographically largest and most populous area in the county; it also encompasses a number of high-density census tracts. However, the City of Sacramento represents 33 percent of the total population of the county but 73 percent of unsheltered homelessness. Rancho Cordova, on the other hand, has a rate of nightly homelessness (249 per night) that is proportionate with its relative population size in the county (5% vs 6%). Similarly, Galt and Isleton are estimated to have small numbers of unsheltered homeless individuals (less than 1% combined) which correspond to their relatively small populations overall. In contrast, the cities of Citrus Heights, Folsom and Elk Grove have relatively small numbers of unsheltered homeless populations (45, 17 and 7 nightly homeless, respectively, or about 1.6% combined) despite their sizable overall populations (collectively making up 22% of the county's total population). The remaining 18 percent of unsheltered homelessness is distributed across the unincorporated parts of the county.

²² It should be noted that Isleton was outside of the sampling frame for the 2019 Homeless Count, given its distance from the main deployment center and low population density. Nonetheless, the researchers were asked to provide an estimate of nightly homelessness within Isleton to demonstrate the likely distribution of homelessness in this region of the county. The researchers estimated a low count given the low population density of Isleton.

Episodes and Length of Homelessness

Adult individuals who were unsheltered were asked a series of questions about their current and possibly past experiences of homelessness (e.g., length of time, prior experiences, and episodes). To simplify the complexity across how individuals answered these questions, we synthesized their responses into four general homeless situations (Figure 8). We provide these synthesized situations because it is difficult to interpret respondents' answers to any one of these questions without considering how they also answered others.

- For example, approximately half of respondents indicated that this was their “first time homeless,” but these same individuals could report varying lengths of time being homeless. In follow-up questions, some individuals reported that they had just become homeless in the past few weeks, while others indicated that this single episode of homelessness had lasted over a year.
- In contrast, some individuals described more intermittent episodes of homelessness during the last couple of years; situations of straddling back and forth between finding and losing housing. Within this group of individuals, however, the length of these episodes varied from weeks to years.

For these reasons, we present a more synthesized analysis of these questions as opposed to individual responses to single questions.

Homeless Situation 1 | First Time and Recent

Approximately six percent (6%) of individuals were facing a “first time and recent-homeless” situation. More specifically, these individuals had recently become homeless for the first time, sometime during the last six months.

Homeless Situation 2 | Episodic and Moderate-Length

Ten percent (10%) were experiencing “episodic and moderate-length” homelessness. This group included individuals who reported between 2-3 episodes of homelessness during the last three years (with each episode lasting between three months to almost a year). Some individuals reported more frequent, but briefer periods of homelessness (between 3-4 episodes that were under three months). This group also included individuals who both reported being homeless for the first time, or had been homeless before, but nonetheless had been struggling for over six months during the past year with a single episode of homelessness.

Homeless Situation 3 | Episodic and Long-Term

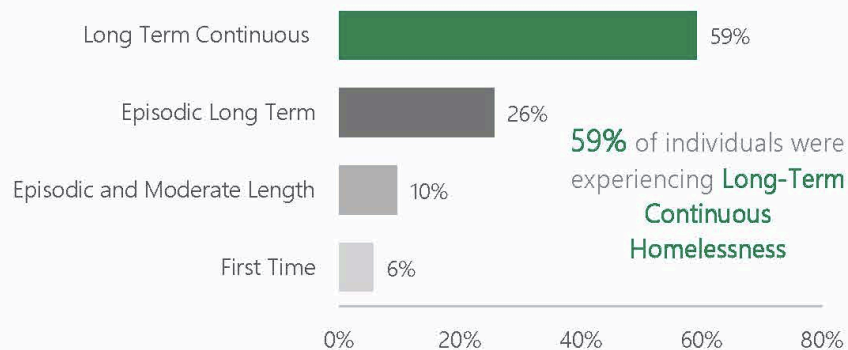
A quarter of respondents (26%) could be characterized as experiencing “episodic and long term” homelessness. Similar to the group above, these individuals also reported experiencing 2-4 episodes of homelessness in the past three years, but indicated periods of homelessness that were substantially longer (a single period or periods that exceed a year or more). This also included individuals who stated that they had been homeless before, but that this single period had lasted

approximately a year. Because some individuals in this group have been technically homeless for approximately 12 months over the course of the past three years, they would fall under the HUD characterization of chronic homelessness, if they additionally reported a disability condition (who are discussed below).

Homeless Situation 4 | Long-Term Continuous

Finally, over half (59%) could be characterized as experiencing a “long term and continuous” bout of homelessness that has lasted over a year. The majority of this group consisted largely of individuals who reported being previously homeless, but were nonetheless currently experiencing one or more years of continuous homelessness (sometimes for several years). Also included were a substantial number of individuals who said they had been continuously homeless for well over a year and for the first time. This group was also inclusive of some individuals who reported several episodes of homelessness during the past three years, but indicated long periods that essentially spanned the majority of the past 36 months. A substantial proportion of individuals included in this group were characterized as chronically homeless, given their prolonged experience of homelessness (exceeding a year) and reported a disability.

Figure 8 | Length of Homelessness for the 2019 Total Homeless Population



HUD’s Definition for “Unsheltered Chronic Homelessness”

The above findings related to length of homelessness indicate that a high proportion (59%) of unsheltered individuals have been experiencing long-term and continuous periods of over a year. This suggests that unsheltered people in Sacramento County are having more prolonged experiences with homelessness than before, which may indicate greater barriers to housing. This finding, coupled with the high rate of unsheltered homelessness overall, would suggest that a growing proportion of individuals would also be meeting HUD’s criteria for chronic homelessness

(which is based on both length of homelessness and presence of a disabling condition).²³ Indeed, early reporting from other communities indicating substantial increases in homelessness are reporting an uptick in the proportion of individuals that meet HUD's definition for chronic homelessness.

The estimate for chronic homelessness, however, has remained stagnant even though individuals are spending more time homeless.

- Even though Sacramento County is observing an increase in unsheltered homelessness, the overall chronic homeless proportion for 2019 is almost identical to 2017 (31% in 2017 compared to 30% in 2019), and substantially lower within the unsheltered population (31% chronically homeless in 2019 vs. 39% in 2017).
- A closer examination of the survey data suggests that while a fair amount of unsheltered individuals report significant challenges (discussed below) a smaller percentage appears to report disabling conditions.
- Though it is beyond the limits of the 2019 Homeless Count to explore this decline conclusively, it is apparent that the rate of chronic homelessness has at least remained stagnant, and for some groups even indicated some modest declines, particularly for older adults and veterans.
- This pattern could reflect better efforts to engage disabled individuals experiencing chronic homelessness in the county; even with substantial increases in unsheltered homelessness it is likely that some groups have benefited from targeted efforts to transition them into housing and services.

Unique Experiences and Challenges

Unsheltered individuals were also asked about specific experiences and challenges that may complicate their transition to stable housing.²⁴ Some of these questions were HUD-required and directly asked respondents about their health challenges, disabilities and possible use of non-medical drugs and alcohol. Other questions were age-specific and were developed to assess the unique

²³ HUD designates individuals as chronically homeless if they meet two conditions, one pertaining to the length of time an individual has been homeless and the other to suffering from one of a potential group of disabilities. Specifically, a chronically homeless person must have been continuously homeless for over a year; OR has had four (4) or more episodes of homelessness in the past three (3) years. A chronically homeless person must also have a physical, developmental or mental disability that hinders their ability to maintain gainful employment. It should be noted, however, that in the context of the unsheltered Homeless Count, disabilities are self-reported and may be underreported

²⁴ Some questions were HUD-required and directly asked respondents about their health challenges, disabilities, and possible use of non-medical drugs and alcohol.

challenges faced by transitional age youth.²⁵ More general questions asked all adults about their length of residency in the county, and if they were new to the community. Below we report key findings that emerged from these questions.

A significant proportion of unsheltered adults report severe disabilities and/or health conditions that correlate with their prolonged experiences with homelessness. Approximately four out of 10 unsheltered adults indicated that they *have one or more disabling health conditions* that prevent them from being employed and/or maintaining stable housing. Nearly 75 percent of these same individuals have been homeless significantly longer than a year (median of 3 years) and would be characterized as chronically homeless by HUD. With respect to specific conditions unsheltered adults cited:

- 26 percent have a debilitating cognitive or physical impairment.
- 21 percent have a severe psychiatric condition (such as severe depression or schizophrenia).
- Eight percent (8%) indicated an ongoing medical condition (diabetes, cancer, or heart disease).
- Nine percent (9%) reported that their use of alcohol or drugs prevents them from keeping a job or maintaining stable housing.²⁶
- Most who indicated having a disabling condition (77%) cited two or more specific conditions; the most common combination was a psychiatric condition with a cognitive or physical impairment.

Despite some local concern that many people experiencing homelessness are from other areas or regions, the vast majority of unsheltered homeless individuals in Sacramento County are from Sacramento County. Approximately 93 percent of unsheltered respondents identified as either a “long-time resident of Sacramento” (55%) or “originally from Sacramento” (38%). In contrast, only seven percent (7%) of individuals said they had moved to Sacramento County within the last year; three percent (3%) had arrived within the past six months.

²⁵ Other questions were age-specific and were developed to assess the unique challenges faced by transitional age youth. More general questions asked all adults about their length of residency in the county, and if they were new to the community.

²⁶ More generally speaking, 60% of respondents reported that they use alcohol or non-medical drugs, but only 15% of these respondents indicated that their use of substances affected their ability to hold down a job or have stable housing.

This suggests that approximately 95 adults experiencing unsheltered homelessness each night (i.e., 3%) have arrived in Sacramento within the past six months. Just over half of these newcomers say they were experiencing homelessness before they arrived in Sacramento (approximately 53 adults). About 10 percent of these adults who were homeless before arriving in Sacramento (which would correspond to an estimated 5 adults) indicated that they had moved to Sacramento as a direct result of the Camp Fire in Paradise, California (which occurred in Fall 2018).

93% of unsheltered respondents identified as a long-term resident of Sacramento or originally from Sacramento.

Former foster youth in the United States face risk for becoming homeless as adults, and this is true in Sacramento County also.²⁷ However, most of these individuals are not transitional age youth (as might be presumed) but are primarily adults over 35 years old who are homeless. Approximately 1-in-4 unsheltered adults said that they had previously spent time in foster care before age 18. This is consistent with findings from across the country but also from the 2017 Count, which reported that 22 percent of adults were been former foster youth. Also consistent from the 2017 Count, the majority of former foster youth in 2019 were adults over 35 years old (60% vs. 57%).

What can Sacramento do better to help people experiencing homelessness?

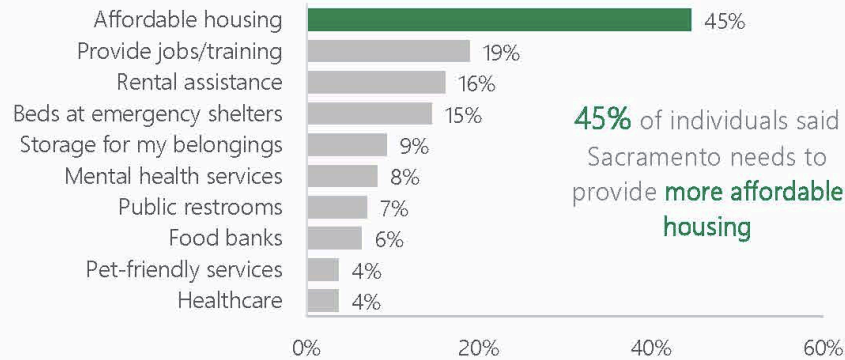
All unsheltered individuals were asked, “What two things could Sacramento do better to help people who are experiencing homelessness?” This question was intentionally designed to elicit a short conversation between the respondent and interviewer about issues that they felt were most pressing to their experiences, to give respondents “the last word” before the survey ended. Indeed, respondents were encouraged to elaborate on whatever initiative, broad policy, or specific program changes, they felt could improve the conditions of people experiencing homelessness.²⁸ Most individuals (77%) responded to this question.

²⁷ Berzin, S. C., Rhodes, A. M., & Curtis, M. A. (2011). Housing experiences of former foster youth: How do they fare in comparison to other youth?. *Children and Youth Services Review*, 33(11), 2119-2126.

Courtney, M.E., Dworsky, A., Brown, A., Cary, C., Love, K. & Vorhies, V. (2011). *Midwest evaluation of the adult functioning of former foster youth: Outcomes at age 26*. Chicago, IL: Chapin Hall at the University of Chicago. Retrieved from <https://www.chapinhall.org/wp-content/uploads/Midwest-Eval-Outcomes-at-Age-26.pdf>

²⁸ Interviewers were trained to give respondents ample space to elaborate their points, but also to gently guide the discussion to two main issues to structure the conversation. Interviewers then identified key themes discussed on the survey tool (either by typing a short descriptive narrative in the open field, or by selecting the various themes that the researcher team had pre-developed during the field testing of the survey instrument).

Table 4 | What Sacramento Could Do Better to Help People Experiencing Homelessness²⁹



By far, the most commonly mentioned topic was the need for Sacramento County to provide “more affordable housing”—almost half of every conversation cited the lack of affordable housing as the key issue facing individuals experiencing homelessness. Nearly one out of five respondents also discussed the need for more jobs training (19%). A similar topic that was brought up by 1-in-5 respondents, was the need for more rental assistance in the county. Other notable suggestions included more beds at emergency shelters, better storage for belongings in shelters, better mental health access, and better access to restrooms/showers.³⁰

²⁹ Respondents were asked to state their top two recommendations which were then recorded into pre-existing categories at the discretion of the interviewer. Responses other than the provided categories were analyzed individually and placed into a category when possible.

³⁰ Approximately 33 percent of total unsheltered respondents made a recommendation that could not be easily placed into a category.

Section 2: Description of Subpopulations

In this section we delve deeper into survey findings from interviews conducted with four subpopulations of people experiencing unsheltered homelessness in Sacramento County: transitional age youth, families with children, older adults, and veterans. These subpopulations were identified by the Homeless Count Advisory Board as key groups to structure the 2019 Count Report, given their rising numbers in the estimates of unsheltered homelessness in our community.

For each group, we provide some brief context about the unique characteristics and situations associated with the group, followed by a summary of the estimated nightly homeless count. Next, we review key findings for each group in terms of their answers to specific survey questions.³¹

Transitional Age Youth

There is growing recognition that *early adulthood*—roughly defined as the age period between 18 and 25—is a time when young people navigate a number of critical developmental and social transitions related to their changing status as adults (i.e., transitions that are both physiological and cognitive, but also social, in terms of school, work, career, relationships, family etc.).³² Policymakers and researchers have recently emphasized, however, that young people from disadvantaged backgrounds (particularly those who grew up in poverty and/or have experienced conflict with their families) often have limited economic resources to draw upon during this turbulent and critical phase of life. Young adults who face such social disadvantages are generally categorized as “transitional age youth” and are much more likely to experience housing insecurity and struggle to maintain stable income.³³

³¹ As previously discussed, demographic estimates of unsheltered homelessness were derived from the 525 surveys that were collected during the count. To broadly approximate the unsheltered population, and to account for the stratification of the sample design, the analyses of survey responses were weighted to the unsheltered distributions indicated by the 2019 Homeless Count. Specifically, researchers calculated an inverse-probability weight for each survey based on the location of where the survey had been conducted, and the household composition reported by the respondent.

³² A growing body of research shows that how well a young person navigates this transitional period has far-reaching consequences throughout the life course—consequences related to socioeconomic status, family structure and wellbeing.

Shanahan, Michael J. 2000. "Pathways to adulthood in changing societies: Variability and mechanisms in life course perspective." *Annual Review of Sociology*, 26(1): 667-692.

Hayward, Mark D. and Bridget K. Gorman. 2004. The long arm of childhood: The influence of early-life social conditions on men's mortality. *Demography*, 41(1):87-107.

³³ Osgood, D. W., Foster, E. M., & Courtney, M. E. (2010). Vulnerable populations and the transition to adulthood. *The Future of Children*, 209-229.

Indeed, transitional age youth experiencing homelessness face increased risk for victimization, incarceration, sexual exploitation, and substance use while homeless.³⁴ These experiences can have destabilizing and long term consequences on a young person's life,³⁵ including decreasing their chances of maintaining employment, completing formal education, securing housing and establishing healthy relationships.³⁶ Further, some sub-populations of youth face increased vulnerability while on the street, including those who identify as LGBTQ+, youth of color, and women.³⁷ Given the scope and far reaching consequences of youth homelessness, it is increasingly viewed as a potential site for effective interventions to have long-term impacts. HUD, for example, continually cites youth homelessness as a key at-risk group for communities to target and track. For similar reasons, HUD considers most homeless young people under 25 as "unaccompanied youth," though the term can also apply to minors.³⁸

Youth | Nightly Estimate

During the night of the 2019 Count, approximately **415 transitional age youth** were experiencing homelessness in Sacramento County.³⁹

- Transitional age youth (TAY) represent approximately 8 percent of the total homeless population.
- Similar to other groups, the majority of TAY were experiencing unsheltered homelessness on the night of the count (59%).

³⁴ Bender, K., Ferguson, K., Thompson, S., Komlo, C., & Pollio, D. (2010). Factors associated with trauma and posttraumatic stress disorder among homeless youth in three US cities: The importance of transience. *Journal of Traumatic Stress, 23*(1), 161-168.

³⁵ Morton, M. H., Rice, E., Blondin, M., Hsu, H., & Kull, M. (2018). *Toward a system response to ending youth homelessness: New evidence to help communities strengthen coordinated entry, assessment, and support for youth*. Chicago, IL: Chapin Hall at the University of Chicago.

³⁶ Courtney, 2009; Osgood et al., 2010

³⁷ Abramovich, I. A. (2013). *No fixed address: Young, queer, and restless*. In S. Gaetz, B. Grady, K. Buccieri, J. Karabanow, & A. Marsolais (Eds.), *Youth homelessness in Canada: Implications for policy and practice*. Toronto, ON: Canadian Homelessness Research Network Press.

Gattis, M. N., & Larson, A. (2016). Perceived racial, sexual identity, and homeless status-related discrimination among Black adolescents and young adults experiencing homelessness: Relations with depressive symptoms and suicidality. *American Journal of Orthopsychiatry, 86*(1), 79.

Ensign, J., & Panke, A. (2002). Barriers and bridges to care: Voices of homeless female adolescent youth in Seattle, Washington, USA. *Journal of Advanced Nursing, 37*(2), 166-172.

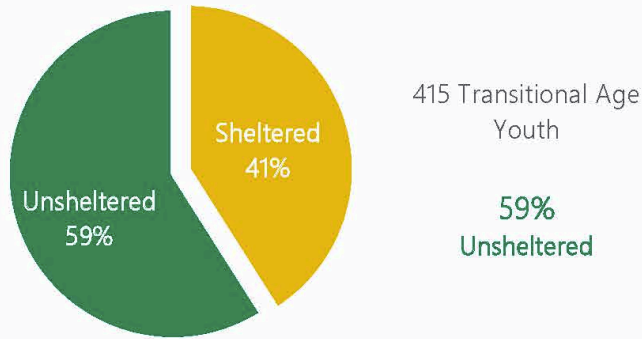
³⁸ The term "unaccompanied homeless youth" refers to young people who are homeless and who are not in the supervision of a parent or guardian. The term can be applied to youth who are under 18 ("unaccompanied minors") and youth who are ages 18-24 ("transitional age youth") (AHAR, 2017), though the majority of unaccompanied youth who experience homelessness are between ages 18-24

Morton, M. H., Dworsky, A., Matjasko, J. L., Curry, S. R., Schlueter, D., Chávez, R., & Farrell, A. F. (2018). Prevalence and correlates of youth homelessness in the United States. *Journal of Adolescent Health, 62*(1), 14-21.

³⁹ It should be noted that an additional 28 unaccompanied minors (14 unsheltered and 14 sheltered) were experiencing homelessness.

- In contrast, 41 percent of youth were experiencing sheltered homelessness, most of whom were staying in a transitional housing program.

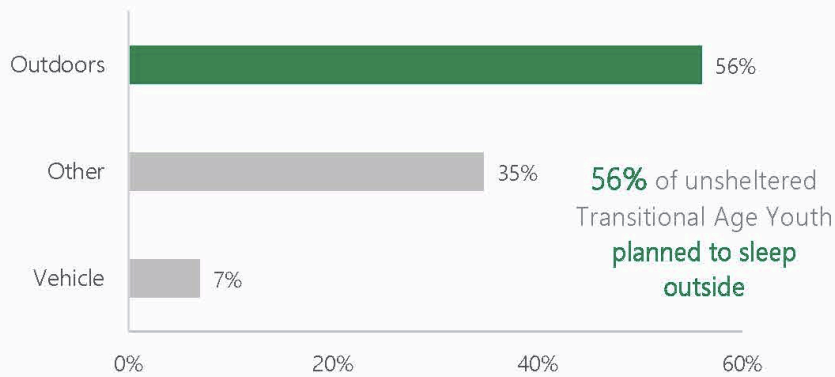
Figure 9 | Sheltered Status of Total Homeless Youth in 2019



Youth | Sleeping Locations

When asked about where they planned to sleep, a slight majority of unsheltered TAY respondents said would be *sleeping literally outside* (56%). Nonetheless, TAY were actually less likely to report sleeping in an outdoor location compared to other adults age 25 and over (56% vs 84%). Approximately 35 percent of unsheltered TAY reported sleeping in another location such as a hotel/motel paid for by a program or the county. Seven percent (7%) reported staying in a vehicle.

Figure 10 | Sleeping Locations of Unsheltered Youth in 2019



Youth | Demographic Characteristics

Comparing the demographic composition of individuals who are unsheltered and over age 25 to unsheltered transitional age youth (ages 18-24) reveals a couple notable findings.

Table 5 | Demographic Characteristics of Unsheltered Transitional Age Youth

Transitional Age Youth	
Gender	
Male	58%
Female	39%
Transgender	0%
Gender Non-Conforming	3%
Ethnicity	
Hispanic	24%
Non-Hispanic	76%
Race	
White	27%
Black*	50%
Asian	1%
American Indian	0%
Native Hawaiian	0%
Multiracial	23%
Sexual Orientation	
Straight	77%
Gay or Lesbian	3%
Bisexual	6%
"Other"	7%
Refuse	8%

*p<.05, n=244

- Transitional age youth are more likely to identify as Black than other adults age 25 and over. Half of the youth identified as Black (50%), compared to 27 percent of the 25+ adult population, a statistically significant difference. This is consistent with national studies that find Black individuals most overrepresented in the age category 18-24 for homelessness compared to all other age categories.⁴⁰
- TAY appear less likely to identify their sexual orientation as "straight" compared to adults age 25 and over. They appear more likely to identify as Hispanic/Latinx. However, these differences did not reach statistical significance.

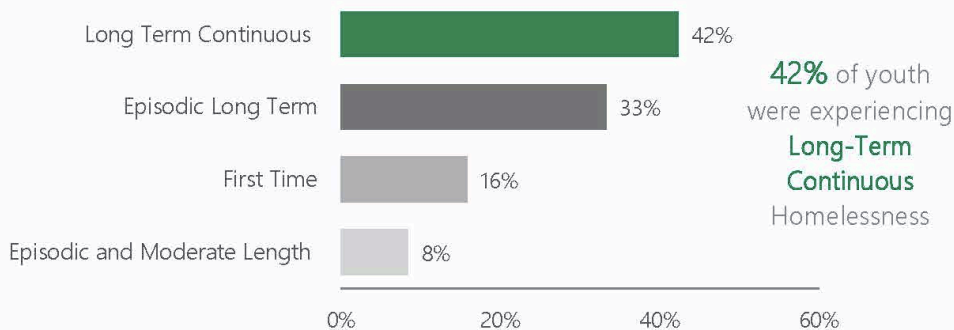
⁴⁰ Homeless Policy Research Institute. (2018, December). Safe parking programs. Los Angeles, CA: Sol Price Center for Social Innovation. Retrieved from <https://socialinnovation.usc.edu/wp-content/uploads/2018/12/Safe-Parking-Literature-Review.pdf>

Youth | Length of Homelessness

As described in Section 1, respondents were asked a series of questions about their experiences with homelessness (e.g., prior experiences, length of time, prior episode etc.). Similar to other groups, we synthesized four general homeless situations that describe respondents' combined answers to ease interpretation of how individuals answered these questions collectively (see earlier discussion in Section 1 for how these situations were operationalized).

- Approximately 16 percent of transitional age youth were in a “first time and recent-homeless” situation. That is, these individuals had recently become homeless for the first time, sometime during the last six months. TAY were more likely to be newly homeless for the first time (16%) than other the general homeless populations (6%) or among families (2%).
- Eight percent (8%) of TAY were in an “episodic and moderate-length” homelessness” situation.
- One-third (33%) of TAY were in a situation that could be characterized as “episodic and long term” homelessness.
- Finally, 42 percent could be characterized as experiencing a “long term and continuous” bout of homelessness that has lasted over a year.

Figure 11 | Length of Homelessness of Unsheltered Youth in 2019



Youth | Unique Experiences and Risk Factors

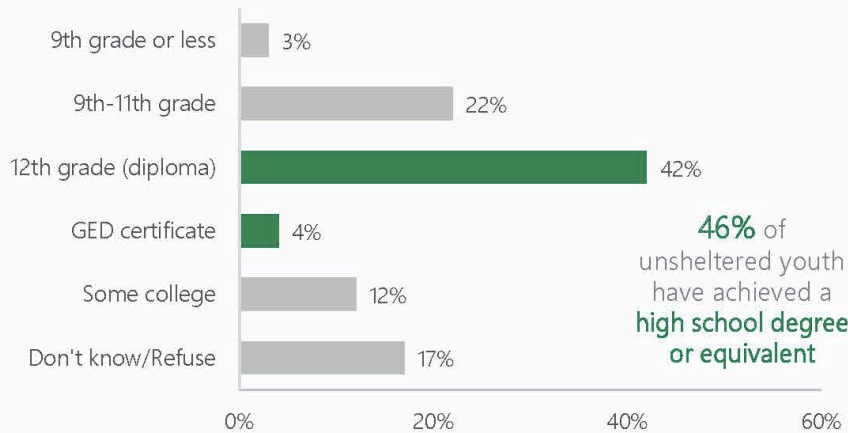
All individuals were asked about their specific experiences or challenges that may complicate their transition to stable housing, but youth were also asked age-specific questions (e.g., questions about educational attainment or early parenting). Analyses of these questions revealed the following:

- Approximately one third (34%) of unsheltered youth indicated that they had been in foster care or a group home before the age of 18.

- Eight percent (8%) of unsheltered youth indicated they were currently pregnant or expecting to become a parent in the next 9 months. There were 33 TAY who were unsheltered and parenting in households that included 65 children.
- The vast majority of these unsheltered youth parents were female (81%) and Black (61%), and 18 percent identified as Hispanic/Latinx. Five of the unsheltered TAY-headed households met the criteria for chronic homelessness.
- The majority of unsheltered TAY (62%) indicated that they were long-time residents of Sacramento County (more than a year), while 34 percent of TAY indicated that they were originally from Sacramento County. Only three percent (3%) indicated that they had recently arrived (within the last six months).

Young adults under 24 were also asked specific questions about their education. Responses indicated that while the average age of TAY respondents was 22, only 46 percent of unsheltered TAY have achieved a high school diploma or equivalent.

Table 6 | Educational Attainment of Unsheltered Youth



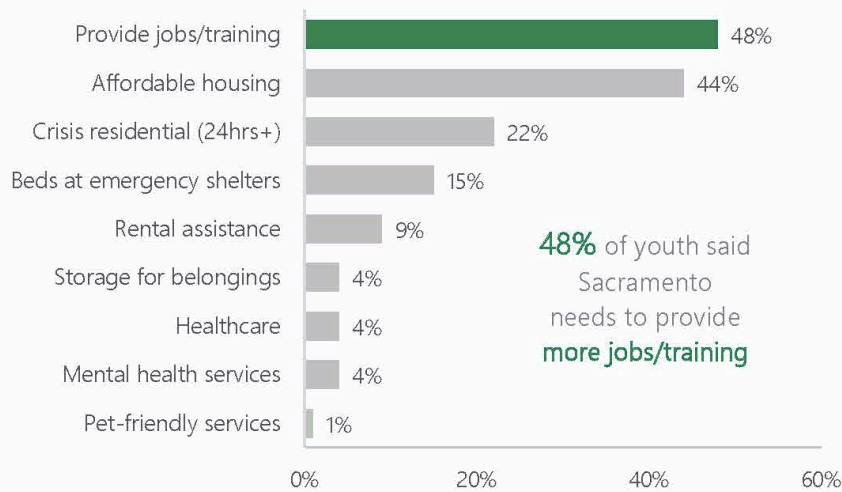
- The highest proportion (42%) of transitional age youth had completed 12th grade (and received a high school diploma), four percent (4%) have a GED, and 12 percent who had completed some college.
- None had received vocational training, a postsecondary degree, though 12 percent had attended some college.
- Twenty-two percent of youth whose highest level of education was 9th-11th grade and three percent (3%) have a 9th grade education or less, meaning that 25 percent of unsheltered TAY in Sacramento County left school before graduating from high school.

- Among unsheltered TAY who responded to the question about school enrollment, 12 percent indicated that they were currently enrolled in school, 76 percent indicated that they were not currently in school, and 12 percent said that they were not sure or did not want to say.

Voices of Youth | What Could Sacramento Do Better?

Transitional age youth provided a variety of responses to the question, “What two things could Sacramento do better to help people who are experiencing homelessness?” The most commonly mentioned area for improvement noted by youth experiencing homelessness was “provide more jobs/training” (48%), followed by “more affordable housing” (44%) and “crisis residential [beds] available for more than 24 hours” (22%). Other notable suggestions included more beds at emergency shelters (15%) and rental assistance (9%). Suggestions that did not fall into pre-identified categories included financial training, stop criminalizing camping, less pressure from law enforcement, more housing for families, and “don’t look down on us.”⁴¹

Figure 12 | What Unsheltered Youth Believe Sacramento Could Do Better



⁴¹ Approximately 24 percent of TAY provided suggestions that could not be easily placed into a category.

Families with Children

Across the United States, families with children make up approximately one-third of those experiencing homelessness. A disproportionate share of this population, however, lives in California, including 12 percent of the nationwide total.⁴² This trend likely reflects the expensive housing market across the state, which has been correlated to homelessness amongst families with children.⁴³

Homelessness is associated with many negative effects for children and families such as parental depression and behavioral problems and mental health symptoms among their children.⁴⁴ In addition, children who have been homeless have higher rates of elevated lead levels and death compared to other children, and more mental health problems compared to housed low-income children.⁴⁵ Homeless families with children may also face stigma and greater scrutiny of their parenting behaviors.⁴⁶ This increased scrutiny could lead some families experiencing homelessness to avoid shelters or other needed services. This, coupled with potentially living in unsanitary conditions, results in high service needs among families who have experienced homelessness, which continue even after they obtain housing.⁴⁷

Although the number of families experiencing homelessness has decreased on average throughout the United States these numbers are thought to be underestimates of the actual rate of families lacking housing for several reasons.⁴⁸

- Families with children experiencing homelessness may be obtaining services such as short-term motel vouchers, and thus may not have met the earlier definitions of homelessness.
- Families who are fearful of separation may consequently avoid shelters or areas that are frequently counted in Homeless Counts.

⁴² Henry, M., Mahathey, A., Morrill, T., Robinson, A., Shivji, A., Watt, R., & Associates, A. (2018). *The 2018 Annual Homeless Assessment Report (AHAR) to Congress*. Retrieved from

<https://www.hudexchange.info/resource/5783/2018-ahar-part-1-pit-estimates-of-homelessness-in-the-us/>

⁴³ Fargo, J. D., Munley, E. A., Byrne, T. H., Montgomery, A. E., & Culhane, D. P. (2013). Community-level characteristics associated with variation in rates of homelessness among families and single adults. *American Journal of Public Health*(103), 5340-347. doi:0.2105/AJPH.2013.301619

⁴⁴ Mcguire-Schwartz, M., Small, L. A., Parker, G., Kim, P., & McKay, M. (2015). Relationships between caregiver violence exposure, caregiver depression, and youth behavioral health among homeless families. *Research on Social Work Practice*, 25(5), 587-594.

⁴⁵ Kerker, B. D., Bainbridge, J., Kennedy, J., Bennani, Y., Agerton, T., Marder, D., . . . Thorpe, L. E. (2011). A population-based assessment of the health of homeless families in New York City, 2001-2003. *American Journal of Public Health*, 101(3), 546-553.

Bassuk, E. L., Richard, M. K., & Tsertsvadze, A. (2015). The prevalence of mental illness in homeless children: A systematic review and meta-analysis. *Journal of the American Academy of Child & Adolescent Psychiatry*, 54(2), 86-96.

⁴⁶ Shinn, M. B., Rog, D. R., & Culhane, D. P. (2005). Family homelessness: Background research findings and policy options. *Departmental Papers (SPP)*, 83.

⁴⁷ Culhane, D. P., Park, J. M., & Metraux, S. (2011). The patterns and costs of services use among homeless families. *Journal of Community Psychology*, 39(7), 815-825.

⁴⁸ Henry et al., 2018

- Finally, some unsheltered families with children may prefer to reside in tents or vehicles—locations that are difficult to initiate a survey. In general, Homeless Count protocols state that individuals sleeping in these settings should not be disturbed, potentially leading counts to miss families with children. This issue may be particularly significant in Sacramento, as the 2015 and 2017 Sacramento Homeless Counts revealed a substantial increase in the number of tents and cars where it is suspected that individuals are sleeping.

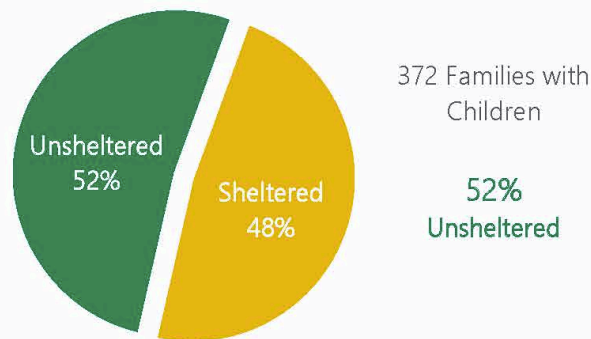
The 2019 Homeless Count instituted significant methodological improvements to better reach families with children experiencing homelessness. These efforts may have contributed to a larger estimate of unsheltered families than in previous years.⁴⁹

Families with Children | Nightly Estimate

On a single night in January, approximately **372 families with children** were experiencing homelessness in Sacramento County.

- These 372 households consisted of 451 adults and 688 children under age 18 (1,139 in total), representing approximately 20% of all persons experiencing homelessness in the county.
- About half of family *households* with children experiencing homelessness (52% or 195 households) were unsheltered.

Figure 13 | Sheltered Status of Total Families with Children in 2019



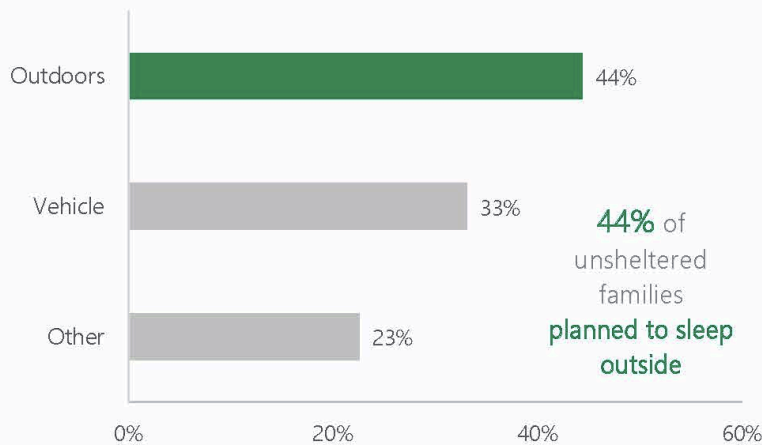
⁴⁹ As discussed there was a more coordinated effort to conduct *day-after service count* at day programs serving families. For example, CSUS researchers visited two agencies serving homeless families with children and interviewed a number of families who had stayed in vehicles or a county-paid motel on the night of the count. This year 363 tents and 168 cars/RVs were reported. Based on the reports of volunteers, approximately 15-20% of cars and 10-15% of tents were occupied by families.

- There were 567 persons within 195 unsheltered families with children, which represent approximately 15 percent of the unsheltered homeless population in Sacramento County (567 individuals in families out of 3,900 total persons who were unsheltered). This rate is much higher than national averages, where 90-95 percent of families are found in shelters.⁵⁰
- There were 542 persons within the 174 sheltered families, which represent 34 percent of the sheltered homeless population (542 out of the 1,670 total persons who were sheltered).

Families with Children | Sleeping Locations

Surveys conducted with unsheltered families with children revealed that the most common sleeping location was outdoors, including under a highway underpass, on the street, in a park or an outdoor encampment (44%). One third (33%) reported sleeping in a vehicle such as a car, RV or truck. The remaining 20% of families reported staying temporarily in a motel/hotel because of an emergency voucher from a program or the county, or at a bus station. While these individuals in motels/hotels paid for by a program were not previously included in Point-in-Time Homeless Counts, HUD now defines these families as homeless.

Figure 14 | Sleeping Locations of Unsheltered Families with Children in 2019



⁵⁰ U.S. Department of Housing and Urban Development (2018). The 2018 annual homeless assessment report (AHAR) to Congress: Part 1 Point-in-Time estimates of homelessness. Washington, D.C.: Author. Retrieved from <https://files.hudexchange.info/resources/documents/2018-AHAR-Part-1.pdf>

Families with Children | Demographic Characteristics

The composition of unsheltered families can vary substantially (e.g., single parent with between 1-5 children vs. two-parent household with one child), nonetheless, the modal homeless family sleeping outdoors consists of a single, female-headed household, where the parent is Black/African-American, in their mid-30s, is with 1-2 young children (aged between 4-9). More specifically results indicate 63 percent of families were single-headed, while 37 percent reported a present partner. The average age of parents was 38, though age varied significantly (most ranging in age from teens to parents in their mid-40s, with some over 55). Parents tended to be younger than non-parents (and in particularly more likely to be 18-24 than other groups). Seventeen percent of households with children experiencing homelessness were headed by someone aged 18-24 (i.e., transitional age youth). Parents reported an average of 1-2 children and the average family was a three-person household.

Next, looking at individual adult parents in these households, as might be expected, parents were more likely to be female than non-parents, though some male parents, as well as some single-male parents were interviewed. Irrespective of gender, however, the racial disproportionality of Black/African Americans experiencing homelessness was much more acute for parents than non-parents. Parents were twice as likely to report being Black than non-parents, and this difference was statistically significant.

Table 7 | Demographics of Unsheltered Parents

Adult Parents	
Age	
18-24*	17%
25-34	25%
35-44	22%
45-54	31%
55+	6%
Gender	
Male*	44%
Female*	56%
Transgender	0%
Gender Non-Conforming	0%
Ethnicity	
Hispanic	27%
Non-Hispanic	73%
Race	
White**	20%
Black**	55%
Asian	0%
American Indian	4%
Native Hawaiian	4%
Multiracial	17%

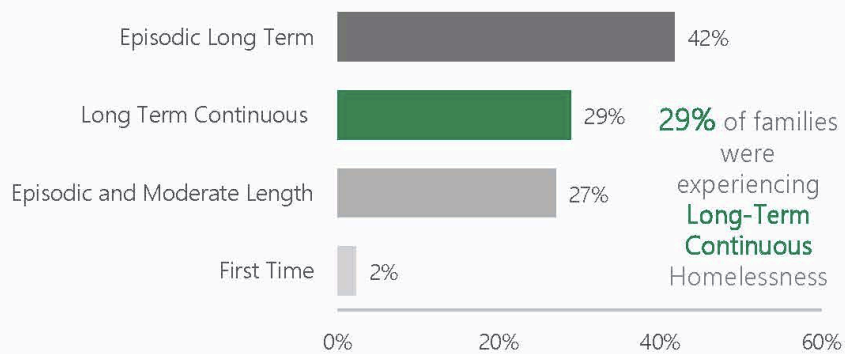
*p<.05; **p<.01, n = 235

Families with Children | Length of Homelessness

Very few unsheltered families (2%) were in a “first time and recent-homeless” situation. Instead, a much larger proportion (27%) were facing an “episodic and moderate-length” homelessness situation. Another 42 percent of unsheltered families were in a situation that could be characterized as “episodic and long term” homelessness. Finally, 29 percent could be characterized as experiencing a “long term and continuous” bout of homelessness that has lasted over a year.

Overall, a smaller proportion of family households were experiencing long-term, continuous homelessness (29%) than the overall population (59%), families were experiencing long periods of episodic homelessness, likely moving in and out of homelessness with periods of intermittent housing insecurity.

Figure 15 | Length of Homelessness for Unsheltered Families with Children in 2019



Families with Children | Unique Experiences and Risk factors

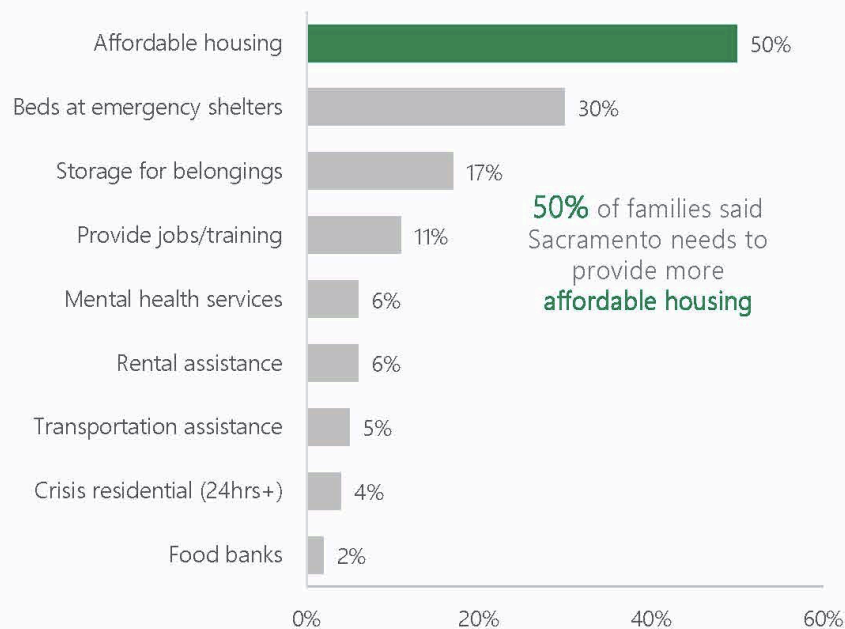
Approximately 29 percent of unsheltered parents met the specific criteria of chronic homelessness in terms of the length of time they had experienced homelessness and having a disability. The majority of these parents reported having a mental or physical disability that is preventing them from accessing stable housing and/or employment. Per HUD guidelines, if any person within a household is chronically homeless, then everyone in that household is considered chronically homeless. Consequently, the number of chronically homeless individuals within these households is relatively high (around 38%).

Voices of Families with Children | What Could Sacramento Do Better?

Families with children that were experiencing homelessness reported many service and support needs. These included permanent and temporary housing supports, as well as employment, mental health services, transportation, and food banks. Specifically, half of unsheltered parents believed that Sacramento should address the gap in affordable housing. Many (30%) also mentioned a need for

more beds at emergency shelters and 17 percent indicated a need for storage space for belongings. Other recommendations⁵¹ listed in the open-ended section included a charging station for cell phones; a place to throw away trash; public showers and bathrooms; family therapy; having a place to stay without police harassment; more family-specific shelters/housing; show more sympathy/empathy; and self-referral to shelters/needs instead of the DHA list.

Figure 16 | What Unsheltered Parents Believe Sacramento Could Do Better



Older Adults Experiencing Homelessness

Demographers estimate that during the next decade the population of older adults in the United States will experience marked growth, largely due to the aging Baby Boomers generation; by 2030, it is estimated that 1-out-of-5 Americans will be over 65.⁵² This ongoing demographic shift is anticipated to have substantial impacts on the number of people experiencing homelessness, particularly individuals over the age of 50. Baby Boomers may be more prone to experience homeless

⁵¹ Half of unsheltered parents provided a suggestion that could not be combined with other responses into a category, but are nonetheless listed in the text.

⁵² U.S. Census Bureau, 2014

in later life than previous generations, and some anticipate a 33 percent net increase in older adult homelessness by 2020.⁵³

There are two main dynamics commonly noted by which more people are today experiencing homelessness in later life: some chronically homeless individuals are gradually maturing into older age after years of living on the street, while others are facing housing insecurity for the first time in their lives due to a sudden destabilizing event. Particularly with respect to the latter dynamic, studies find that a substantial number of older individuals face homelessness due to a sudden social and economic disruption related an employment change, divorce, an ailing parent or family member, or foreclosure.⁵⁴ Many older adults in the U.S. are susceptible to housing insecurity given insufficient savings and retirement plans, but also due to the mismatch between the rapid increases in the costs of housing and fixed-incomes of most seniors who rent.

Regardless of the entry point, the experience of being homeless accelerates the aging process substantially, with some researchers suggesting that homeless individuals age twice as fast as those securely housed.⁵⁵ Indeed, homelessness is associated with a much higher prevalence of interrelated health problems, including hypothermia, sleep deprivation, dehydration, infectious diseases (e.g., tuberculosis), osteoarthritis, and osteoporosis. Homelessness in later age is also associated with the early onset of cognitive and mental health challenges as older adults struggle to manage the

⁵³ Donley, A. M. (2010). Sunset years in sunny Florida: Experiences of homelessness among the elderly. *Care Management Journals*, 1(4), 239-244. doi:<http://dx.doi.org/10.1891/1521-0987.11.4.239>

Kimble, K. J., DeWees, M. A., & Harris, A. N. (2017). Characteristics of the old and homeless: Identifying distinct service needs. *Aging & Mental Health*, 21(2), 190–198. <https://doi.org/10.1080/13607863.2015.1088512>

⁵⁴ Burns, V. F., Sussman, T., & Bourgeois-Guérin, V. (2018). Later-life homelessness as disenfranchised grief. *Canadian Journal on Aging*, 37(2), 171-184. doi: <http://dx.doi.org/10.1017/S0714980818000090>

⁵⁵ A number of studies find that by the time a chronically homeless adult reaches 50 years old, they already present with typically classified geriatric conditions and, thus, are better considered “elderly” –in the sense of being more similar to those who are over 80 years old and domiciled.

Bazari, A., Patanwala, M., Kaplan, L. M., Auerswald, C. L., & Kushel, M. B. (2018). “The thing that really gets me is the future”: Symptomatology in older homeless adults in the Hope Home study. *Journal of Pain & Symptom Management*, 56(2), 195–204. <https://doi.org/10.1016/j.jpainsymman.2018.05.011>

Brown, R. T., Hemati, K., Riley, E. D., Lee, C. T., Ponath, C., Tieu, L., Guzman, D., & Kushel, M. B. (2017). Geriatric conditions in a population-based sample of older homeless adults. *Gerontologist*, 57(4), 757–766. <https://doi.org/10.1093/geront/gnw011>

Grenier, A., Sussman, T., Barken, R., Bourgeois-Guérin, V., & Rothwell, D. (2016). ‘Growing old’ in shelters and ‘on the street’: experiences of older homeless people. *Journal of Gerontological Social Work*, 59(6), 458-477. DOI: 10.1080/01634372.2016.1235067

Martins, D. C., and Sullivan, M. A. (2006). *Vulnerable older adults: Health care needs and interventions*, 123-144. New York, NY: Springer.

Salem, B., Ma-Pham, J., Chen, S., Brecht, M.-L., Antonio, A., & Ames, M. (2017). Impact of a community-based frailty intervention among middle-aged and older prefrail and frail homeless women: A pilot randomized controlled trial. *Community Mental Health Journal*, 53(6), 688–694. <https://doi.org/10.1007/s10597-017-0147-2>

Shinn, M., Gibbons-Benton, J., & Brown, S. R. (2015). Poverty, homelessness, and family break-up. *Child Welfare*, 94(1), 105-122.

Conright, K., Simonis, R., Wagar, M. A., and Chau, D. (2018). End-of-life considerations in homelessness and aging. In Chau, D., & Gass, A. P. M. F. (Eds.). *Homeless older populations: A practical guide for the interdisciplinary care team*, 273-283. New York, NY: Springer.

“symptom burden” of living with insecure housing. Moreover, most programs and services that work with the homeless are often ill prepared to address the varied and complex needs of older individuals.⁵⁶

The average age of the unsheltered adult was 42, with over 40 percent of participants reporting ages above 45.

Older Adults | Nightly Estimate

As discussed in Section 1, the average age of the unsheltered adult in Sacramento County was 42, with over 40 percent of participants reporting ages above 45 years old. Accordingly, a sizable proportion of the adult homeless population in Sacramento are in their 50s or older (32%). Older adults (age 55 and over) make up 1-out-of-5 of the individuals experiencing homelessness on the night of the 2019 Count in Sacramento. However, there is also a clear decline in the number of unsheltered individuals over 59. This pattern is consistent with a number of studies that similarly cite both the *greying of the homeless population* but also the clear underrepresentation of individuals in their 60s living on the streets.⁵⁷

On a single night in January approximately **1,079 older adults** (55 and older) were experiencing homelessness in Sacramento County.

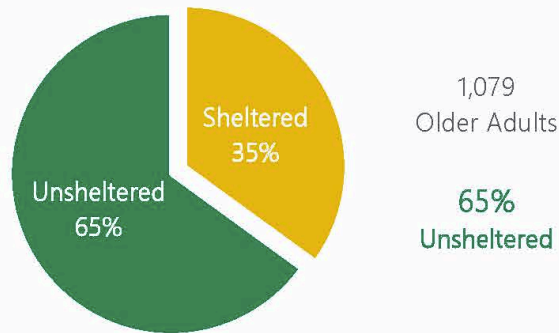
⁵⁶ Bazari, A., Patanwala, M., Kaplan, L. M., Auerswald, C. L., & Kushel, M. B. (2018).

⁵⁷ This pattern is may be due, in part, to safety net programs targeting senior citizens that commence at age 65, (e.g., Social Security, Medicare, etc.) which improve an individual’s ability to transition to secure housing.⁵⁷ However, people experiencing homelessness have 3-4 times higher rates of age-adjusted mortality than adults who are not homeless. Indeed, the majority of homeless deaths occurs between 42 and 52, long before safety net programs commence. Cagle, J. G. (2009). Weathering the storm: Palliative care and elderly homeless persons. *Journal of Housing for the Elderly*, 23(1), 29-46. doi: <http://dx.doi.org/10.1080/02763890802664588>

Donley, A. M. (2010); Martins & Sullivan, 2006;

Hibbs, J. R., Benner, L., Klugman, L., Spencer, R., Macchia, I., Mellinger, A. K., & Fife, D. (1994). Mortality in a cohort of homeless adults in Philadelphia. *New England Journal of Medicine*, 331(5), 304-309.

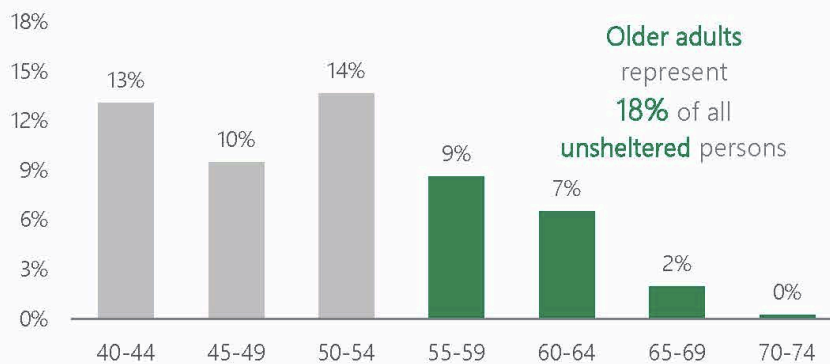
Figure 17 | Sheltered Status of Total Seniors in 2019



As the figure above shows, an estimated 700 older adults were experiencing unsheltered homelessness (65%) while a total 376 older adults were staying in shelters (35%).

- Older adults represent 1-out-of-4 individuals staying in shelters (23% of 1,670), and 1-out-of-5 of all individuals sleeping outside (700 out of 3,900).
- Though older adults over 54 represent a significant proportion of individuals using shelters, the data nonetheless indicate that the majority of elders *were not* using shelters but rather were unsheltered (65% vs. 35%).

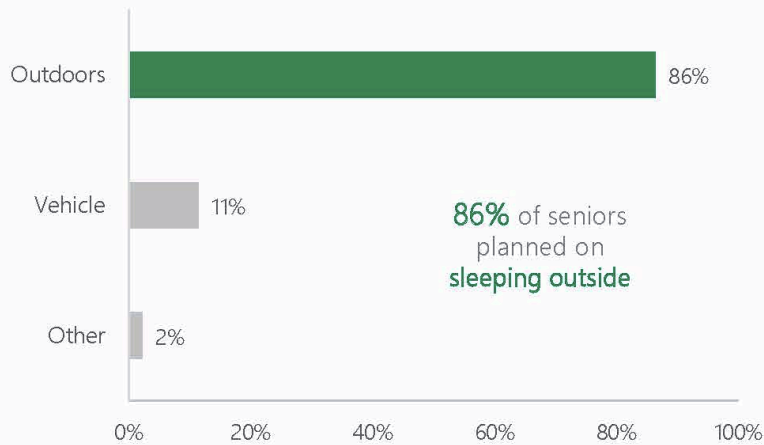
Figure 18 | Age Distribution of Unsheltered Adults 40 and Older in 2019



Older Adults | Sleeping Locations

The vast majority of unsheltered individuals over 54 (86%) reported *sleeping literally outside* on the night of the Homeless Count; including the 65 percent that had planned to sleep on “the streets or underpass” or some type of “outdoor encampment” (12%), or other “outside location” (9%). A significant, but substantially smaller proportion of individuals indicated sleeping in a vehicle (11%).

Figure 19 | Sleeping Locations of Unsheltered Adults 40 and Older in 2019



Older Adults | Demographic Characteristics

The general demographic profile of older adults suggest that a slight majority of adults self-identified as White (55%) and cisgender male (68%). However, this is not substantially different than the general composition of adults under age 55 sleeping outdoors (45% and 65%).

- Older adults were much less likely to self-identify as Hispanic compared to younger individuals sleeping outside (8% vs 21%) or identify as American Indian (4% vs. 11%).
- Interestingly, there was no significant difference between the sexual orientation of older and younger adults as might be presumed; approximately 10 percent of older adults identified as either Gay/Lesbian, Bisexual or some other non-conforming sexual identity--which is not significantly different from younger age groups.

Table 8 | Demographics of Unsheltered Seniors (55+)

Seniors	
Gender	
Male	68%
Female	32%
Transgender	0%
Gender Non-Conforming	0%
Ethnicity	
Hispanic	8%
Non-Hispanic**	92%
Race	
White	55%
Black	32%
Asian	0%
American Indian*	4%
Native Hawaiian	2%
Multiracial	7%
Sexual Orientation	
Straight	89%
Gay or Lesbian	5%
Bisexual	1%
Other	4%
Refuse	2%

*p<.05; **p<.01, n = 703

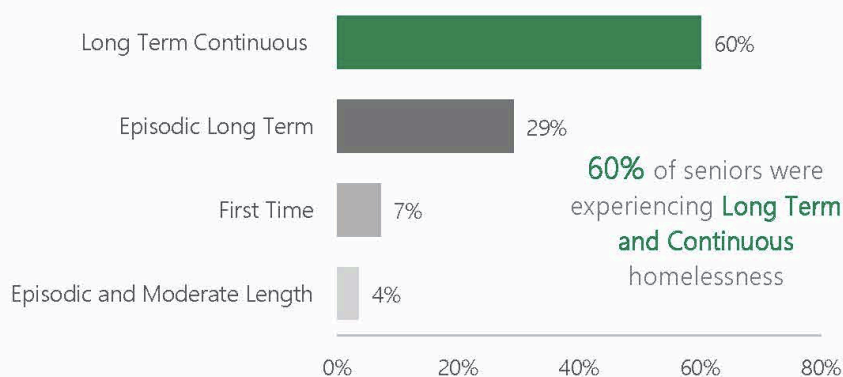
Older Adults | Length of Homelessness

Findings from the survey of unsheltered adults were analyzed to look at the length of homelessness among older adults.

- Approximately seven percent (7%) of older adults were in a “first time and recent-homeless” situation. These individuals had become for the first time in their lives, during the last six months.
- About four percent (4%) of older adults were in an “episodic and moderate-length” homelessness” situation and 29 percent of older adults were in a situation that could be characterized as “episodic and long term” homelessness.
- Finally, 60 percent could be characterized as experiencing a “long term and continuous” bout of homelessness that has lasted over a year.

For the most part, these patterns were not very different than other adults, as reported previously; though it is notable that a significant proportion (7%) of older adults are experiencing homelessness for the first time in later life. Older adults were less likely to specifically experience “episodic and moderate-length” situations compared to the total population (4% vs. 10%). Instead, older adults were much more likely to report prolonged periods and continuous experiences with homelessness than shorter or intermittent situations.

Figure 20 | Length of Homelessness for Unsheltered Adults 40 and Older in 2019



Older Adults | Unique Experiences and Risk Factors

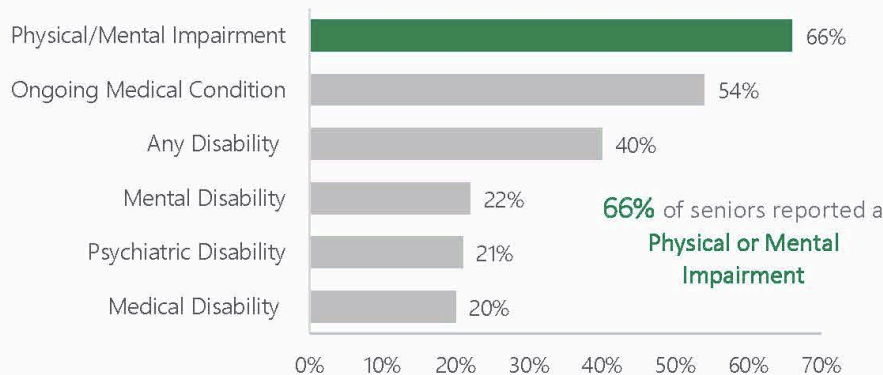
Similar to other groups already discussed, older adults were asked questions about various experiences and challenges that may complicate their transition to stable housing. Below are the most notable patterns that emerged.

Older adults experiencing unsheltered homelessness are mostly younger elders (i.e., between 55-65), from Sacramento, sleeping literally outside and alone. As previously discussed, the age distribution of older adults shows that there is a substantial proportion of adults 55 and older sleeping literally outdoors, but the size of this group quickly declines between age 60 to 65; there are relatively few individuals older than 65. Most of these older adults were interviewed by themselves (59%) or with one other friend (28%), who is not a partner or family member. Further, the overwhelming majority of elders (96%) who are homeless in the County are either long-time residents of Sacramento (68%) or originally from the region (28%).

The experience of being homeless clearly compounds the effects of health and mental health conditions. Older adults are more likely to report an ongoing medical condition (54%) and a mental or physical disability (66%), compared to younger adults. Though these conditions contribute to challenges that older adults face, they were not more or less likely to say that these conditions were severe enough to prevent them from obtaining employment or securing housing, as compared to unsheltered homeless (41% vs 40%).

The social condition of being homeless clearly compounds the effects of health and mental health conditions.

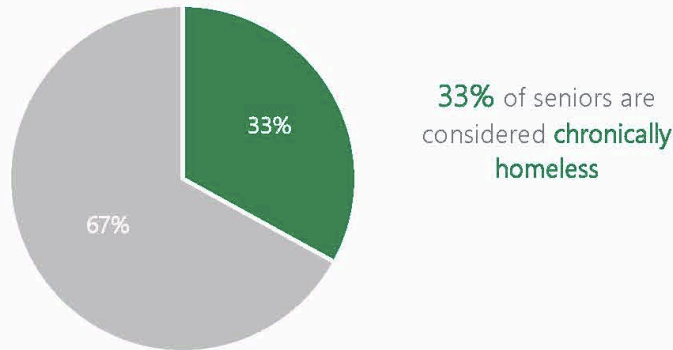
Figure 21 | Reported Conditions of Unsheltered Seniors (55+)



Older adults were much more likely to be veterans than younger adults; nearly a third of adults 55 or older had served in the military. Put differently, over 45 percent of all unsheltered veterans are 55 or older. Interestingly, older adults are less likely to report Post-Traumatic Stress Disorder (PTSD) than younger adults (32% vs. 45%), though they are as likely to indicate experiencing depression or anxiety (51% vs. 52%). Older adults are also less likely to say that these conditions are debilitating. Thirty three percent (33%) met the HUD definition for chronically homeless.

Older adults are more likely to be receiving some sort of social support via public benefit (either Social Security Insurance (SSI) or Social Security Disability Insurance (SSDI)); however, the rate in which they say they are enrolled in these programs is lower than might be expected. Approximately, 40 percent of older adults report receiving either SSI or SSDI, which is twice the rate of younger adults (18%).

Figure 22 | Chronic Homeless Status of Unsheltered Seniors (55+)

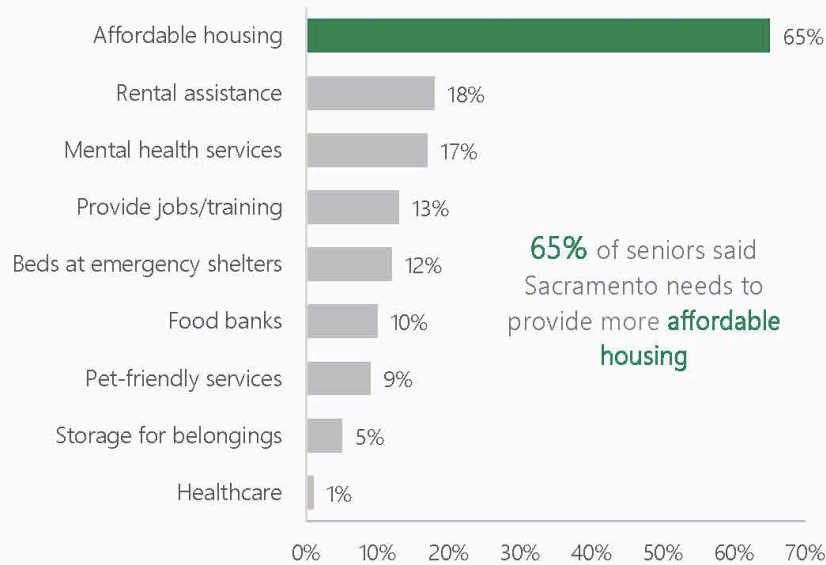


Voices of Older Adults | What Could Sacramento Do Better?

Older adults were more adamant than any other group that affordable housing is a critical issue that needs to be addressed in the county; while nearly every group identified the need for more affordable housing, older adults were three times more likely to raise this issue than any other (65%). For some respondents, this was the only issue that they raised with interviewers. Older adults similarly discussed the need for rental assistance programs (18%) as well as better access to mental health programs. One of the more unique views expressed by older adults was the need for more shelters and housing programs that accept pets as well as the need for more food banks in the county (both issues, raised by approximately 10 percent of older adults).⁵⁸

⁵⁸ Approximately 36 percent of seniors made a recommendation that could not be easily placed into a category.

Figure 23 | What Unsheltered Older Adults Believe Sacramento Could Do Better



Veterans Experiencing Homelessness

Most recent national estimates suggest that approximately nine percent of all adults experiencing homelessness are veterans.⁵⁹ For the purposes of the Homeless Count, veterans are individuals who have served on active duty in the U.S. Armed Forces or on active duty through the National Guard or as a Reservist. There are a variety of reasons why veterans are at risk of homelessness, including poverty, other economic hardships, social isolation, family conflict, trauma, and mental health conditions.⁶⁰

Although rates of homelessness among veterans have been declining the United States (as much as 45.5% from 2009-2017), individuals with a military background remain at higher risk of homelessness than the non-veteran population.⁶¹ While national trends suggest that veterans experiencing homelessness are more likely to sheltered than unsheltered, the reverse is true in California where

⁵⁹ Henry, M., Mahathey, A., Morrill, T., Robinson, A., Shivji, A., Watt, R., & Associates, A. (2018). The 2018 Annual Homeless Assessment Report (AHAR) to Congress. Retrieved from

⁶⁰ Tsai, J. & Rosenheck, R.A. (2015) Risk factors for homelessness among U.S. veterans. *Epidemiologic Reviews*, 37(1) 177- 195.

⁶¹ AHAR 2017; National Alliance to End Homelessness. (2016). *The state of homelessness in America*. Washington, D.C.: Author. Retrieved from: <https://www.endhomelessness.org/soh2016>

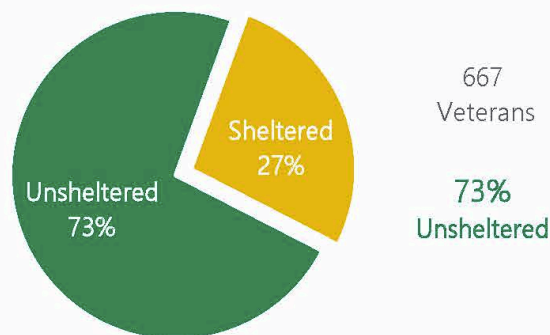
the vast majority of veterans experiencing homelessness in California are unsheltered (67%).⁶² California is also home to the highest proportion of veterans experiencing homelessness in any state (25%).⁶³

Veterans | Nightly Estimate

On a single night in January, **667 veterans** were experiencing either sheltered or unsheltered homelessness in Sacramento County.

- Veterans represent approximately 12 percent of all persons experiencing homelessness in the county.
- The majority (73%) of these veterans were unsheltered, a similar unsheltered proportion as in the overall homeless population in Sacramento County (70%).
- Of those who were sheltered, half were in emergency shelters and half were in transitional housing programs.

Figure 24 | Sheltered Status of Total Veterans in 2019



⁶² United States Interagency Council on Homelessness. (2018). *Homelessness in America: Focus on veterans*. Washington, D.C.: Author. Retrieved from https://www.usich.gov/resources/uploads/asset_library/Homelessness_in_America_Focus_on_Veterans.pdf

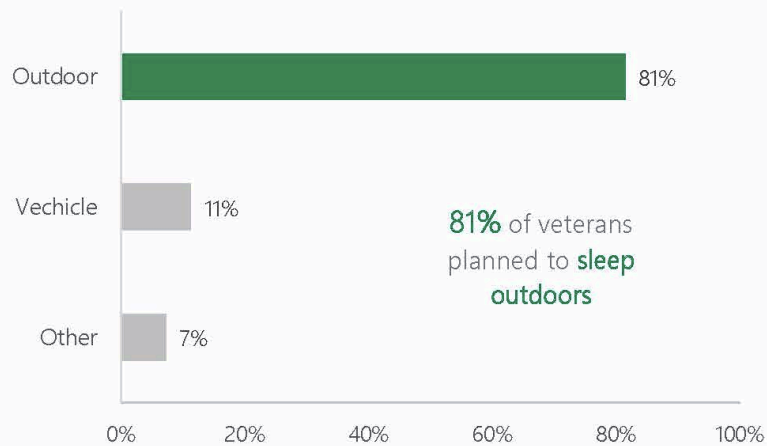
⁶³ AHAR, 2018

Veterans | Sleeping Locations

As shown in Figure 25 below, the majority (81%) of unsheltered veterans were staying outdoors, such as on the street, sidewalk, underpass, in a park, or an outdoor encampment. Eleven percent (11%) reported staying in a vehicle, and seven percent (7%) reported staying in another location such as an abandoned building or a bus/train station.

Figure 25 below, the majority (81%) of unsheltered veterans were staying outdoors, such as on the street, sidewalk, underpass, in a park, or an outdoor encampment. Eleven percent (11%) reported staying in a vehicle, and seven percent (7%) reported staying in another location such as an abandoned building or a bus/train station.

Figure 25 | Sleeping Locations of Unsheltered Veterans in 2019



Veterans | Demographic Characteristics

Unsheltered veterans were on average approximately eight years older than non-veteran adults experiencing unsheltered homelessness (50 versus 42 years old respectively). Compared to unsheltered non-veteran adults, the population of unsheltered veterans had a higher proportion who were male, higher proportion white, and lower proportion Hispanic/Latinx, however the differences between veterans and non-veterans across these demographic characteristics were not statistically significant.

Table 9 | Demographics of Unsheltered Veterans

Veterans	
Age	
18-24	1%
25-34	11%
35-44	20%
45-54	26%
55+	42%
Gender	
Male	72%
Female	26%
Transgender	1%
Gender Non-Conforming	2%
Ethnicity	
Hispanic	9%
Non-Hispanic	91%
Race	
White	57%
Black	24%
Asian	0%
American Indian	8%
Native Hawaiian	3%
Multiracial	8%
Sexual Orientation	
Straight	88%
Gay or Lesbian	4%
Bisexual	<1%
Other	6%
Refuse	1%

n = 488

Veterans | Length of Homelessness

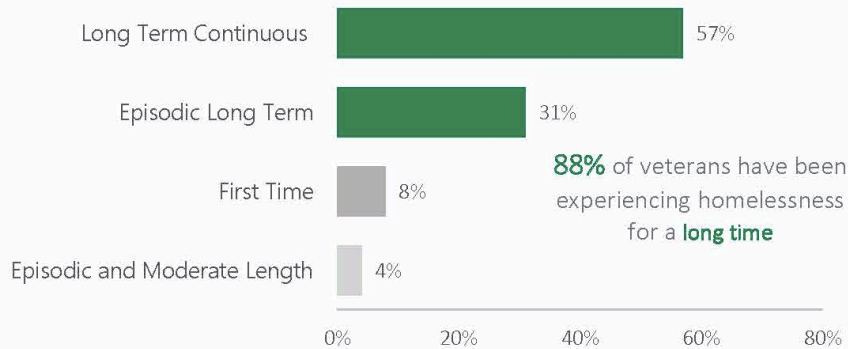
Veterans were also asked about their length of homelessness situation.

- Approximately eight percent (8%) of veterans were in a “first time and recent-homeless” situation.

- Four percent (4%) of veterans were in an “episodic and moderate-length” homelessness” situation.
- About a third of veterans (31%) were in a situation that could be characterized as “episodic and long term” homelessness. Finally, 57 percent could be characterized as experiencing a “long term and continuous” bout of homelessness that has lasted over a year.

Overall, length of homelessness among unsheltered veterans looks very similar to patterns seen among unsheltered older adults age 55+ and the total unsheltered population. In particular, very few veterans were experiencing a recent or first-time homeless experience. In contrast, 88 percent of veterans have been experiencing homelessness for a long time, and most have been experiencing long-term and continuous homelessness (without breaks).

Figure 26 | Length of Homelessness of Unsheltered Veterans in 2019

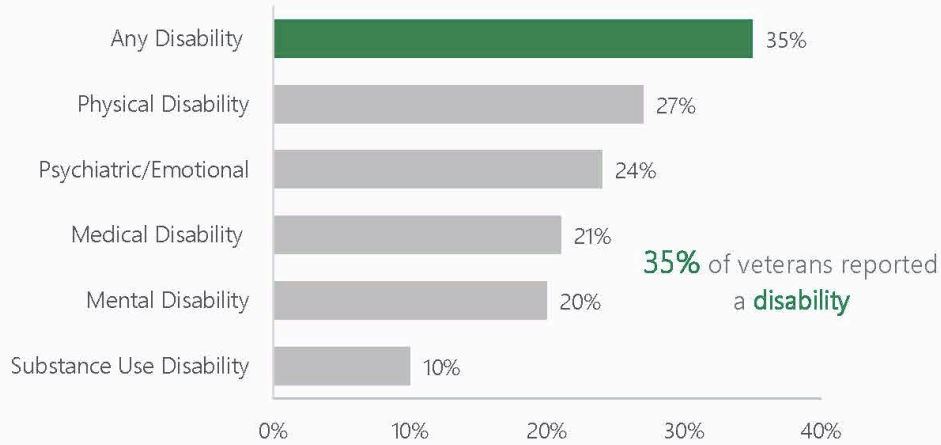


Veterans | Disabling Conditions

Approximately one-third of veterans reported a severe disability and/or health condition that has prevented them from being employed and/or maintaining stable housing. In particular, approximately equal proportions of veterans report a physical disability (27%) and severe psychiatric/emotional disorder (24%) and 21 percent reported an ongoing “medical disability” (condition such as disabling diabetes, cancer or heart disease). Twenty percent (20%) reported a disabling mental disability (e.g., a cognitive impairment). These proportions are approximately equivalent to rates seen in the total unsheltered homeless population in Sacramento County. Additionally, 54 percent of unsheltered veterans reported that they live with PTSD, a significantly higher proportion than in the total unsheltered homeless population (41%). However, most of these respondents did not indicate that their PTSD was debilitating (i.e., not included in the 24% with a severe psychiatric/emotional condition).

- Among all veterans experiencing homelessness, 27 percent were chronically homeless, and the vast majority of those who were chronically homeless were unsheltered (80%).

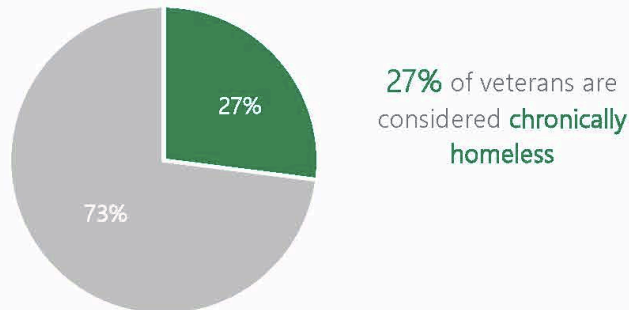
Figure 27 | Reported Conditions of Unsheltered Veterans⁶⁴



54 percent of unsheltered veterans reported that they live with Post-traumatic Stress Disorder (PTSD)

⁶⁴ That affect ability to maintain stable housing or employment.

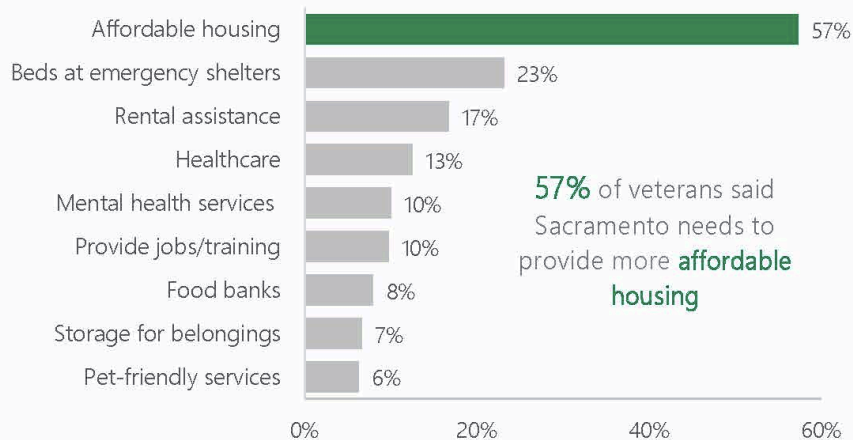
Figure 28 | Chronic Homeless Status of Total Veterans



Voices of Veterans | What Could Sacramento Do Better?

Much like older adults, unsheltered veterans who participated in the survey noted the need for more affordable housing at a higher rate than the total unsheltered population (57% versus 53%). Veterans also noted the need for more shelter beds (23%), rental assistance (17%), and better health care (13% of veterans versus 4% of the total unsheltered population). Veterans expressed the need for mental health care at a similar rate to the total unsheltered population (10%).⁶⁵

Figure 29 | What Unsheltered Veterans Believe Sacramento Could Do Better



⁶⁵ Forty percent of veterans made a recommendation that could not be easily combined into a category, but the most common suggestions are included in the text.

Section 3: Comparing Estimates across Years

The 2019 Count significantly increased the accuracy and scope of the estimate of nightly homelessness in Sacramento; moving forward, future counts will be able to more effectively document and track the change in the number of individuals experiencing homelessness in the community over time. While clear comparisons to previous counts will be more challenging and less intuitive (particularly for Counts done before 2017), the results of the 2019 Count establish a new benchmark for assessing this growing social issue in our community.

In this section we discuss a final analysis that assesses the relative change in the number of individuals experiencing homelessness between 2017 and 2019 in Sacramento County. Comparing the 2019 results to previous years is not a simple “apples-to-apples” comparison, given that the 2019 Homeless Count deployed different strategies and methodologies. Indeed, simply comparing the raw results of the 2017 and 2019 counts would be problematic given that a larger geographic area was canvassed for the unsheltered count in 2019 than in previous years (with three times the number of volunteers deployed this year compared to 2017). However, the research team intentionally retained some similarities from past counts so that some cautious comparisons would be possible with some adjustments. Taking into account these design similarities, as well as differences, we present below the results of our analysis, which statistically adjust count results to assess change over time. Though it is beyond the limits of the existing data (particularly the 2017 data) to provide definitive estimates of which specific groups of people experiencing homelessness may have increased (e.g., whether family homelessness has increased), our results indicate that nightly homelessness overall has generally increased--across all populations-- in Sacramento County by at least 19 percent.

Comparing the 2017 and 2019 Homeless Counts

As is discussed in Appendix A of this report, there was ample evidence in 2017 and 2019 that the increased scope of homelessness in Sacramento County necessitated some substantial changes to the unsheltered portion of the Sacramento Homeless Count, particularly in terms of a much larger and more sophisticated canvassing strategy than years prior. We believe that the expanded methodology of 2019 has resulted in a more accurate count than before and provide a reliable estimate that can be compared in future years. Below we discuss the key similarities and differences between the two counts and provide a description of how we arrived at an estimate of 19 percent increase in homelessness between 2017 and 2019.

All Point-in-Time Homeless Counts necessarily provide an undercount of the true prevalence of homelessness--even with seamless implementation or incorporation of new methods and statistical techniques, Homeless Counts will always miss some individuals in the official estimates of nightly homelessness in a community. That being said, Homeless Count results can nonetheless reliably *approximate* trends in the size of the homeless population over time if the design is implemented broadly enough but also consistently from year to year. That is to say, if the same components of the Count are implemented every year, and to the same degree (i.e., sending similar number of

canvassing teams to a similar number of locations) the methodology can provide a reliable approximation of relative increases or decreases in the overall homeless population.⁶⁶ There is, then, a natural tension between efforts to improve the accuracy of the count and efforts to retain the reliability of doing the same type of count each year.

In Table 10 below, we list the components of the Homeless Counts in 2017 and 2019 to begin to demonstrate similarities and differences in design:

Table 10 | Components of 2017 and 2019 Homelessness Counts

Components	2017 Count	2019 Count
1. Census of sheltered homelessness	●	●
2. Canvassing of known locations	●	●
3. Randomized canvassing of known locations in all regions		●
4. Randomized canvassing of potentially unknown locations		●

There are a number of similarities between the 2017 and 2019 Counts that allow an approximate comparison. An abbreviated list of some of the most important similarities include:

- The methods used for the *sheltered* portions of the 2017 and 2019 Counts were analogous to previous years (Component 1, above).
- The core strategies for the unsheltered portion of the 2017 and 2019 Counts similarly relied on the identification of known locations to structure the canvassing of large areas in Sacramento County (Component 2, above).
 - Known locations were identified, mapped, and canvassed using essentially identical procedures.
 - All known locations that were identified as “hot” (suspected to have large number of homeless individuals) were fully censused in both years.⁶⁷

⁶⁶ Assuming the same sources of systematic bias are in place from year to year, even inaccurate but nonetheless reliable undercounts of homelessness can--to a degree-- be useful indicators of the change over time in the community. However, this assumption assumes that communities are adequately able to identify known locations where people experiencing homelessness are staying, that there are no changes in the proportion of known locations sampled, and that there are no changes in the proportion of people experiencing homelessness who are counted in known locations each year. These challenges may be addressed through a broad sampling of known locations and possibly randomization and extrapolation of unknown locations, though these techniques are still being explored.

⁶⁷ Downtown, Midtown, and some of the surrounding area within the city of Sacramento were fully censused in both years.

Despite many similarities, the following notable differences between the 2017 and 2019 make direct comparisons problematic:

- In 2017 only *some* of the warm locations were sampled in a random manner suited for statistical inference, while in 2019 all warm locations were systematically randomized.⁶⁸
- The 2019 stratified sampling strategy was specifically employed for the purpose of estimating the number of homeless individuals in known locations that would not be canvassed, while in 2017 the random sampling was not used for such a purpose (Component 3, above).
- The 2019 sampling strategy also included a stratified random selection of potentially “unknown” locations where homeless individuals could be residing, while in 2017 this was not done (Component 4, above).⁶⁹

In the table below, we statistically disaggregate the final estimates in terms of Count components, and then recalibrate the 2017 results so that they approximate a count as though it had been done with similar components implemented in 2019. In other words, we adjust the 2017 estimate by extrapolating additional counts that would have likely been recorded if the 2019 components had been implemented. While this analysis makes a number of assumptions about the distribution of homelessness across the two periods, the analysis approximates an “apples-to-apples” comparison of the two counts.

⁶⁸ Random sampling of “warm” locations was conducted each year, but in 2017 this was limited to a few areas in the unincorporated regions of the county and not done for the explicit purpose of extrapolation. Approximately two weeks before the 2017 Count, it was discovered that the number of known locations identified that year (141) would exceed volunteer capacity. Because a number of new locations identified by community members in 2017 were in regions not previously canvassed in 2015, the 2017 team decided to randomly select locations in these areas for that year’s Count; to prioritize resources to regions that had been previously canvassed in prior efforts but use a portion of volunteer resources to verify the reliability of this new information through random sampling. Results from 2017 indicated that many, though not all, of the volunteer teams sent to these new locations reported significant counts, which contributed to this year’s efforts to broaden the scope of the Count methodology. While researchers in 2017 did estimate the number of likely missing individuals in uncanvassed known locations, these calculations were not included in the final 2017 results as the random sampling was not systematically done in all regions of the county. The 2019 Count, however, employed a systematic stratified sampling of all known locations throughout the county, except for Midtown Sacramento, where all warm locations were canvassed.

⁶⁹ To assess the degree to which there may still be an undercount of unknown locations where homeless individuals are residing throughout the county—locations that are unknown by others in the community and hence would be missed in a traditional count—the research team also generated a stratified random sample of 64 unknown locations within a 284 square-mile region of the county to be canvassed.

Table 11 | Statistically Adjusted Annual Counts: The “Apples-to-Apples” Comparison

	2017 Count (<i>Estimated Adjustment</i>)	2019 Count	Difference in Counts	% Increase
Component 1: Sheltered Count	1,613	1,670		
Component 2: Unsheltered Count at Canvassed Known Locations	2,052	2,763		
Component 3: Extrapolated Count at Known Locations Not Canvassed	(786)	851		
Component 4: Unsheltered Count at Canvassed Unknown Locations	(241)	286		
Total Sheltered	1,613	1,670	+57	3.5%
Total Unsheltered	2,052 (3,079)	3,900	+821	26.7%
Total	3,665 (4,692)	5,570	+878	18.7%

As the above table shows, the 2019 Count included all homeless individuals who were counted in shelters/transitional housing (Component 1: 1,670) and those counted in known locations that had been canvassed (Component 2: 2,763), which were similar components implemented in 2017 (1,613 and 2,052), though fewer known locations were canvassed overall in 2017 compared to 2019 (51 vs 81). In both years, there were more known locations identified than could have been practically canvassed with volunteers, but only 2019 included an attempt to extrapolate the number of homeless individuals who would have been encountered if canvassing teams had been sent to these locations (Component 3). This was done in 2019 by using information about the distribution of homelessness indicated from canvassed locations, to then estimate homelessness in the non-canvassed locations. For the 2019 Count, this statistical extrapolation added an extra 851 people experiencing homelessness to the final results.⁷⁰

Though this extrapolation component was not part of the 2017 Count, we used information collected that year from locations that were both surveyed and *randomly selected*, and then applied the same stratification and weighting formula used in 2019. This resulted is an estimated 786 additional homeless individuals to the total unsheltered estimate.

Besides the extrapolation of the unvisited known locations, the other notable difference in 2019 was the canvassing of potential, currently unknown, locations where homelessness individuals could be counted (Component 4). These were locations that were selected at random and stratified across a

⁷⁰ Extrapolation is performed in the way that makes the least assumptions. Specifically, when zones are selected randomly from a larger list, the point estimate for the mean of unvisited known zones is the same as the mean for visited known zones. In our case there are five lists, one for each region. Consequently, for each region, the extrapolated people in the unvisited known zones is equal to the sample mean of the randomly selected visited “warm” zones in that region multiplied by the number of unvisited warm zones in that region. The total amount of extrapolated homeless is equal to the sum of extrapolated homeless in all five regions.

284 square mile area (i.e., sampling frame) of the county. While the vast majority of locations yielded zero (or very low) counts, the canvassing teams sent to these randomly selected locations reported an additional 286 people experiencing homelessness.⁷¹

To estimate the number of homeless individuals who *may have been* counted in 2017 in unknown locations we calculated the most likely outcome if 2017 had deployed a similar number of volunteers to these locations as had been in 2019. Moreover, we also made the assumption that homelessness increased approximately equally both in and outside of known locations over the last two years. That is, we made an assumption that the difference in the unknown locations would approximate the broader differences observed in the combined difference in the sheltered and unsheltered counts across both years.⁷² This indicates that approximately 241 individuals may have been counted in these unknown locations.

Once the appropriate adjustments are made, sheltered homelessness increased by 3.5 percent, unsheltered by 26.7 percent, yielding a total increase in homelessness of 18.7 percent. The results provide evidence that a significant increase in the number of people experiencing homelessness nightly has occurred in Sacramento County by approximately 19 percent. Because of the data limitations, however, we cannot say with certainty which specific groups may have increased faster than other groups; rather we estimate that all homeless populations have likely increased by 11- 27 percent.

⁷¹ No extrapolation was done in the unknown zones given the immense uncertainty such a statistical extrapolation would entail. Later in this report we discuss what we learned from sampling in the unknown zones and how we might apply those findings to the future.

⁷² However, since this aspect of the count plays a relatively small part in the overall homeless count, it would not significantly impact any of our conclusions even if this assumption were false.

Section 4: Conclusions and Recommendations

The 2019 Homeless Count was a county-wide effort that involved many Sacramento organizations, agencies, and volunteers. We are confident that this latest count represents the most accurate numbers of people experiencing homelessness in the county, and that these estimates are parallel to the increases seen across the state. In this section, we review the major findings of the 2019 Homeless Count in Sacramento County, provide context for these findings, and provide policy recommendations as well as methodological recommendations for future Homeless Counts in Sacramento County.

Major findings of the 2019 Homeless Count in Sacramento County include the following.

- Sacramento County experienced substantial 19 percent increases in nightly homelessness, much like the rest of California.
- On the night of the 2019 Count an estimated 5,570 individuals experienced homelessness throughout the county—which is the highest estimate of nightly homelessness reported for our community.
- The vast majority of individuals (70%) experiencing homelessness each night in Sacramento County are *sleeping outdoors* or in vehicles, abandoned buildings or other location not suitable for human habitation.
- The estimate of 5,570 people who are homeless each night could correspond to between 10,000 to 11,000 residents in Sacramento County experiencing homelessness during the span of the year.
- Despite some local concern that many people experiencing homelessness are from other communities, the vast majority (93%) are from Sacramento County.
- Black and American Indian/Alaska Native people are significantly overrepresented in the unsheltered homeless population; this is particularly the case for unsheltered families.
- Many more families are sleeping outside of shelters each night (and particularly, in vehicles) than had been previously assumed.
- A substantial proportion of individuals sleeping outdoors (approximately 30%) are older adults over the age of 50, and 1-in-5 are 55 or older.
- Approximately nine percent (9%) of unsheltered respondents identified their sexual orientation as gay/lesbian, bisexual or another sexual orientation other than heterosexual.

- Approximately 30 percent of people experiencing homelessness met the definition of “chronic homelessness” as defined by HUD, a slightly lower rate than anticipated. Though it is beyond the limits of the data to explore this possible decline, efforts to engage chronic homelessness could have had a mitigating effect on the broader upward trends of long-term homelessness.

While the significant increases in homelessness in Sacramento County are concerning, this report discusses some key contextual factors that contributed to these larger estimates in the 2019 Homeless Count.

Contextual Considerations

The 2019 rise in homelessness reflects the continued challenges with housing affordability locally and across the state. The 2019 rise in homelessness reflects the continued challenges with housing affordability locally and across the state. A number of studies show that rental market conditions are the strongest predictors of community levels of homelessness; one of the most salient conditions is the proportion of renters that spend more than 50 percent of their monthly income on rent—which represent nearly 30 percent of all renters in the county.⁷³ Sacramento has seen major increases in rental rates in the context of a state-wide housing crisis. From January 2017 to April 2019, the median rent in Sacramento rose 14 percent, compared to a five percent (5%) increase nationally; from 2017-2018 Sacramento faced the highest rent increases among California cities.⁷⁴ This continues a broader five-year upward trend in which Sacramento renters experienced the second highest continuing increases in rent among major California cities.⁷⁵

The increase in homelessness in Sacramento County is consistent with the double-digit increases being reported across communities in California. Double-digit increases are being reported in Southern California counties, as well as nearby counties of San Francisco, Santa Clara, and Alameda Counties. Moreover, in the past year 43 communities and 11 major cities throughout California have formally declared a shelter crisis in their respective areas. While homelessness is undoubtedly a local community issue, it is nonetheless impacted by state-wide trends. This suggests that partnerships across local, regional, and state entities are going to be required to address factors such as the lack of affordable housing.

Policy recommendations

These empirical findings regarding the scope and characteristics of the homeless population in Sacramento County highlight a number of policy considerations. With two recent Homeless Counts demonstrating double-digit increases in homelessness (in 2015-2017 and 2017-2019), Sacramento County is facing an enduring problem that continues to affect the lives of many. These increases are

⁷³ The US Census *American Community Survey* (2018) estimates that 28.5% of renters in Sacramento County are severely burdened renters; meaning they spend more than 50% of their income on rent.

⁷⁴ RentCafe, 2019

⁷⁵ Bizjak, 2018

consistent with state-wide increases, necessitating a state-wide approach and partnerships across localities. As demonstrated by the high volunteer interest in the 2019 Homeless Count in Sacramento County, it is clear that there exists a public will to address this social problem. Ultimately, as our community takes steps to alleviate the problem, we will also need to grapple with complex solutions that involve patience and enduring investment.

Based on these findings and contextual considerations, we make the following policy recommendations:

Address the needs of the large unsheltered population in Sacramento County. Approximately 70 percent of people experiencing homelessness in Sacramento County are unsheltered, reflecting larger patterns of growing unsheltered homelessness reported across communities in California. Given this persistently high rate of unsheltered homelessness in our community and in our state, and in the context of a gap in shelter beds to meet the need, we anticipate growing tensions in the community over the use of public spaces. We recommend that city and county leaders give careful consideration about how to appropriately and humanely protect the rights and safety of those who are living outdoors while also addressing other citizen concerns related to sanitation, public safety. Our community needs to address these goals simultaneously and avoid narratives that exclude individuals experiencing homelessness as legitimate members of our community.⁷⁶

Address factors related to overrepresentation of Black and American Indian people in the homeless population. Black/African American people are disproportionately represented in the county's homeless population (34% vs 13% of Sacramento County). Black/African American people experiencing homelessness are further impacted by institutional and structural racism, manifested in everyday activities such as looking for employment and finding a place to live.⁷⁷ We recommend a strong investment in additional outreach and involvement of people of color in decision-making efforts regarding housing, social services, and homeless services in Sacramento County. Sacramento County should also consider further investigation into structural barriers that may be preventing Black people from accessing needed resources that could prevent homelessness or may aid a quick resolution to a short-term homeless crisis.

Build on new information about unsheltered family homelessness and consider alternative short-term options for unsheltered families. During the 2019 Homeless Count in Sacramento, approximately 429 individuals (11% of the 3,900 unsheltered individuals) were staying in a vehicle, and overall 168 vehicles in which someone was living were counted. However, a much greater proportion of families with children (33%) were staying in a vehicle than in the total unsheltered population. Due to risks associated with living in a vehicle, such as lack of sanitary conditions, risk of parking citations and risk of break-ins or other vulnerabilities, Sacramento County may want to consider addressing the needs of families in vehicles through non-traditional options. One approach to consider might be Safe Parking Zones, which provide a space for people living in vehicles a legal and safe place to park

⁷⁶ Laurenson, P., & Collins, D. (2006). Towards inclusion: Local government, public space and homelessness in New Zealand. *New Zealand Geographer*, 62(3), 185–195.

⁷⁷ Los Angeles Homeless Services Authority, 2018

overnight, often with access to waste disposal, bathrooms and showers.⁷⁸ As discussed in a report by the Homeless Policy Research Institute, in cities such as Santa Barbara, Seattle, and San Diego, Safe Parking Zones have ranged in terms of size, services, and structure.⁷⁹

Acknowledge the unique needs of an aging population. Among individuals over 55, 65 percent are unsheltered. Older adults (66%) were more likely to report having a health condition than younger adults. There are a variety of recommendations for standards of care when working with or designing responsive programs for aging and elderly persons who are experiencing homelessness. Common barriers should be addressed that work against older adults exiting homelessness or simply accessing services; these include isolation, shame, anxiety surrounding declines in health and functioning, and mistrust of service providers and institutions. There is a need for safer and responsive shelters, designed for older clients exhibiting complex health and mental health conditions. Relatedly, in efforts to provide these basic services, the realities of social estrangement, existential distress, and end of life care planning are often left unaddressed, in particular challenges involved with delivering hospice care to dying homeless adults result in much unnecessary suffering at the end of life.⁸⁰

Continue to focus on chronic homelessness, but also the problem of long-term homelessness. Our data suggest that it may be very difficult to exit homelessness in Sacramento County, given the very high proportion of individuals who have experienced homelessness for a year or more. Nonetheless, there is some evidence that individuals experiencing chronic homelessness did not increase as a proportion of the total homeless population—as might have been expected with the substantial increase in unsheltered homelessness and the length of time of homeless. This suggests that programs and/or policies are potentially making an impact in helping one of the most vulnerable groups of people who experience homelessness transition into more stable housing. Though it is beyond the scope of this report to quantify this impact, the evidence is promising that chronic homelessness may not be growing in Sacramento as it is in other communities. We recommend continued efforts to address this often difficult-to-serve population.

Methods Recommendations

It is important to recognize that in any Homeless Count, it is often necessary to make slight changes to methodology in order to account for context and lessons learned in previous years. However, in 2019 the shift in methodology was much more significant in order to improve the accuracy of the unsheltered count. The larger shift in methodology in 2019 took place in part because of continuing concerns in the community that Homeless Counts may substantially underreport the true rate of *unsheltered* homelessness in Sacramento. In response to these concerns, we proposed a more robust strategy to improve the accuracy of the *unsheltered count*. We believe that these efforts have

⁷⁸ Homeless Policy Research Institute. (2018, December). *Safe parking programs*. Los Angeles, CA: Sol Price Center for Social Innovation. Retrieved from <https://socialinnovation.usc.edu/wp-content/uploads/2018/12/Safe-Parking-Literature-Review.pdf>

⁷⁹ Homeless Policy Research Institute, 2018

⁸⁰ Cagle, J. G. (2009).

provided the community a much more accurate understanding of the scope and demographics of the homeless population in Sacramento County. While shifts will need to take place every year to some extent, very large shifts in methodology should not occur each time a Homeless Count is conducted as it would make comparisons from year-to-year much more challenging. Below we discuss the benefits and challenges of some of these changes and provide recommendations for future Homeless Counts in Sacramento County:

Incorporating mobile technology to improve the collection of data. The use of a mobile application for data collection in the unsheltered count helped immensely to improve the quality and completeness of count and survey data. We recommend that an application be used in all subsequent Homeless Counts, though recommend some slight adjustments. In particular, we recommend cautious use of geolocation data through the application as a back-up method of verifying the zone in which a volunteer completed a survey or a count. In 2019, some volunteers did not properly indicate the zone in which an individual was located or surveyed, necessitating follow-up calls and other investigation to determine the zone canvassed by that volunteer.

Increased efforts to recruit and train community volunteers. An unprecedented 1,400 Sacramento County residents signed up to volunteer for the 2019 Homeless Count, reflecting immense community interest in addressing this social problem. Ultimately, 900 volunteers were trained during the weeks before the Count and deployed during the two nights of the Count. These efforts were incredibly helpful to increase the number of zones that could be canvassed, including “unknown” zones (an innovation this year). Additionally, partnership with the Sacramento LGBT Community Center to train volunteers about how to appropriately ask survey questions regarding gender identity and sexual orientation should be replicated in the 2021 Homeless Count. However, as with any large increase in volunteers came additional logistic needs that necessitated staff time to address volunteer needs and coordinate trainings and deployments. For the 2021 Homeless Count, we recommend replication of efforts to recruit community volunteers, but additional resources to communicate with, train, and deploy volunteers. Further efforts to improve trainings, particularly regarding cultural sensitivity to sometimes personal questions, can also continue to be improved.

Increased efforts to identify transitional age youth and families through targeted efforts. Efforts to reach a higher proportion of transitional age youth and families with children involved the coordination and planning with many youth and family agencies in the community. Many of these agency staff themselves led these efforts, particularly in implementing the “Every Youth Counts” event. Partnership with community agencies in the development of “supplemental” questions that were asked of youth and involvement of youth with lived experience with homelessness only was also very useful. These efforts very likely improved our understanding of the scope, characteristics, and experiences of youth and families in Sacramento County. However, there were some “lessons learned” in 2019 that could lead to improved methodology in 2021. In particular, we recommend additional recruitment efforts to unsheltered minor youth and transitional aged youth, improved efforts to ensure completeness of survey data, and involvement of youth and adults with lived experience of homelessness. Further, we recommend an earlier start to the planning stage of the effort. The ability to start planning in the summer would improve feasibility of additional pre-Count data collection (including improved development of “known zone” locations) and additional

partnerships such as those with schools, additional agencies, and other important entities who could improve inclusion of hard-to-reach subpopulations such as youth and families.

Random sampling of known and unknown locations. One of the new and innovative components of the 2019 Homeless Count was the completely randomized selection of some canvassing locations to which volunteers were deployed. A total of 64 canvassing teams were sent to a randomly selected set of coordinates within a 242 square-mile region of Sacramento County (a 284-square mile sampling frame that excluded the already identified locations as well as locations that would have been impossible to access). This component functioned as an experiment to assess the degree to which identified locations may be somewhat biased and provide an incomplete picture of all the locations where homeless individuals might be encountered.⁸¹ The results indicate that the majority (over 75%) of the teams sent to these teams did not encounter individuals suspected to experience homelessness. Though a few locations did yield some significant counts, the amount and quality of data reported from these teams were not sufficient to calculate reliable estimates of missed individuals in these and other unknown locations throughout Sacramento County. The results nonetheless generally indicate that there were likely more individuals that could have been counted during the night of the 2019 Count—though it is unclear to what degree. More broadly, this suggests that information about homelessness locations is continuing to improve, but a broader engagement with stakeholders and community members may enhance the efficiency by which locations are identified. We recommend that future counts continue to implement a completely randomized component, in which volunteers are sent to areas with unknown reports of homelessness. This will help assess the information that organizers are using over time to establishing canvassing routes. Collecting this information over time will also help future researchers develop more effective strategies of sampling in the counting, as well as to develop analyses that assess the severity of undercounting.

In sum, it is important that researchers, along with stakeholders, continually strive to improve the scope and breadth of the Homeless Count so that it yields accurate and reliable information about the realities of homelessness in our community. While findings from the Homeless Count can sometimes highlight somber findings, we believe it is only by confronting these difficult realities, with honest and accurate information, that we as a community can address them effectively.

⁸¹ Another experimental aspect of this component was to assess the applicability of extrapolating counts to the entire 242 square-mile area of the sampling frame (the 284 square mile region minus the areas already being canvassed). However, results indicated high very levels of variability in reported counts, and consequently a high level of uncertainty to the estimates. More specifically, we calculated confidence intervals that were unreasonable to use for an official estimate of homelessness—particularly estimates that would be later used to assess change over time. Future Counts in Sacramento could deploy more resources to these unknown areas, and improve the reliability of estimates, though this should be done only if there are also sufficient resources to canvass most known locations where homeless individuals can be located. Because of the skewed distribution of homelessness across most areas, we advise against a purely randomized sample.

Appendix A: 2019 Count Methodology

The 2019 Homeless Count employed a number of design improvements from previous community efforts to document unsheltered homelessness. These modifications include deploying hundreds of additional volunteers, canvassing different parts of the county over multiple nights, and using sampling and statistical techniques to estimate the number of individuals sleeping in locations not canvassed.⁸² For the unsheltered portion of the Homeless Count, each Continuum of Care is responsible for conducting a robust canvassing of areas in regions where people experiencing unsheltered homelessness are likely to be sleeping. As in previous years the Sacramento Homeless Count employed a “public places” methodology, the HUD recommended procedure most commonly used in urban areas (also known as the known location strategy). Historically Sacramento has implemented HUD’s “Method 2,” which generally speaking, incorporates four basic components:⁸³

- **Soliciting input from the community** about “known locations” in the county where individuals sleeping outdoors have been recently observed (preferably collected within weeks of the Count).
- **Using this information to construct canvassing maps** of targeted “hot” and “warm” locations where there is a high probability of encountering individuals on the night of the count.
- **Deploying volunteer teams to systematically canvas** all hot and warm locations, and record the number individuals encountered that are suspected of experiencing homelessness.⁸⁴
- **Training volunteers to interview a subgroup of respondents** using a standardized demographic survey. This information is later analyzed to construct a general estimate of the demographic composition of the unsheltered population.⁸⁵

⁸² As discussed earlier, the Homeless Count is technically a census of all individuals in the county experiencing homelessness—both sheltered and unsheltered—during a coordinated time period in January. The sheltered portion of the homeless count is typically accomplished by aggregating data from the Homeless Management Information System (HMIS)—a client database which SSF coordinates for all HUD-funded and county-funded homeless service providers. For the 2019 Count, and similar to past Counts, SSF compiled and analyzed HMIS records of all individuals accessing shelter/transitional housing on the night of January 30th, 2019. SSF also collected information from programs serving homeless individuals that do not report to HMIS.

⁸³ HUD lists three typical methods for surveying public places, noting that each method can be accomplished by searching in “known locations” strive for complete coverage (HUD, 2008, pp. 16-17).

⁸⁴ Per HUD guidelines, volunteers were trained to count every individual they encountered, *unless it appeared that the individual was obviously not homeless* (i.e., markers that the individuals were headed to or from work, frequenting a restaurant or bar etc.).

⁸⁵ As recommended by HUD, demographic information was collected via in-person survey conducted with a subsample of individuals encountered on the streets. This survey data was later statistically weighted to the count data to estimate the demographic composition of the unsheltered population. Specifically, researchers calculated “inverse probability” weights for each survey response based on two primary characteristics: the region in which the survey was administered and the household size of those individuals surveyed. The weights calculated matched the

Because homelessness is suspected to be highly concentrated within a limited number of areas, it is assumed that this strategy of canvassing all identified hot and warm “known locations,” will enumerate a large percentage of the homeless population in the community. This strategy can provide reasonably reliable estimates of the change in homelessness from year to year if a similar proportion of known locations are surveyed each year. Assuming the methodology is implemented consistently each year—of sending the same approximate number of canvassing teams to a similar number of known locations—the results likely provide reliable assessments of the relative change in the census of homelessness from year to year.⁸⁶

We nonetheless modified some aspects of the sampling methodology in 2019 to incorporate new goals born out of the RFP and ongoing discussions with Sacramento Steps Forward. These modifications, which align with HUD’s “Method 3” approach, were designed by Sacramento State to address four general concerns raised from the 2017 Count.⁸⁷ These included:

1. The growing number of reported “known locations” of homelessness in Sacramento County. In 2017, information from community members indicated over 119 “warm” known locations and 19 “hot” locations, while previous counts indicated only 70-100 known locations in total.⁸⁸ As a result it will become increasingly difficult, if not impossible, to simply canvas all known locations in Sacramento County in one night, even with substantial increases in the number of volunteers deployed. Future Counts in Sacramento will need to incorporate collecting information from a random sample of known locations, and using this data to estimate homelessness in locations not canvassed.

2. Concern about potentially *unknown* locations in the county where people experiencing homelessness could be found. Identification about known locations has undoubtedly improved with the inclusion of diverse stakeholders, as well as the incorporation of new public data sources (e.g., call data from 311). Nonetheless, it is suspected that there are a number of homeless locations that are not currently known or identified by community members. Though HUD encourages

distribution of these survey characteristics (location and household composition) to the distributions indicated by the count data.

⁸⁶ Assuming the same sources of systematic bias are in place from year to year, even inaccurate but nonetheless reliable undercounts of homelessness can—to a degree—be useful indicators of the change over time in the community. However, this assumption assumes that communities are adequately able to identify known locations where people experiencing homelessness are staying, that there are no changes in the proportion of known locations sampled, and that there are no changes in the proportion of people experiencing homelessness who are counted in known locations each year. These challenges may be addressed through a broad sampling of known locations and possibly randomization and extrapolation of unknown locations, though these techniques are still being explored.

⁸⁷ This method outlines a statistical technique that stratifies known areas according to expected homeless density, randomly samples among the strata, and then extrapolates the number of people experiencing homelessness in those areas that were unvisited at the time of the count. Essentially, the method approximates the number of people who are homeless that would have been counted if the CoC had sufficient teams to cover all known zones. A number of communities, such as Orange County, employ this method in years where they cannot do a full census of all known zones. The specifics of this technique and the methods employed in the sampling stratification and subsequent analysis are detailed in the appendix of this report.

⁸⁸ While information about known locations has improved in Sacramento County, the increase in locations also reflects substantial increases in the number of individuals experiencing homelessness.

communities to prioritize known locations in Homeless Counts, the methodology can also incorporate a sampling of unknown locations to assess the potential bias in how homeless locations are identified.⁸⁹

3. Concerns that some groups are systematically undercounted, particularly transitional aged youth and families. It is well documented that some groups are systematically undercounted in Homeless Counts. Some groups, like unaccompanied minors and transitional aged youth, may intentionally avoid canvassing teams of adult volunteers. Other groups, like families with children, may prefer sleeping in locations that are hidden from view and/or are locations that are difficult to conduct an interview. Family members sleeping in car, van or RV, for example, are rarely interviewed during the night of the count given the standard interview protocols recommended by HUD. This may create a specific undercount in Sacramento given the increasing numbers of vehicles reported by volunteers as suspected sleeping locations for individuals and families.

4. Community interest in incorporating mobile technology to improve the collection of data. Past Counts in Sacramento have relied on paper surveys, which are difficult to administer given the sometimes complex skip patterns of the survey tool. Recording survey responses on paper at night is also notoriously difficult. These challenges likely contribute to incomplete data and introduced substantial inaccuracy.

Given these concerns and interests, the 2019 Homeless Count employed a variety of design improvements, both in terms of how data were collected, but also how this information was later compiled and analyzed. While it is beyond the scope of this report to review these modifications in detail, they can be generally characterized in four clusters of activities:

Random sampling of known and unknown locations

- Because it is no longer reasonable to canvass every known location in the county where homelessness may be present, the research team generated a stratified random sample of locations to which volunteers would be deployed. The goal was to collect sufficient information from sampled locations, to then calculate reasonably reliable estimates of the number of homeless individuals in all known locations. That is, we used information about the distribution about homelessness collected from canvassed locations to extrapolate counts in known locations that were not canvassed.
- To increase the statistical precision of the estimate, the random sample of known locations was stratified by geographic areas (e.g., city level) and by the types of known location (hot and warm locations).
- To assess the degree to which there may still be an undercount of *unknown* locations where homeless individuals are residing throughout the county--locations that are unknown by others in the community and hence would be missed in a traditional count-- the research

⁸⁹ Given the stigmatized status of homelessness, concerns about being located by law enforcement, and safety concerns among some people experiencing homelessness, many individuals may set up encampment or sleep in areas hidden from public view.

team also generated a stratified random sample of 64 unknown locations within a 284 square-mile region of the county to be canvassed.

- Ultimately, volunteers were deployed to a total of 168 locations representing approximately 42 square miles in the county. This equates to a 136 percent increase in coverage compared to 2017. We extrapolated counts to an additional 56 known locations throughout the county.

Increased efforts to recruit and train community volunteers

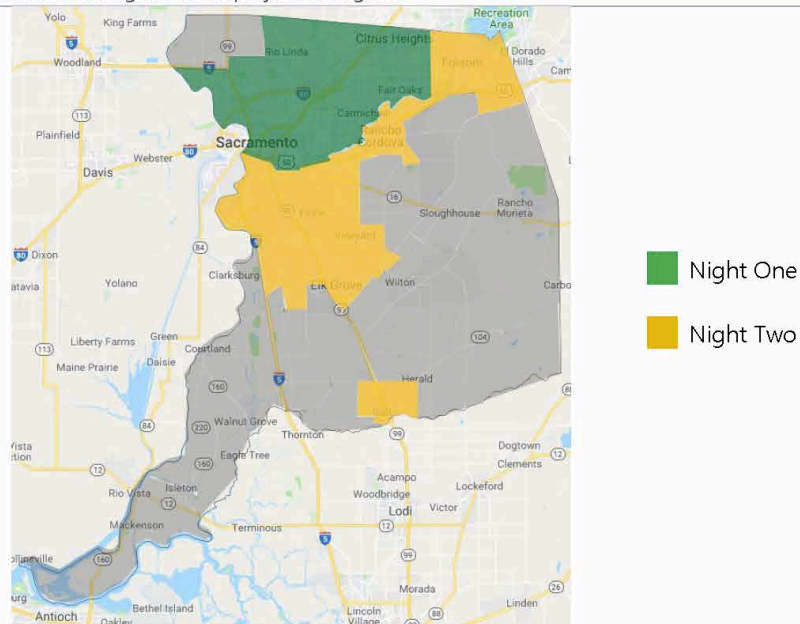
- To enhance the capacity and scope of canvassing, the research team encouraged SSF to substantially increase volunteer outreach efforts to a diverse and broad group of community members. At the same time, SSF was encouraged to do targeted outreach for individuals with a social service background. Approximately 1,400 individuals registered for the event, which is almost one thousand more registrations than in 2017.
- Approximately 900 volunteers were ultimately trained and deployed, representing three times the number of participating volunteers than in the past.
- We proposed a two-tier system of volunteer training: a general volunteer training and a specific Interviewer/Team Lead training for individuals with a social service background. The research team designed the curriculum of the interviewer training to emphasize engagement strategies and other best-practices recommended by HUD (e.g., practicing cultural sensitivity with certain questions etc.). It was assumed that providing specialized training for interviewers with a social/human service background would improve the response rate for the demographic survey. Notably, volunteers conducted approximately 550 interviews during the 24-hour period of the 2019 Count, the highest on record and about four times the number of 2017.
- Volunteers were also trained on how to administer the survey via a new mobile-phone app.

The addition of a second night and multiple deployment sites to increase data collection capacity

- To handle the increased number of volunteers, SSF organized two main deployment sites in downtown Sacramento: the Sacramento State Downtown School and the Sacramento County Department of Human Services (DHA) office in Midtown Sacramento. Volunteers were also separately deployed from Citrus Heights and Isleton.⁹⁰
- For the first time in our community, a two-night count rather than one-night count was implemented to improve the ability to canvass more area within the county. On the first night (January 30th) volunteers were deployed to 106 canvassing sites across the central, northern and western regions of the county (see below map). On the second night (January 31st) volunteers were deployed to 65 locations across southern regions of the county. Per HUD guidelines, canvassing locations were strategically grouped across the two nights in order to ensure they were several miles away from each other so that it would be unlikely that individuals would be double-counted both nights.

⁹⁰ To further improve the flow of increased volunteers and avoid gridlock at the deployment sites, the researchers and SSF organizers created a staggered deployment schedule so that volunteers checked-in and were deployed throughout the night.

Figure 30 | Map of Night One and Night Two Deployment Regions



- To ensure that surveys captured the homeless experiences associated on a single night (January 30th), individuals interviewed on the first night were asked about their housing experiences of that night (January 30th), while individuals interviewed on the second night were asked about their accommodations of the previous night. In other words, despite which night individuals completed the survey, they were asked about their type of sleeping location on January 30, 2019.

Increased efforts to identify transitional age youth and families through targeted efforts

- We developed a number of *targeted strategies* to address the challenge of locating unsheltered transitional age youth and families.
- To improve the youth aspect of the count, the research team partnered with key youth agency providers involved in the 100-Day Challenge to organize a “magnet event” on the day of the count, a HUD-recommended “best practice” for improving the unsheltered enumeration of youth (also referred to as a “come and be counted” event).⁹¹ Youth who

⁹¹ The 100-Day Challenge is a HUD-sponsored national initiative to improve community responses to youth homelessness. In Fall of 2018, Sacramento was one of five communities in the country selected for the initiative, in which service providers, youth advocates and youth themselves come together to identify ambitious system goals for the community to address in three months. One of the activities pursued by the Sacramento 100-Day Challenge Team was to improve outreach to youth experiencing homelessness during the 2019 Homeless Count. Coordinating with

attended the “Every Youth Counts” event in Sacramento during the count were invited to complete a survey in a private office by a trained staff member or volunteer. Only those youth who were staying in a location that would be considered “homeless” by the HUD definition were included in the count.

- We also collaborated with youth providers to conduct follow-up calls with youth on the Sacramento housing waitlist on February 1, 2019. Youth who were “active” on the housing waiting list received a phone call by a youth agency staff member and administered the survey. Youth were asked where they had spent the night on the primary night of the count (January 30, 2019).
- With respect to improving the count of families, we collaborated with family providers to organize a service-based count on the morning of February 1st. We conducted a number of interviews with parents in the day programs facilitated by Mustard Seed School and Maryhouse, both programs of Loaves & Fishes in Sacramento. Many of the parents interviewed reported that they had been either sleeping with their children in a car, tent or a motel room paid by a county voucher on the primary night of the count (January 30, 2019). Parents who reported sleeping in cars and tents provided general geographic information about their locations on the night of the count (general regions of cities), which notably correlated with the substantial number of cars and tents reported by canvassing teams in these regions.
- Demographic information collected from youth and families through these additional efforts, were later analyzed together with all the surveys collected on the nights of the count. Because participants provided generalized information about their locations on the night of the count, this information was accounted for in the final weighting of surveys. Particularly for families, these additional surveys were critical for providing otherwise missing demographic information about individuals sleeping in vehicles.⁹²
- It should be noted that in all of these follow-up efforts, we took steps to reduce risk of double-counting by asking participants: a) if they had already completed a survey; and b) some identifying information (initials and date of birth) that had been asked of all participants. A few individuals (both youth and parent), were found to have been interviewed more than once through these efforts; in these situations the second interviews collected

youth providers, the 100-Day Team organized an effective “Every Youth Counts” magnet event on the day of the count involving a range of services available, fun and creative activities, and incentives for participating in a survey. The 100-Day Team also helped coordinate a follow-up call session with youth on a housing wait list, a few days after the count (discussed below). The research team appreciates the great effort put forth by 100-Day Team and partners to organize these events and improve the Count.

Horwitz et al., 2017; HUD, 2014

⁹² As discussed above, canvassing teams reported a high number of vehicles in the 2019 Count (approximately 168) that they suspect people were using as a sleeping location. Per HUD guidelines, volunteers were instructed not to initiate an interview in these locations unless occupants were encountered outside of their vehicles—which did occur in some situations. Nonetheless, volunteers were instructed to passively observe, if possible, the general composition of occupants (i.e., whether adults or adults with children were present). The information collected from these observations suggest that approximately 15%-20% of vehicles had at least one minor present (similarly, 10%-15% of the 353 tents were likely occupied by parents with children). While these visual reports were not used in our demographic estimates, they did corroborate and support our suspicion that families sleeping in cars and tents are substantially undercounted if additional efforts are not taken to interview parents after the night of the count.

from these specific individuals were removed from the final analysis. A number of individuals also reported that they had stayed at a shelter on January 30th, even though they may have slept in a car or tent in subsequent nights. Because these individuals would already be accounted for in the sheltered portion of the count, their information was excluded from our unsheltered analysis.

Appendix B: 2019 Tables

**Table 1
Total Households and Persons**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	903	370	1,273	2,687	3,960
Total Number of Persons	1,139	531	1,670	3,900	5,570
Number of Children (under age 18)	218	152	370	346	716
Number of Persons (18 to 24)	62	109	171	244	415
Number of Persons (over age 24)	859	270	1,129	3,310	4,439

Gender

Female	539	241	780	1,318	2,098
Male	595	287	882	2,549	3,431
Transgender	3	3	6	19	25
Gender Non-Conforming (i.e. not exclusively male or female)	2	0	2	14	16

Ethnicity

Non-Hispanic/Non-Latino	922	426	1,348	3,237	4,585
Hispanic/Latino	217	105	322	663	985

Race

White	595	245	840	1,768	2,608
Black or African-American	431	230	661	1,214	1,875
Asian	16	1	17	32	49
American Indian or Alaska Native	27	14	41	380	421
Native Hawaiian or Other Pacific Islander	8	3	11	112	123
Multiple Races	62	38	100	394	494

**Table 2
Persons in Households with at Least one Adult and one Child**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	103	74	177	195	372
Total Number of Persons (Adults & Children)	338	234	572	567	1,139
Number of Children (under age 18)	209	147	356	332	688
Number of Persons (18 to 24)	10	23	33	39	72
Number of Persons (over age 24)	119	64	183	196	379

Gender

Female	195	148	343	280	623
Male	143	86	229	287	516
Transgender	0	0	0	0	0
Gender Non-Conforming (i.e. not exclusively male or female)	0	0	0	0	0

Ethnicity

Non-Hispanic/Non-Latino	256	183	439	489	928
Hispanic/Latino	82	51	133	78	211

Race

White	137	96	233	72	305
Black or African-American	163	111	274	353	627
Asian	1	0	1	0	1
American Indian or Alaska Native	1	3	4	53	57
Native Hawaiian or Other Pacific Islander	1	2	3	11	14
Multiple Races	35	22	57	78	135

**Table 3
Persons in Households Without Children**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	791	291	1,082	2,478	3,560
Total Number of Persons (Adults)	792	292	1,084	3,319	4,403
Number of Children (under age 18)	-	-	-	-	-
Number of Persons (18 to 24)	52	86	138	205	343
Number of Persons (over age 24)	740	206	946	3114	4,060

Gender

Female	341	92	433	1,033	1,466
Male	446	197	643	2,253	2,896
Transgender	3	3	6	19	25
Gender Non-Conforming (i.e. not exclusively male or female)	2	0	2	14	16

Ethnicity

Non-Hispanic/Non-Latino	659	238	897	2,734	3,631
Hispanic/Latino	133	54	187	585	772

Race

White	450	149	599	1,687	2,286
Black or African-American	267	116	383	856	1,239
Asian	15	1	16	32	48
American Indian or Alaska Native	26	11	37	327	364
Native Hawaiian or Other Pacific Islander	7	1	8	101	109
Multiple Races	27	14	41	316	357

**Table 4
Unaccompanied Youth Households**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Unaccompanied Youth Households	60	83	143	163	306
Total Number of Unaccompanied Youth	61	91	152	219	371
Number of Unaccompanied Children (Under age 18)	9	5	14	14	28
Number of Unaccompanied Young Adults (18-24)	52	86	138	205	343
Number of Persons (over age 24)	-	-	-	-	-

Gender

Female	20	35	55	65	120
Male	39	53	92	154	246
Transgender	1	3	4	0	4
Gender Non-Conforming (i.e. not exclusively male or female)	1	0	1	0	1

Ethnicity

Non-Hispanic/Non-Latino	44	76	120	182	302
Hispanic/Latino	17	15	32	37	69

Race

White	32	31	63	85	148
Black or African-American	23	50	73	104	177
Asian	0	1	1	0	1
American Indian or Alaska Native	0	1	1	0	1
Native Hawaiian or Other Pacific Islander	1	0	1	0	1
Multiple Races	5	8	13	30	43

**Table 5
Persons in Households with only Children**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Households	9	5	14	14	28
Number of Children (under age 18)	9	5	14	14	28

Gender

Female	3	1	4	5	9
Male	6	4	10	9	19
Transgender	0	0	0	0	0
Gender Non-Conforming (i.e. not exclusively male or female)	0	0	0	0	0

Ethnicity

Non-Hispanic/Non-Latino	7	5	12	14	26
Hispanic/Latino	2	0	2	0	2

Race

White	8	0	8	9	17
Black or African-American	1	3	4	5	9
Asian	0	0	0	0	0
American Indian or Alaska Native	0	0	0	0	0
Native Hawaiian or Other Pacific Islander	0	0	0	0	0
Multiple Races	0	2	2	0	2

**Table 6
Total Veteran Households**

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Total		
Total Number of Veterans	101	78	179	488	667
Gender					
Female	4	9	13	104	117
Male	97	69	166	371	537
Transgender	0	0	0	5	5
Gender Non-Conforming (i.e. not exclusively male or female)	0	0	0	0	0
Ethnicity					
Non-Hispanic/Non-Latino	90	71	161	440	601
Hispanic/Latino	11	7	18	48	66
Race					
White	59	42	101	272	373
Black or African-American	34	32	66	117	183
Asian	3	0	3	0	3
American Indian or Alaska Native	0	1	1	44	45
Native Hawaiian or Other Pacific Islander	1	0	1	16	17
Multiple Races	4	3	7	39	46

Appendix C: Glossary

Annualized Count

A calculation of expected number of homelessness projected over a year based on the data collected from a PIT count.⁹³

Cisgender

"A gender identity, or performance in a gender role, that society deems to match the person's assigned sex at birth. The prefix cis- means "on this side of" or "not across." A term used to call attention to the privilege of people who are not transgender."⁹⁴

Child only household

"A household with only children is any household comprised only of children under 18 years of age. This includes unaccompanied children, adolescent parents and their children, adolescent siblings, and any other household configurations composed only of children."⁹⁵

Chronically Homeless

"A homeless individual with a disability,' as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act who: (i) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and (ii) Has been homeless continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (1)(i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility; (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless."⁹⁶

⁹³Burt, M. R., & Wilkins, C. (2005, March). Estimating the need: Projecting from point-in-time to annual estimates of the number of homeless people in a community and using this information to plan for permanent supportive housing. Corporation for Supportive Housing. Retrieved June 11, 2019, from <https://www.csh.org/wp-content/uploads/2013/08/Estimating-the-Need.pdf>

⁹⁴ UC Davis, LGBTQIA Resource Center. (2019). *LGBTQIA resource center glossary*. Retrieved June 11, 2019, from <https://lgbtqia.ucdavis.edu/educated/glossary>

⁹⁵ US Department of Housing and Urban Development (2019). *HUD Exchange: HDX FAQ*. Retrieved June 10, from <https://www.hudexchange.info/faqs/828/what-is-considered-a-household-with-only-children/>

⁹⁶ 24 C.F.R. § 91.5 2018. Retrieved June 11, 2019, from <https://www.govinfo.gov/content/pkg/CFR-2018-title24-vol1/xml/CFR-2018-title24-vol1-sec91-5.xml>

Continuums of Care (CoC)

"Local planning bodies responsible for coordinating the full range of homelessness services in a geographic area, which may cover a city, county, metropolitan area, or an entire state."⁹⁷

Disabled/disabling condition

"A disabling condition is defined as 'a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions.' A disabling condition limits an individual's ability to work or perform one or more activities of daily living."⁹⁸ Additionally, other HUD definitions of a 'disability,' to determine certain program eligibility, have included, the "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months."⁹⁹

Emergency Shelter

Defined as "any facility, the primary purpose of which is to provide temporary or transitional shelter for the homeless in general or for specific populations of the homeless."¹⁰⁰

Family household

Are people residing together "who are homeless as part of a household that has at least one adult (age 18 and older) and one child (under age 18)."¹⁰¹

Homeless Individual

"An individual who lacks a fixed, regular, and adequate nighttime residence; as well an individual who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, an institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings."¹⁰² "Individuals refers to a person who is not part of a family with children during an episode of homelessness. Individuals may be homeless as single adults, unaccompanied youth, or in multiple-adult or multiple-child households."¹⁰³

⁹⁷ HUD. (2018, December). *The 2018 annual homeless assessment report (AHAR) to Congress*. Retrieved June 11, 2019, from <https://files.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

⁹⁸ Office of Community Planning and Development. (2006). *Questions and answers: A supplement to the 2006 continuum of care homeless assistance NOFA and application*. Retrieved June 10, 2019, from <https://archives.hud.gov/funding/2006/cocqa.doc>

⁹⁹ HUD (n.d.). HUD occupancy handbook: Glossary. Retrieved June 10, 2019, from <https://www.hud.gov/sites/documents/43503GHSQH.PDF>

¹⁰⁰ US Department of Housing and Urban Development. (n.d.). *Glossary of HUD terms*. Retrieved June 10, 2019, from <https://archives.huduser.gov/portal/glossary/glossary.html>

¹⁰¹ HUD. (2018, December). *The 2018 annual homeless assessment report (AHAR to congress)*. Retrieved June 11, 2019, from <https://files.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

¹⁰² US Department of Housing and Urban Development. (n.d.). *Glossary of HUD terms*. Retrieved June 10, 2019, from <https://archives.huduser.gov/portal/glossary/glossary.html>

¹⁰³ HUD. (2018, December). *The 2018 annual homeless assessment report (AHAR to congress)*. Retrieved June 11, 2019, from <https://files.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

Point-in-Time Count

An “unduplicated 1-night estimate of both sheltered and unsheltered homeless populations. The 1-night counts are conducted by Continuums of Care nationwide and occur during the last week in January of each year.”¹⁰⁴

Sheltered

Individuals or families “living in a supervised publicly or privately-operated shelter designated to provide temporary living arrangement (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals)”¹⁰⁵

TAY

“Transitional Age Youth (TAY) are young adults, age 18 – 24, who are transitioning from public systems (like foster care) or are at risk of not making a successful transition to adulthood.”¹⁰⁶

Unsheltered

According to HUD, individuals or families are considered unsheltered when residing “in a place not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings.”¹⁰⁷

Veteran

“The term “veteran” means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.”¹⁰⁸

¹⁰⁴ HUD. (2018, December). The 2018 annual homeless assessment report (AHAR to congress). Retrieved June 11, 2019, from <https://files.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

¹⁰⁵ U.S. Department of Housing and Urban Development (2016, August 8). HIC/PIT Data Collection Notice. Retrieved June 10, 2019, from <https://www.hud.gov/sites/documents/16-13CPDN.PDF>

¹⁰⁶ City of San Francisco: Mayor’s office of housing and community development. (n.d.). Transition age youth housing. Retrieved June 10, 2019, from <https://sfmohcd.org/transition-age-youth-housing>

¹⁰⁷ Office of Community Planning and Development (2004, October). HUD’s homeless assistance programs: A guide to counting unsheltered homeless people. Retrieved June 11, 2019, from <https://www.hudexchange.info/onecpd/assets/File/Guide-for-Counting-Unsheltered-Homeless-Persons.pdf>

¹⁰⁸ HUD (n.d.). HUD occupancy handbook: Glossary. Retrieved June 10, 2019, from <https://www.hud.gov/sites/documents/43503GHSQH.PDF>



SACRAMENTO STATE
Redefine the Possible



EXHIBIT F

	2016	2017	2018	2019 YTD (through July)	2016-2018 change
Infractions-Citations	1317	2489	5389	2390	309%
Parking Citations	2944	3226	4715	2779	60%
Carts in Park	9	47	423	478	4600%
Arrests Total	346	563	910	870	163%
Illegal Fires/Smoking in Prohibited area	38	57	132	152	247%
48 hours notice to vacate	1104	803	0	0	0%
Illegal Camping-Cited	736	1453	2093	0	184%
Camps Cleared	1652	1849	5639	3853	241%
Dig up/destroy vegetation	0	9	28	83	211%
Ropes tied to trees	8	27	437	267	5363%

<https://regionalparks.saccounty.net/Rangers/Pages/Latest-Ranger-Activity-Data.aspx>

EXHIBIT G

**TWO RIVERS TRAIL PHASE II
INCONSISTENCIES WITH AMERICAN RIVER PARKWAY PLAN**

Sacramento County 2008 American River Parkway Plan	Inconsistency
<p>Plan Introduction: <i>“The Parkway’s open spaces and natural resources provide Parkway users with a highly-valued natural setting and feeling of serenity, in the midst of a developed urban area. For purposes of the Parkway Plan, it is important that these values are acknowledged. The following elements are valued aspects of the Parkway experience that should be considered as part of the aesthetic values of the Parkway:</i></p> <ul style="list-style-type: none"> • <i>Feeling of peace and tranquility experienced by the people who visit and use the Parkway, and</i> • <i>Feeling and experience of harmony that prevails between what is natural in the Parkway and the animals that live in it.”</i> 	<p>The “feeling of peace and tranquility” and “feeling and experience of harmony that prevails between what is natural and the animals will live in it” will of course be degraded for the thousands of current users by the addition of a paved bike trail. As compared to its current natural state, the addition of a paved bike trail works against this “peace, tranquility, and harmony with nature” framing of the Plan.</p> <p>There is already a paved bike trail on the north side of the river; the last wild space on the south side of the river should be preserved to maintain the “peace and tranquility” option for trail users.</p>
<p>Chapter 2, Policy 3.2: <i>“Agencies managing the parkway shall protect, enhance and expand the parkway’s native willow, cottonwood, and valley oak-dominated riparian and upland woodlands that provide important shaded riverine aquatic habitat (SRA), seasonal floodplain, and riparian habitats; and the native live oak and blue oak woodlands and grasslands that provide important terrestrial and upland habitats.”</i></p>	<p>The <i>Phase II</i> project plan includes destruction of natural habitat. There is a mitigation plan, but this existing natural habitat will be destroyed forever.</p> <p>There is already a paved bike trail on the north side of the river; why not preserve the last wild space on the south side of the river to maintain this habitat?</p>
<p>Chapter 2, Policy 8.11: <i>“Parkway trail connections to other local, regional and State trails shall be designed and located to support bicycle commuting and recreation with minimal damage to the Parkway’s ecosystem”</i></p>	<p>The project as proposed would result in significant impacts to vegetation, including the removal of numerous trees and elderberry shrubs (home to the threatened valley elderberry longhorn beetle). It has been stated that the City expects that over a million dollars will need to go towards mitigating the environmental impacts of this project. This is not consistent with designing for “minimal damage”.</p>

Sacramento County 2008 American River Parkway Plan	Inconsistency
<p>Chapter 10, Policy 10.26: <i>“Permanent structures and any other physical changes that would attract groups of users should not be introduced to the area.”</i></p> <p><i>“Due to the limited access, annual flooding, and unstable sandy soil, Paradise Beach should remain an informal recreation area. Permanent structures and any other physical changes that would attract groups of users should not be introduced to the area. Acceptable activities include fishing, kayaking, wading, sunbathing, hiking, volleyball, and related beach activities.”</i></p>	<p>A paved bike trail is a “physical change that would attract groups of users.” The project facilitates use by additional individuals. Additionally, the report statement, <i>“The proposed trail will allow more Parkway users to access Paradise Beach”</i> is a direct contradiction to the report’s previous statement that it won’t attract additional groups of users.</p> <p>A paved bike trail would also exacerbate parking issues at Glen Hall Park. As an access point for a paved portion of the Parkway, additional individuals will drive their bikes into the area and park at that location.</p> <p>The narrowness and unstable soil of the area proposed for paving would lead to substantial disruption, including retaining walls and levee cut-and-fill in order to construct the trail.</p>
<p>Chapter 2, Policy 7.8: <i>“Facilities and other improvements in Protected Areas shall be limited to those which are needed for the public enjoyment of the natural environment. Extensive development is not appropriate.”</i></p>	<p>The <i>2008 Parkway Plan</i> says projects should be “limited to those which are needed for the public enjoyment of the natural environment”.</p> <p>The current trail configuration already provides “public enjoyment of the natural environment.”</p> <p>In addition, another paved trail is “needed” because a paved trail already exists on the north side of the river.</p>
<p>Chapter 10: Paradise Beach: From the description of the area: <i>“Paradise Beach is designated as a “Protected Area by the Parkway Plan; This area contains many elderberry bushes and provides excellent habitat for the Valley Elderberry Longhorn Beetle. Due to the limited access, annual flooding, and unstable sandy soil, Paradise Beach should remain an informal recreation area.”</i></p>	<p>The <i>Phase II Plan</i> directly contradicts the statement in the <i>2008 Parkway Plan</i> that this be an “informal” recreation area. A paved bike trail would create a “formal” recreation area and destroy portions of this “Protected Area” in the process.</p> <p>In particular, the elderberry bushes critical to the survival of the Valley Elderberry Longhorn Beetle would be destroyed by trail construction.</p>
<p>Chapter 10: Paradise Beach: From the description of the area: <i>“Beach users funnel through a single access point and fan out to the various use areas”</i></p>	<p>The paved bike trail would create substantial conflict between various types of users of this area coming through the “single access point.”</p>
<p>“Safety and Security” Subchapter: <i>“Illegal camping is especially common in the westerly five mile reach from Discovery Park to Cal Expo...The presence of this population undermines other Parkway visitors’ sense of security and safety.”</i></p>	<p>Illegal camping is concentrated at Sutter’s Landing, where the pavement ends. The pavement would facilitate the travel of illegal campers into this sensitive area.</p>

Sacramento County 2008 American River Parkway Plan	Inconsistency
<p>Chapter 2, Policy 11.5: <i>"New facilities and programs shall not be developed unless the financial resources to operate and maintain them are identified and available"</i></p>	<p>Both the City and the County have stated that no new funding has been identified for maintenance. The paved trail is thus inconsistent with these statements in the <i>2008 Parkway Plan</i>.</p> <p>The Bank Protection Working Group report (March 13, 2018) provides preliminary results of the Paradise Bend to Howe Avenue Reach. Four of the 6 "Tier 1 Segments" (immediate threat of failure with 160K cfs flow) are in the Paradise Beach area. This is too fragile an area to build a paved trail that will likely need periodic repair.</p>
<p>Chapter 2, Policy 8.11: <i>"Parkway trail connections to other local, regional and State trails shall be designed and located to support bicycle commuting and recreation with minimal damage to the Parkway's ecosystem"</i></p>	<p>The project as proposed would result in significant impacts to vegetation, including the removal of numerous trees and elderberry shrubs (home to the threatened valley elderberry longhorn beetle). Although the environmental review has not yet been completed, the City expects that over a million dollars will need to go towards mitigating the environmental impacts of this project. This is inconsistent with designing for "minimal damage".</p>

EXHIBIT H

Aesthetic Impacts of Two Rivers Trail, Phase 2

Brian Nowicki Comments

These comments are offered with specific respect to the aesthetic impacts of the Two Rivers Trail and do not encompass all of my concerns regarding the impacts to biological resources and wildlife habitat, nor regarding the costs of the project and the process by which it was developed.

I use the path at the foot of the levee several times a week. It is an ideal place to enjoy and explore nature in a safe and quiet environment. It is a dirt and gravel path, narrow and winding in some places, overhung with branches, shady and quiet. With dense woods close on one side, and with the levee blocking the view to the adjacent neighborhood on the other side, it is a place where people can get away from the noise and rush of the surrounding city, to experience the sights and sounds of nature, and to let dogs walk and children explore and play. It is a wonderful place to experience the habitat of the rare and threatened species in Sacramento's backyard, the valley elderberry longhorn beetle.

At least twice a week, I run the entire length of the path, from the H Street bridge to its western end near the I-80 bridge. I use the path at the foot of the levee because it lets me run on a soft, level surface in a quiet, natural setting, close to trees. Every weekend, my family and I walk along the path at the foot of the levee, stopping often to look closely at the flowers and trees that reach into the path. We look for valley elderberry longhorn beetles among the elderberry plants, we watch pipevine swallowtail butterflies, and we birdwatch for quail and other birds that frequent the path. We catch falling leaves from the trees in the fall and jump in puddles in the path in the winter, and we stop and visit with fellow walkers and their four-legged companions.

This project as planned would drastically change the nature of this trail and degrade what my family and I treasure about this special area. Throughout much of the area at the west end of River Park the paved trail and shoulder would take up the entirety of the terrace at the foot of the levee, requiring the removal of all trees and other vegetation between the levee and the steep slope down to the river, cutting significant swaths of elderberry shrubs and leaving a much more urban and sterile environment, with less shade and wildlife. There are few places along the parkway that are so narrow and that will be so fundamentally changed as the section at the west end of River Park.

Instead of taking a leisurely walk along a quiet path thick with wildlife, pedestrians will largely be relegated to the gravel shoulder as bikes speed by on the paved trail, like everywhere else along the American River bikeway. And instead of following a butterfly as it crosses the path, or stopping to jump in a puddle or to look at tracks in the mud, children will have to keep to the shoulder to avoid bicycle traffic. This has been our experience everywhere else the trail is paved.

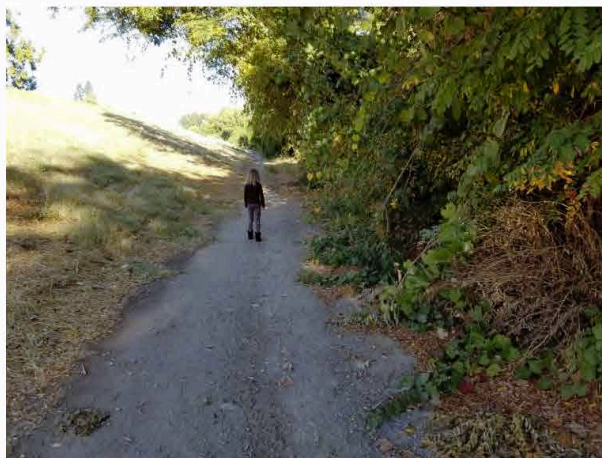
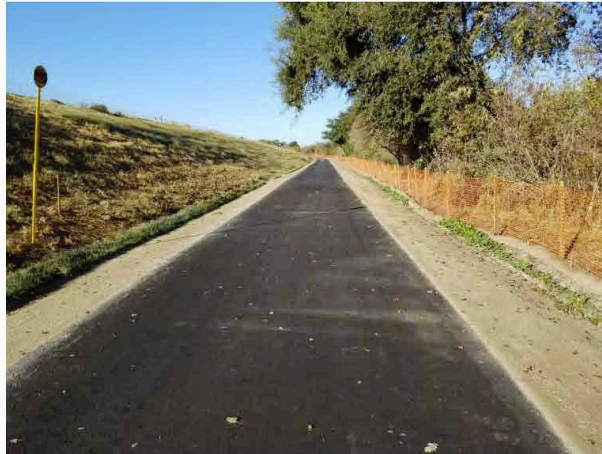
This is a special area that offers an opportunity to enjoy a quiet walk in nature, up close with some of Sacramento's endangered wildlife. This experience, habitat, and endangered species should not be so lightly given up when there is already a twenty-foot-wide road at the top of the levee, just thirty feet away, or without considering alternatives for avoiding these impacts.

The following two photos provide a comparison of the paved section of the trail at Sutter's Landing and the current path approximately half a mile east of the I-80 bridge.

Brian Nowicki

River Park, Sacramento, CA

November 29, 2018



Regarding aesthetics

To Mr. Buford:

I am writing to let the City Council know of the very special character of the levee toe trail in River Park. As a thirty-plus year resident of this neighborhood I have been blessed to have access to one of the most special environments in Sacramento.

Walking on the levee toe trail is an invigorating and enjoyable experience, no matter what the season.

In the winter, the quiet path is inviting. The sound of water fowl provides the sound track. The air is clear and bracing. The bare trees' branches trace patterns in the cloud-grey skies. Just walking over the levee takes me to another world – of natural beauty and harmony. The winter rains may fill the river bed so much that it nips close to the trail. I am invited to dawdle, to pause, to inspect a plant, to gaze at a crow in a tree, to watch a hawk soar overhead. I don't worry about where I am in relation to a speeding bicycle. I don't worry about anything, really. The experience is calming and I recommend you try it!

In spring, the grasses green up, the trees sprout leaves, and the birds and insects begin their symphony of many tunes. Wildflowers – poppies, etc. – spring up and cloak the levee. Once again, the path invites a slow and mindful experience.

In the summer, it's best to walk in the early morning or later in the afternoon. The shade trees provide respite right over the trail in many places. It would be terrible to lose any of them. This is when you will see wildlife: hares, coyotes, skunks, and ground squirrels. Of course, in the inlets of the river, crayfish, tadpoles, etc., teem. And the rattlesnake; one must watch for him or her.

In autumn, the trees go gold, as does the grass. The mammals may get bolder as they search for food. The air again grows crisp, the invitation remains open to walk slowly and experience the joy of a natural environment near enough to be accessible to any resident of this City.

The walking experience on this trail is like no other experience I've had in Sacramento. It is quiet, friendly, communal, and yet solitary. To pave it is to lose this experience forever. There will be no going back.

Thanks for reading this and please Save Don't Pave.

Kate Riley

5601 Monalee Avenue

Sacramento, CA

95819

Paving the lower trail will affect both the immediate viewshed and the natural experience that affords but also the more distant viewshed which would be more naked and hardened by the paved trail. Views from both the toe and top of the levee would be negatively affected by the project.

Large trees along the existing trail afford shade, soften the view, and create a richer visual experience which would be negatively affected by the project. Replacing large trees in the immediate area (are replacement tree plantings being proposed right along the trail?) Would be extremely challenging unless they are given consistent maintenance. The values (visual, scenic, habitat) that these large trees currently provide would not be attained by replacement trees for many years if not decades.

Other existing vegetation that grows densely along the trail softens and enhances the visual and natural experience and provides cover for wildlife. The existing vegetation would be difficult if not impossible to recreate. Its density helps to suppress weeds such as Star thistle which could get a foothold as a result of the extensive ground disturbance. Star thistle requires constant vigilance and is a visual and ecological blight that overwhelms native grasses and other vegetation.

Nancy Mackenzie

Nancy Mee comments on aesthetic impacts of Two Rivers Trail Phase II project:

Would the project:

a) Have a substantial adverse effect on a scenic vista? Yes, a black asphalt path is far less aesthetically pleasing to the eye than a natural path strewn with leaves and other natural non-garbage debris.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? Yes, my understanding is the path construction will eliminate approximately an additional 5-ft width, which will result in the removal of trees, grass, elderberry, naturalized grape vines. Also, the grass along the current unimproved path seems to a ladybug habitat. In early spring, I have seen swarms along the path. How will this be affected by the paving.

c) Substantially degrade the existing visual character or quality of the site and its surroundings? Yes. I have already seen graffiti on the newly paved area between Sutter's Landing and the RR/Bus 80 overcrossing. As a bike commuter on the lower American bike path and dog walker, I've seen the paved path bring transient and homeless usage, human waste, camping, and garbage. This is not prevalent along non-paved areas or outside of Sacramento City limits, where neighboring city councils are willing to take a firm anti-illegal camping position.

Concerns regarding significant impacts to aesthetics due to Two Rivers Trail Project

As I walk along this existing dirt trail, which I do nearly every day, I enjoy views of the river peeking through the surrounding elderberry bushes and the sights and sounds of songbirds feeding on the berries. Paving this trail would require me to walk instead on the gravel top of the levee, peering mostly into other resident's backyards, and watching out for yet more bicycles, since there is and will be nothing to stop bicyclists from using that "trail" as well as the paved bicycle superhighway below.

Paving this trail will substantially damage scenic resources, including not only the endangered elderberries scattered along the trail and the birds and other creatures that feed on them, but also disturbing the entire ecosystem. There are few sights more stunning in our almost exclusively urban environment than walking quietly around a corner of the existing dirt trail to see ahead a family of red foxes just disappearing through the underbrush at the side of the trail. These visual encounters with nature bring daily peace to all who have access to that resource, and will be lost with the widening and paving of that trail.

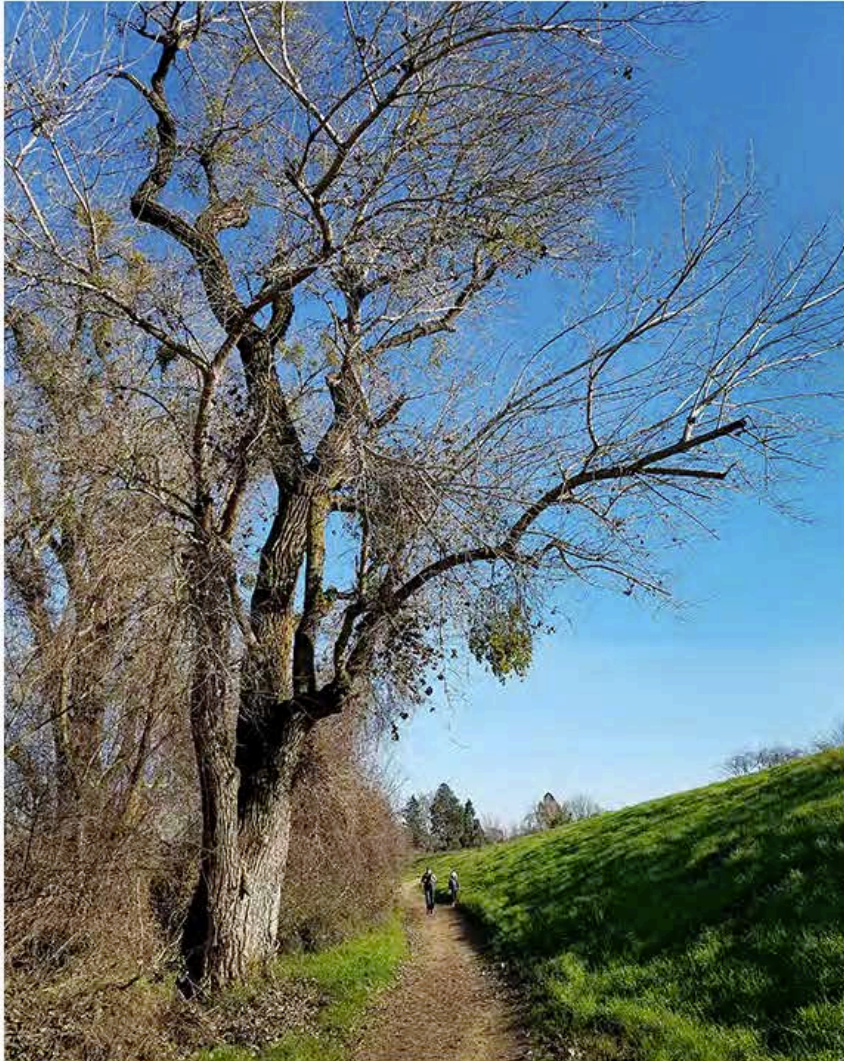
Cherie O'Boyle

My name is Tony Mader, a current resident of the River Park neighborhood in Sacramento that is immediately adjacent to the Two Rivers Trail project. For the last 10 years, I have used the area that is proposed to be paved to walk (with and without my dogs), run, or other activities associated with being close to nature, approximately 5 times per week on average.

The area proposed to be paved is the last wild (unpaved) portion of the South side of the American River within City limits. I visit it daily as a natural refuge away from the bustle of the City. If it is paved, it will absolutely, permanently degrade the existing visual character and quality of the surroundings. Whereas today I can peacefully walk or run on a gravel path experiencing nature, I know a paved path will degrade the quality of the site for those activities because (1) I have attempted to use the existing paved path on the east side of the neighborhood for those activities and find that it is not peaceful due to the pavement, bikers traveling at high speeds, and very dangerous to walk my dogs due potential collisions with bikers, and (2) the fact that the proposed paving includes destroying trees and bushes that are on the trail that are critical to the visual character and quality of the site as a location to feel like I am close to nature.

-Tony Mader
November 25, 2018





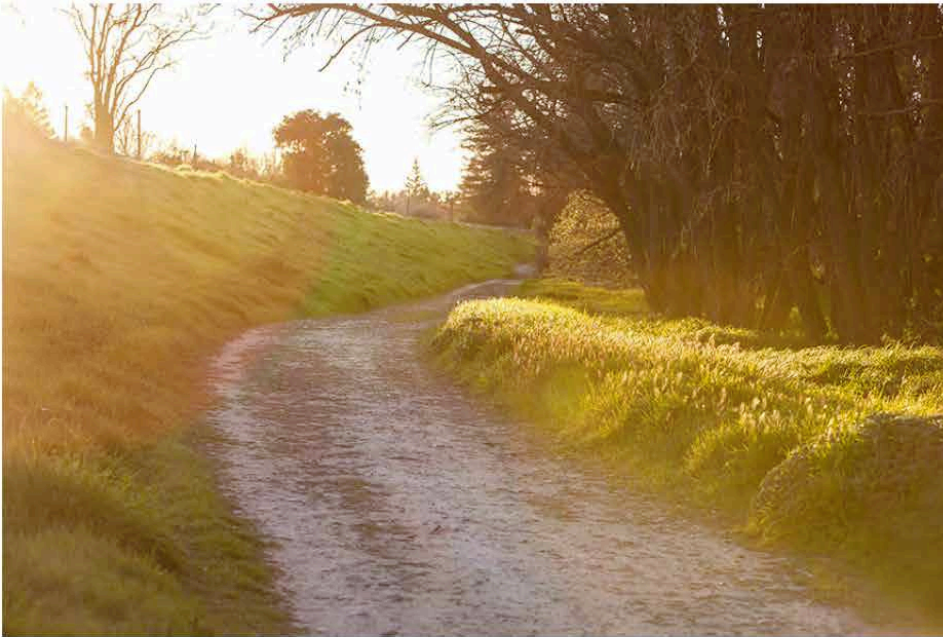
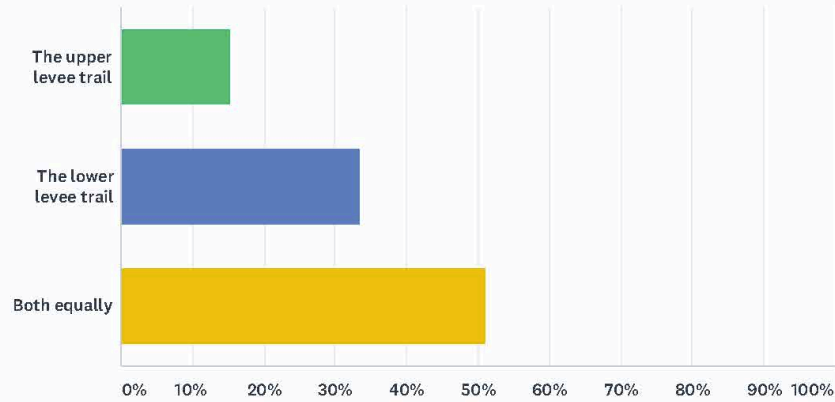


EXHIBIT I

Q1 I primarily use:

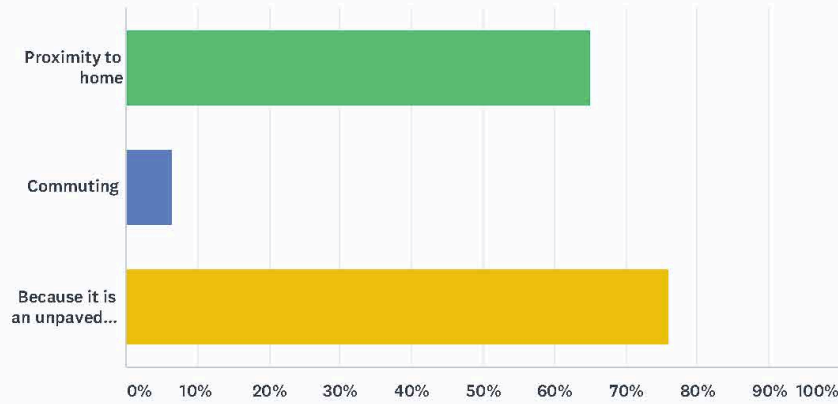
Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES	
The upper levee trail	15.33%	21
The lower levee trail	33.58%	46
Both equally	51.09%	70
Total Respondents: 137		

Q2 Why do you choose to utilize this section of trail? Select all that apply.

Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES
Proximity to home	64.96% 89
Commuting	6.57% 9
Because it is an unpaved section of the parkway	75.91% 104
Total Respondents: 137	

#	OTHER (PLEASE SPECIFY)	DATE
1	I like to be closer to the trees and the natural beauty while on the unpaved trail.	10/27/2018 9:31 AM
2	It is the only place close in the City to be in nature	10/25/2018 4:53 PM
3	MY children and I enjoy being in nature. The nature paveway is a great getaway and what made us move to River Park.	10/15/2018 10:10 AM
4	We use the lower section to walk our dog, to be out in nature, and to avoid cars and bicycles.	10/13/2018 10:21 AM
5	I want to avoid interrupting the privacy of the adjacent homeowners.	10/10/2018 10:20 AM
6	Less other travelers or users to compete with.	10/8/2018 1:47 PM
7	you see more birds and interesting animals and you can also walk close to the river and see the fish jump	10/5/2018 7:34 PM
8	Pleasure walks with dog	10/3/2018 4:10 PM
9	And it is the one section relatively free of homeless encampments so I feel safer here than other places	10/3/2018 12:05 AM
10	In respect of the homeowners' privacy we use the lower section	9/13/2018 9:32 AM
11	Walking my dogs as the dirt better than pavement for their paws	8/16/2018 6:43 PM
12	I walk my dog on a 6 ft leach and there is plenty of room as well as open space on either side.	8/16/2018 6:40 PM
13	Because I love that is still wild and not paved.	8/16/2018 3:23 PM
14	Walking	7/17/2018 9:33 PM
15	It's a nice place to walk without getting stink eye from bikers or the homeless.	7/3/2018 11:22 PM

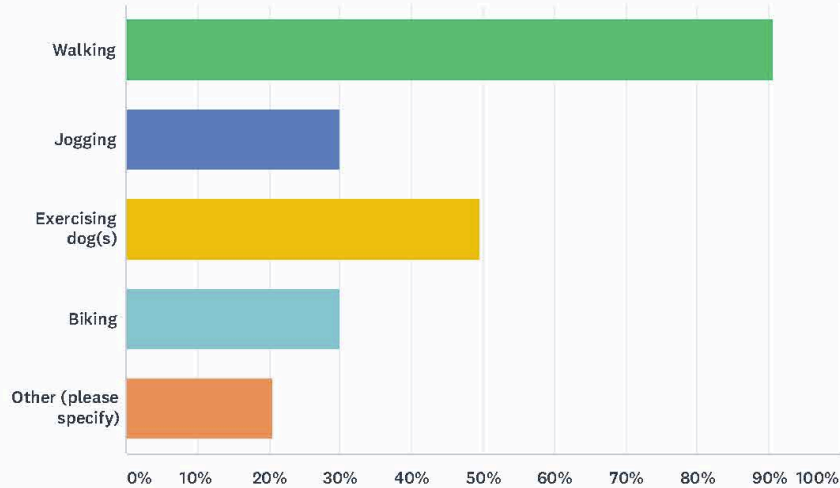
Survey of American River Parkway lower and upper levee trail users between Sutter's Landing and H Street Bridge in Sacramento, California

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16	And the surface is hard enough for medium and fat tire bikes	7/3/2018 7:41 PM
17	Prefer the lower section because it is shadier	6/21/2018 12:36 PM
18	The only place you don't get run over by bicyclists going 90 MPH	6/21/2018 9:53 AM
19	to walk dog or run	6/18/2018 5:18 PM
20	Because of the natural beauty and the birds	6/17/2018 10:25 PM
21	I go to see the wildlife, the wildflowers, the river, and to exercise.	6/17/2018 8:31 AM
22	I run almost every day and the dirt trail is easier on my legs/feet. Also, I love the tranquility of the dirt trail.	6/16/2018 5:20 PM
23	We use the top during the dark or if it is flooded below.	6/16/2018 8:35 AM
24	Enjoy the natural surroundings and peacefulness	6/15/2018 3:52 PM
25	to see birds and butterflies	6/15/2018 3:01 PM
26	to do cycling and enjoy the scenery	6/15/2018 9:27 AM
27	It offers the most shade and wind protection. If we want to head to the river, its closest.	6/15/2018 6:47 AM
28	Beauty of the surroundings, bird watching	6/15/2018 6:28 AM
29	Close to beautiful river which my dogs swim in	6/14/2018 6:11 PM
30	Quiet and serene	6/14/2018 4:13 PM
31	Use it to walk for health reasons. Walking on pavement or sidewalks cause me severe pain.	6/14/2018 3:11 PM
32	safety	6/14/2018 2:49 PM
33	The dog likes it, I like it for bike riding, jogging and the general ability to amble about.	6/14/2018 2:37 PM
34	Because it's a beautiful natural area. Quiet. Love birding there.	6/14/2018 2:34 PM
35	love the quite, serenity and feeling of nature.	6/14/2018 2:23 PM
36	It's beauty	6/14/2018 2:00 PM
37	If I'm walking alone, I feel safer there.	6/14/2018 1:49 PM
38	Because I enjoy being out near the river.	6/14/2018 1:28 PM
39	Less people and more natural.	6/14/2018 11:00 AM
40	easier to walk on	6/14/2018 10:28 AM
41	The upper level is used more by bicycles and joggers. I prefer a more relaxing stroll on the lower trail without worrying about dodging fast moving folks up above.	6/14/2018 9:54 AM
42	It's a nice ride but the upper trail needs to be paved to allow more connectivity with the rest of the trail	6/13/2018 12:52 PM
43	It is quaint and lightly travelled. Plus, it is shaded and much cooler at the levee toe.	6/10/2018 11:53 AM
44	Love going in my backyard to walk in nature. I feel like I am far away	6/9/2018 2:59 PM

Q3 What activity do you use the trail for? Select all that apply.

Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES
Walking	90.51% 124
Jogging	29.93% 41
Exercising dog(s)	49.64% 68
Biking	29.93% 41
Other (please specify)	20.44% 28
Total Respondents: 137	

#	OTHER (PLEASE SPECIFY)	DATE
1	Bird watching.	10/27/2018 9:31 AM
2	thinking and reflecting a form of walking meditation	10/25/2018 4:53 PM
3	Wildlife/bird-watching	10/3/2018 12:05 AM
4	communing with nature	8/17/2018 12:51 PM
5	To get away from the hussle and bustle.	8/16/2018 3:23 PM
6	Living	7/4/2018 6:54 PM
7	Enjoying nature and a quiet solitude	7/3/2018 7:41 PM
8	River access	7/3/2018 6:14 PM
9	Looking for wildlife	6/21/2018 9:53 AM
10	Taking the kids to explore	6/20/2018 11:03 PM
11	Exploring nature	6/20/2018 9:48 PM
12	Spiritual refreshment	6/17/2018 10:25 PM
13	Communing with nature.	6/17/2018 8:31 AM

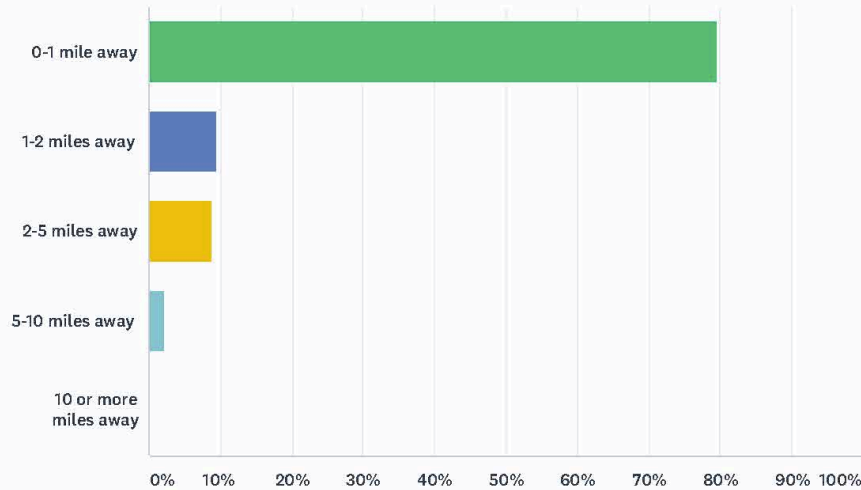
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14	Bird watching	6/16/2018 5:20 PM
15	We go out daily. We use the entire trail area -- sandbar to the lower trail and along the lower trail along the river -- we refer to it as the "Secret Trail"	6/16/2018 8:35 AM
16	Escape to nature	6/15/2018 3:52 PM
17	bird and wildlife watching	6/15/2018 3:01 PM
18	Beach access, quiet reflection	6/15/2018 11:56 AM
19	Playing with my kids	6/15/2018 11:20 AM
20	Enjoying the quiet and peace of this section of the unpaved Parkway	6/15/2018 6:47 AM
21	Birdwatching	6/15/2018 6:28 AM
22	watching birds and bugs and flowers. Spending time in nature with my daughter.	6/14/2018 2:58 PM
23	birding	6/14/2018 2:34 PM
24	Paradise beach!!!	6/14/2018 2:23 PM
25	To get to the river	6/14/2018 2:00 PM
26	Walking to the river	6/9/2018 3:09 PM
27	Play in nature and walk the trails	6/9/2018 2:59 PM
28	Horse riding	6/9/2018 2:29 PM

Q4 How many miles do you live from this trail?

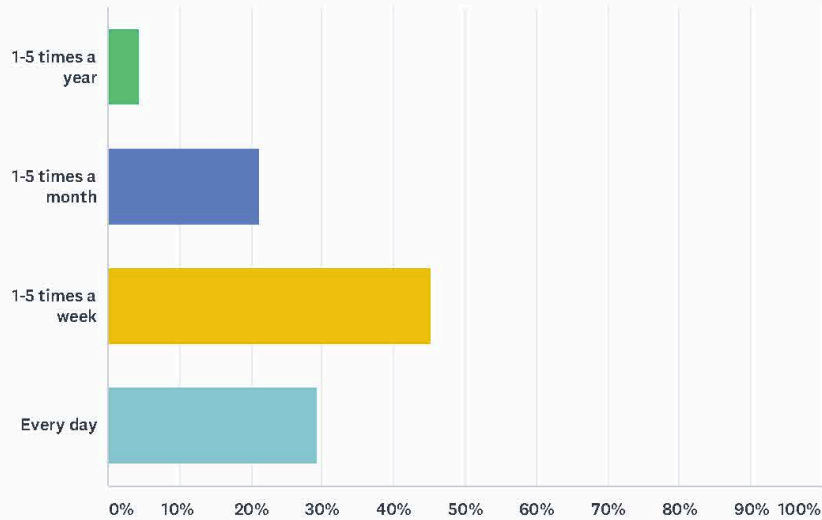
Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES	
0-1 mile away	79.56%	109
1-2 miles away	9.49%	13
2-5 miles away	8.76%	12
5-10 miles away	2.19%	3
10 or more miles away	0.00%	0
Total Respondents: 137		

Q5 How often do you use this trail?

Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES	
1-5 times a year	4.38%	6
1-5 times a month	21.17%	29
1-5 times a week	45.26%	62
Every day	29.20%	40
Total Respondents: 137		

Q6 What is your zip code?

Answered: 137 Skipped: 0

#	RESPONSES	DATE
1	95819	10/27/2018 9:31 AM
2	95819	10/26/2018 7:15 PM
3	95819	10/25/2018 4:53 PM
4	95819	10/25/2018 2:51 PM
5	95819	10/15/2018 10:10 AM
6	95816	10/13/2018 10:21 AM
7	95819	10/12/2018 10:29 PM
8	95819	10/12/2018 8:35 PM
9	95819	10/12/2018 8:27 PM
10	95819	10/10/2018 10:20 AM
11	95819	10/8/2018 1:47 PM
12	95819	10/5/2018 7:34 PM
13	95819	10/4/2018 11:26 AM
14	95819	10/4/2018 8:27 AM
15	95819	10/3/2018 4:10 PM
16	95819	10/3/2018 10:01 AM
17	95816	10/3/2018 9:47 AM
18	95819	10/3/2018 8:19 AM
19	95819	10/3/2018 6:20 AM
20	95819	10/3/2018 4:55 AM
21	95819	10/3/2018 12:05 AM
22	95819	10/2/2018 2:40 PM
23	95819	9/13/2018 9:32 AM
24	95819	8/21/2018 1:53 PM
25	95817	8/17/2018 12:51 PM
26	95819	8/16/2018 9:14 PM
27	95819	8/16/2018 8:53 PM
28	95819	8/16/2018 6:43 PM
29	95818	8/16/2018 6:40 PM
30	95819	8/16/2018 3:23 PM
31	95819	8/16/2018 3:16 PM
32	95819	8/16/2018 2:59 PM
33	95819	8/16/2018 2:48 PM
34	95819	8/16/2018 1:16 PM
35	95819	8/16/2018 1:02 PM

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36	95819	8/16/2018 12:57 PM
37	95819	8/16/2018 12:52 PM
38	95819	8/16/2018 12:43 PM
39	95819	8/7/2018 9:55 PM
40	95819	7/23/2018 11:49 AM
41	95819	7/17/2018 9:33 PM
42	95841	7/15/2018 9:57 AM
43	95819	7/4/2018 6:54 PM
44	95820	7/4/2018 1:20 PM
45	95819	7/3/2018 11:22 PM
46	95819	7/3/2018 9:02 PM
47	95819	7/3/2018 7:41 PM
48	95819	7/3/2018 6:14 PM
49	95819	7/3/2018 6:11 PM
50	95819	7/3/2018 6:05 PM
51	95819	7/1/2018 9:52 PM
52	95819	6/24/2018 9:04 AM
53	95819	6/21/2018 2:29 PM
54	95819	6/21/2018 12:36 PM
55	95819	6/21/2018 11:44 AM
56	95819	6/21/2018 9:53 AM
57	95819	6/21/2018 8:59 AM
58	95819	6/21/2018 4:10 AM
59	95819	6/20/2018 11:03 PM
60	95819	6/20/2018 9:49 PM
61	95819	6/20/2018 9:48 PM
62	95819	6/18/2018 5:18 PM
63	95819	6/18/2018 1:35 PM
64	95819	6/18/2018 9:22 AM
65	95819	6/17/2018 10:25 PM
66	95819	6/17/2018 7:29 PM
67	95819	6/17/2018 8:31 AM
68	95819	6/16/2018 7:02 PM
69	95819	6/16/2018 5:20 PM
70	95819	6/16/2018 11:33 AM
71	95819	6/16/2018 8:35 AM
72	95819	6/16/2018 8:14 AM
73	95819	6/15/2018 11:07 PM
74	95819	6/15/2018 8:56 PM
75	95819	6/15/2018 6:33 PM
76	95819	6/15/2018 3:52 PM

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77	95819	6/15/2018 3:20 PM
78	95819	6/15/2018 3:01 PM
79	95819	6/15/2018 2:20 PM
80	95819	6/15/2018 1:09 PM
81	95819	6/15/2018 11:56 AM
82	95819	6/15/2018 11:20 AM
83	95819	6/15/2018 9:27 AM
84	95819	6/15/2018 8:33 AM
85	95819	6/15/2018 8:20 AM
86	95819	6/15/2018 8:09 AM
87	95819	6/15/2018 6:47 AM
88	95819	6/15/2018 6:28 AM
89	95819	6/14/2018 7:59 PM
90	95819	6/14/2018 7:45 PM
91	95819	6/14/2018 6:11 PM
92	95819	6/14/2018 4:44 PM
93	95819	6/14/2018 4:30 PM
94	95819	6/14/2018 4:13 PM
95	95814	6/14/2018 4:05 PM
96	96819	6/14/2018 3:55 PM
97	95819	6/14/2018 3:29 PM
98	95819	6/14/2018 3:20 PM
99	95819	6/14/2018 3:11 PM
100	95819	6/14/2018 2:58 PM
101	95819	6/14/2018 2:49 PM
102	95818	6/14/2018 2:37 PM
103	95819	6/14/2018 2:34 PM
104	95819	6/14/2018 2:23 PM
105	95819	6/14/2018 2:15 PM
106	95819	6/14/2018 2:00 PM
107	95819	6/14/2018 1:49 PM
108	95819	6/14/2018 1:30 PM
109	95811	6/14/2018 1:28 PM
110	95819	6/14/2018 1:17 PM
111	95819	6/14/2018 12:18 PM
112	95819	6/14/2018 12:17 PM
113	95819	6/14/2018 11:45 AM
114	95819	6/14/2018 11:12 AM
115	95816	6/14/2018 11:07 AM
116	95819	6/14/2018 11:00 AM
117	95819	6/14/2018 10:28 AM

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118	95818	6/14/2018 9:54 AM
119	95820	6/13/2018 12:52 PM
120	95819	6/11/2018 3:51 PM
121	95819	6/11/2018 3:18 PM
122	95819	6/11/2018 11:10 AM
123	95819	6/10/2018 11:53 AM
124	95819	6/9/2018 3:09 PM
125	95819	6/9/2018 2:59 PM
126	95819	6/9/2018 2:29 PM
127	95819	6/9/2018 2:02 PM
128	95819	6/9/2018 1:24 PM
129	95819	6/9/2018 1:19 PM
130	95819	6/9/2018 12:49 PM
131	95819	6/9/2018 11:53 AM
132	95819	6/9/2018 11:49 AM
133	95819	6/9/2018 10:43 AM
134	95818	6/9/2018 10:32 AM
135	95819	6/9/2018 10:30 AM
136	95819	6/9/2018 10:25 AM
137	95819	6/9/2018 10:07 AM

Q7 Do you have any additional comments?

Answered: 91 Skipped: 46

#	RESPONSES	DATE
1	Pavement will destroy the natural beauty of this area forever. It will never be the same. There is absolutely no reason why Sacramento trails have to be paved in order to be considered "connected".	10/27/2018 9:31 AM
2	This paving is going to be done whether or not the residents of River Park agree. It makes no difference at all if we object. It's sort of like voting; whether voted for or not, it will be pushed through.	10/26/2018 7:15 PM
3	I meet people from all over the region who come to the lower trail. During the summer many rafters dock pulling their rafts and gear across the lower trail. they deflate the rafts and taking up the entire width of the trail.	10/25/2018 4:53 PM
4	very much opposed to paving this section of the American river trail. fast-moving bikes already have a lane across the river and us slow moving walkers (aged, young, hikers etc.) need a place to access the river too.	10/25/2018 2:51 PM
5	I strongly do NOT want the paved road. Bike clubs travel ever weekend on the unpaved road. The area is beautiful in its natural state. My family travel to downtown on the path without any problems. I feel the pave will also leave to move shopping carts, liter, and ruin the environment for families and animals.	10/15/2018 10:10 AM
6	We want to preserve this tiny sliver of nature so that we may enjoy the quiet and beauty of the little bit of natural space that still exists near us. Paving the lower section of the levee and encouraging bicycle use will destroy the lovely peacefulness and quiet of this area. There is already a bike trail on the other side of the river--which we use frequently. Leave the walking and dog-walking path on the other side for those who need to experience the outdoors in another way. There are too few natural areas like it left.	10/13/2018 10:21 AM
7	Keep up the good work!	10/8/2018 1:47 PM
8	If you pave the upper trail, people will ride their bikes on the lower dirt trails. I have almost been hit by bicyclists on multiple occasions. They go fast around blind corners and terrify walkers. If there are more bicycles on the dirt foot trails (which are very narrow) people who walk may be afraid to do so.	10/5/2018 7:34 PM
9	sounds like your attorney is not willing to take this to court if necessary. Refer to my email from NRDC with ideas of local attorneys to contact to help out. Ann Naimark	10/4/2018 11:26 AM
10	We need the trees lining the river to help be a shock absorber against flood waters!	10/4/2018 8:27 AM
11	Leave this beautiful stretch alone. There are plenty of places for fast biking without endangering families and dogs crossing the levee.	10/3/2018 9:47 AM
12	Safety laws and regulations will be compromised for the development and construction of a paved pathway along the toe of the levee.	10/3/2018 8:19 AM
13	Paving the trail would take away the beauty, functionality, and river park sanctuary for outdoor activity serving East Sacramento and River Park's residents, pets, and children	10/3/2018 4:55 AM
14	I'm appalled that the city is willing to pay a 1.5 million dollar fine to remove protected elderberry trees. Also I do bike ride on the parkway & the north side is already paved, so its easy to get downtown already. Though the homeless can be quite frightening on the paved trail sections!	10/3/2018 12:05 AM
15	Seniors on foot sometime have trouble coping with fast bicycles	10/2/2018 2:40 PM
16	Prefer bike trail on the upper levee over lower trail. Which is where we usually ride anyway when commuting.	8/21/2018 1:53 PM
17	The trails as they are currently are a welcome reprieve from the concrete that surrounds us! Green spaces (space with trees, plants, etc.) have been shown to prevent violence and we are concerned that paving the trails would impact the green space that surrounds us. We need more green space, not less.	8/16/2018 9:14 PM

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18	don't pave!	8/16/2018 8:53 PM
19	Keep the bike path on the top of the levee.	8/16/2018 6:40 PM
20	If the trail goes in I will likely sell my home. I do not feel that this neighborhood is properly or accurately represented.	8/16/2018 3:23 PM
21	I think that it's a waste of money to pave a portion of the parkway that doesn't need it. There should be a place for walkers and runners can go that doesn't cater to bikes. They have the other section of parkway to ride on.	8/16/2018 3:16 PM
22	Leave the trail unpaved. It is nice to have undeveloped areas of nature within communities.	8/16/2018 2:48 PM
23	I can think of a million better things to spend 6 million dollars on. Most of these bike people are dangerous, they mow us walkers down. Jeff Harris can drive his car to work.	8/16/2018 1:16 PM
24	Please let walkers have a trail too! There is the other side of the river (connecting from Sac State) and Elvas for bikes. Walkers should have walkways too!!	8/7/2018 9:55 PM
25	I am opposed to paving the lower section. It isn't necessary when the upper portion is available and we certainly don't need to make it easier for the homeless to infiltrate our area.	7/17/2018 9:33 PM
26	Save Don't Pave!	7/4/2018 6:54 PM
27	Paving this trail is a waste of money - there is a paved trail on the other side of the river and nearby access to that trail via the Sac state Bridge	7/4/2018 1:20 PM
28	I'm biased. I would like to see this left as is.	7/3/2018 11:22 PM
29	Paving would be a travesty and an insult to nature	7/3/2018 7:41 PM
30	PLEASE SAVE DON'T PAVE. It is crucial to the integrity of River Park as a safe neighborhood.	7/3/2018 6:05 PM
31	Area between Bus 80 bridge and Glen Hall looks natural.	7/1/2018 9:52 PM
32	Until the homeless population and criminal activity around the river is controlled better we do not feel safe with the expansion of the trails. This will only invite and ease access to those who want to illegally camp and pollute our beautiful American River	6/21/2018 2:29 PM
33	I see frequent bike riders on the levee already. I was almost run by a large group of riders speeding around a blind curve at the park. Thank goodness one of the first riders yelled at me to get off the levee!	6/21/2018 12:36 PM
34	The continual urbanization of East Sac and River Park by the City of Sacramento, without regard to the impacts from traffic, access, and quality of life for residents, is abhorrent. With the commercialization of the Howe/Fair Oaks intersection and impacts on traffic there, along with the 'bicycle friendly' intersection at Carlson/H & J Sts (which the bicyclists seldom use, I might add) have impacted ingress and egress to River Park substantially. Millions of dollars spent to accommodate bicyclists is good judgement in Davis, perhaps, but not East Sac. This natural section of the river is the sole reason I moved to River Park when relocating to Sacramento 25 years ago. Seems a shame to ruin it, when it is already bike friendly enough. Aren't there better places to spend our money that everyone will benefit from?	6/21/2018 9:53 AM
35	I use the upper trail to bike and jog. I use the lower trail to walk my dog and job. I don't think we need two paved sides of the river. It's nice to have both options.	6/21/2018 8:59 AM
36	We bought a home in this neighborhood specifically due to the proximity to this unlaced section of the American River Parkway. It is very special.	6/21/2018 4:10 AM
37	Keep it wild	6/20/2018 9:49 PM
38	The biggest treasure of the levee path is that it is different from what exists on the rest of the parkway, in other words, it is not paved and is a more natural environment.	6/20/2018 9:48 PM
39	I worry about all the kids that play in the park and wander to the trail with bikes that potentially could be using the trail when paved.	6/18/2018 5:18 PM
40	Don't pave this trail! We like having some dirt trails nearby, nor do we want all the weekend bike traffic like other parts of the ARP where my friends have been hit by cyclists and seriously injured	6/18/2018 9:22 AM

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41	The American River Parkway is the great jewel of Sacramento. It should be kept as a preserve for birds, river otters, foxes, and all the other animals that live there and native plants that grow there. "Improving it" destroys its natural beauty and ecological integrity. If you pave the trail, bicyclists will also start riding at high speeds on the narrow dirt paths and sooner or later someone walking will be seriously injured.	6/17/2018 10:25 PM
42	Do not destroy the wildness of this part of the Parkway by paving--removing trees and other vegetation to do so--nor by building bridges across the American River!!	6/17/2018 8:31 AM
43	Please don't pave it!!	6/16/2018 7:02 PM
44	The lower dirt trail with the close bordering trees and bushes is so serene and beautiful. I can not even bare to imagine it paved!	6/16/2018 5:20 PM
45	I hope this helps.	6/16/2018 11:33 AM
46	Thank you for the mailer. We attended the spring meeting at the school. We are very disturbed by the new information regarding the bridge at Glenn Hall	6/16/2018 8:35 AM
47	Paving the trail is not a well reasoned decision due to the additional law enforcement, maintenance and oversight required.	6/15/2018 6:33 PM
48	This area is the last nature area devoid of other uses (such as bicycle commuting/use). In my lifetime there have been efforts to prevent other uses (such as motorcycle dirt bike riding). Given the past efforts to eliminate the types of vehicular activity, it is unclear to me why is there now a movement to reverse this, especially when alternative trails are already in place/maintained to provide bicycle commute and recreational uses.	6/15/2018 3:52 PM
49	PAVE IT! Hell, Build that Bridge too! Ya buncha bastard NIMBYs	6/15/2018 3:20 PM
50	Save don't pave	6/15/2018 2:20 PM
51	Save don't pave	6/15/2018 1:09 PM
52	June 13 and 14, 2018, saw six homeless bicycle and cart transients accessing paved path at Sutter's Landing, one walker/camper.	6/15/2018 11:56 AM
53	Please save the unpaved glory of the American River	6/15/2018 11:20 AM
54	Keep up the pressure! Thank you	6/15/2018 8:33 AM
55	No	6/15/2018 8:20 AM
56	While I am concerned about the proposed changes (paving and bridge) the real unaddressed issue is that the park is not properly managed. If it were safe and campfree I would be more willing to support other changes, but I think proper safety and maintenance should come first.	6/15/2018 8:09 AM
57	Save Don't Pave!	6/15/2018 6:47 AM
58	There is already a paved bike trail easily accessible all the way downtown. Why must every inch of paradise be paved?	6/15/2018 6:28 AM
59	My family uses this trail every day. We live in River Park now, but for 20 years we would drive from Tallac Village to walk or ride bikes several times a week on the lower trail with our kids and dogs. Our dogs could tell where we were driving as we neared Glen Hall Park, and would stick their heads out the window in excitement. Back to nature is the way to go. Pavement takes away the aspect of multi-use. "If it ain't broke, don't 'fix' it." Save taxpayer money.	6/14/2018 7:59 PM
60	Pros-After the Spring RPNA meeting, I was persuaded that access to wheelchairs, strollers, tricycles, and a safer bike commute path are benefits to a paved path. Also, some who currently use the gravel top of the levee might move down to a paved area and reduce the looking into backyards of those houses along the levee. Also, some said crime is reduced where river paths are paved. Cons-scenic character would be altered and hazard of high speed bike racers. In balance, I no longer oppose paving.	6/14/2018 6:11 PM
61	Increased paved access would hwlp commuters, people in wheelchairs, families with strollers. The increased foot traffic will chase the homeless away from our neighborhood. Opposition to paving is pure NIMBYism	6/14/2018 4:30 PM
62	Why do we need TWO paved Bike Paths on the River????? I heard that some officials say , they don't care what we say, they know what is best for us!! WOW	6/14/2018 4:13 PM

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SurveyMonkey

63	Harris et al say "they can't" pave the top of the levee. (See section near H St Bridge for anecdotal debunking) Why?	6/14/2018 4:05 PM
64	Love the trails! My quiet time early every morning.	6/14/2018 3:55 PM
65	I would like to see the lower trail remain unpaved.	6/14/2018 3:29 PM
66	I've fished, walked, swam this area for over 50 years. I was a lifeguard at Glenn Hall city pool. This area should be left as is for the those that enjoy nature and to keep it from becoming a homeless campground full of litter, needles and human waste !! KEEP IT AS IS !!!!	6/14/2018 3:11 PM
67	Don't pave this special spot.	6/14/2018 2:58 PM
68	Paving the lower levee trail will increase bike traffic and increase access for petty criminals to vandalize the parkway and people's homes. Police don't do anything about crime now and we shouldn't expect that to improve with the paved bike trail	6/14/2018 2:49 PM
69	Not sure how this will be an improvement or who wants it. It now has a pleasant local feel that bikers, amblers , baby pushers can use with little conflict.	6/14/2018 2:37 PM
70	This is one of my favorite places in Sacramento.	6/14/2018 2:34 PM
71	I sincerely hope you can SAVE this natural area of the American River...it's really all we have left. PLEASE, PLEASE DO NOT PAVE THIS SECTION OF THE PARKWAY!!!	6/14/2018 2:23 PM
72	Leave what little is left of the riparian forest for future generations.	6/14/2018 2:15 PM
73	I live on the levee side and simply enjoy sitting out in my backyard enjoying nature which will be disrupted by the proposed trail.	6/14/2018 1:30 PM
74	I would like to know what your plan for the homeless population is, other than act like they don't exist. I've seen no information about how this will affect the homeless - on either side - except to say it will keep them away. As residents of Sacramento, and users of the trail, I think it is our responsibility to also care for the homeless. Paving or not paving and saying it will "decrease homelessness" is not enough. Both sides need to come up or help with solutions.	6/14/2018 1:28 PM
75	For the sake of folks who commute by bike to downtown, I favor paving the trail..	6/14/2018 12:18 PM
76	I have used this area for over 30 years, it will be a shame if the paving project goes through.	6/14/2018 12:17 PM
77	pave and rave. hike and bike.	6/14/2018 11:12 AM
78	A paved trail means more accidents. Hundreds of people cross this dirt road every day on bikes, foot, baby strollers, dogs, ice chest carriers, and fisherman. Paving ruins the whole idea of a park.	6/14/2018 11:07 AM
79	We walk on the upper part for ease but enjoy the natural setting that we can see on the lower part. We want to look at nature, not bicyclists!	6/14/2018 10:28 AM
80	If it ain't broke, don't fix it. Spend the \$\$ where it is more needed like helping homeless.	6/14/2018 9:54 AM
81	Paving one of the trails gives access and continuity to the trail system and encourages people to use alternative modes of transportation to get around the city. Framing the argument to prevent paving of any type is a NIMBY excuse to keep people out of a lilly white neighborhood because everyone knows that people on bikes are 'problem people'.	6/13/2018 12:52 PM
82	The River is a gorgeous ecosystem and I appreciate the natural beauty of the dirt lower levee trail. Paving it is just another raping of Mother Nature. When will our poor planet get a break from gratuitous destruction?	6/11/2018 3:18 PM
83	Paving the levee toe will forever change the character, feel and experience felt along this section of the riverine environment. It will be much more busy, hotter and less inviting to walkers.	6/10/2018 11:53 AM
84	The river is why we moved here. It is a part of our lives.	6/9/2018 3:09 PM
85	I am not sure who they want to use the paved trail. The American river flood control won't let me (lived here 55years) build stairs behind my house but they want it accessible to thousands who can easily get downtown across the river. Walking behind my house in nature if paved will be dangerous as spandex bikers go 20 miles per hour.	6/9/2018 2:59 PM
86	Please preserve this trail — it's so valuable to walkers (especially children and older citizens) who don't want to be mowed down by fast-moving bicycle traffic.	6/9/2018 2:02 PM
87	I am so annoyed with our local government officials. They don't listen and are not deserving of our trust.	6/9/2018 11:53 AM

Survey of American River Parkway lower and upper levee trail users between Sutter's Landing and H Street Bridge in Sacramento, California

SurveyMonkey

88	I regularly ride my ride on the unpaved trail with no difficulties.	6/9/2018 11:49 AM
89	I love to be in God's nature, away from the cars and the roads and the hustle and bustle of city life.	6/9/2018 10:43 AM
90	No	6/9/2018 10:30 AM
91	I find the unpaved portion of the trail a chance to walk in and with nature. It is often the one and only chance I get in my busy week to reflect on and enjoy the natural world we have so close to home. I cannot enjoy the same on a paved bike trail with other users speeding past on their bicycles. They do not, and should not, overrule the peace and solitude of an early morning walk along our beautiful parkway.	6/9/2018 10:25 AM

Baseline Recreational Weekday and Weekend Use Data on Glenn Hall Access Point to Paradise Beach

Week Day Shifts								Weekend Day Shifts							
Top of Levee							Total (not including Other)	Top of Levee							Total (not including Other)
Shift	Adult pedestrians	Pedestrians under-12	Dogs	Runners/joggers	Bikers	Other		Shift	Adult pedestrians	Pedestrians under-12	Dogs	Runners/joggers	Bikers	Other	
5:30am - 7:30am	11	0	2	2	1	0	16	5:30am - 7:30am	7	0	6	5	9	0	19
7:30am - 9:30am	11	0	2	7	1	0	21	7:30am - 9:30am	3	2	3	13	31	0	52
9:30am - 11:30am	20	0	9	6	1	0	36	9:30am - 11:30am	23	0	10	17	27	2 strollers	77
11:30am - 1:30pm	13	3	5	2	3	0	26	11:30am - 1:30pm	22	1	5	4	12	0	44
1:30pm - 3:30pm	11	0	2	1	2	0	16	1:30pm - 3:30pm	27	5	4	2	0	0	38
3:30pm - 5:30pm	6	0	1	4	4	0	16	3:30pm - 5:30pm	41	9	5	12	6	0	73
5:30pm - 7:30pm	33	1	9	7	10	0	60	5:30pm - 7:30pm	19	5	4	3	9	0	40
7:30pm - 9pm	11	0	4	3	0	0	17	7:30pm - 9pm	0	0	0	0	0	0	0
Total	116	4	32	30	25	0	207	Total	142	22	37	56	85	0	342
Bottom of Levee							Total (not including Other)	Bottom of Levee							Total (not including Other)
Shift	Adult pedestrians	Pedestrians under-12	Dogs	Runners/joggers	Bikers	Other		Shift	Adult pedestrians	Pedestrians under-12	Dogs	Runners/joggers	Bikers	Other	
5:30am - 7:30am	25	18	1	0	0	0	44	5:30am - 7:30am	11	0	8	3	2	0	24
7:30am - 9:30am	17	0	10	3	0	0	30	7:30am - 9:30am	37	0	27	13	2	0	79
9:30am - 11:30am	18	1	25	9	0	0	53	9:30am - 11:30am	17	0	11	10	3	0	41
11:30am - 1:30pm	9	3	5	0	0	0	17	11:30am - 1:30pm	5	2	7	5	6	0	25
1:30pm - 3:30pm	10	0	2	1	0	2	13	1:30pm - 3:30pm	35	0	8	2	9	0	64
3:30pm - 5:30pm	0	0	0	0	0	0	0	3:30pm - 5:30pm	10	0	0	0	7	0	17
5:30pm - 7:30pm	11	3	7	0	2	0	23	5:30pm - 7:30pm	22	3	15	3	3	0	46
7:30pm - 9pm	8	3	5	3	2	0	21	7:30pm - 9pm	0	0	0	0	0	0	0
Total	98	28	65	16	4	0	201	Total	137	5	76	36	32	0	286
Cross Traffic							Total (not including Other)	Cross Traffic							Total (not including Other)
Shift	Adult pedestrians	Pedestrians under-12	Dogs	Runners/joggers	Bikers	Other		Shift	Adult pedestrians	Pedestrians under-12	Dogs	Runners/joggers	Bikers	Other	
5:30am - 7:30am	14	0	13	4	0	0	31	5:30am - 7:30am	25	0	23	0	1	0	52
7:30am - 9:30am	23	0	30	0	2	0	55	7:30am - 9:30am	28	0	20	8	0	0	56
9:30am - 11:30am	31	1	25	2	6	2	65	9:30am - 11:30am	64	7	41	8	6	2 strollers	128
11:30am - 1:30pm	26	2	10	0	1	0	39	11:30am - 1:30pm	91	25	32	1	4	0	153
1:30pm - 3:30pm	69	11	11	0	1	4	92	1:30pm - 3:30pm	250	56	26	0	3	0	335
3:30pm - 5:30pm	85	14	21	0	1	0	121	3:30pm - 5:30pm	291	46	45	3	5	0	390
5:30pm - 7:30pm	119	11	34	2	2	0	168	5:30pm - 7:30pm	189	34	26	0	4	0	253
7:30pm - 9pm	76	2	18	0	0	0	96	7:30pm - 9pm	0	0	0	0	0	0	0
Total	443	41	162	8	13	0	667	Total	841	168	213	20	23	0	1365

EXHIBIT J

Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle
(*Desmocerus californicus dimorphus*)



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May 2017

Service Contact

The Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) (Framework) was prepared by the U.S. Fish and Wildlife Service's Sacramento Fish and Wildlife Office. If you have questions regarding the Framework, please call (916) 414-6600. To download a copy of the Framework please visit:

https://www.fws.gov/sacramento/documents/VELB_Framework.pdf

Suggested Citation

U.S. Fish and Wildlife Service. 2017. Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*). U.S. Fish and Wildlife Service; Sacramento, California. 28 pp.

1.0 Introduction

The U.S. Fish and Wildlife Service (Service) is issuing this Framework to assist Federal agencies and non-federal parties in evaluating the potential effects of their projects on the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) (VELB), listed as threatened under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (Act). This framework can be consulted during the development of any project that may affect VELB or its habitat. It is intended to help project applicants assess potential effects to the VELB and develop measures to avoid, minimize, and compensate for adverse effects to the species or its habitat. It may also help determine whether those projects will require incidental take authorization through a section 7 consultation or a section 10(a)(1)(B) permit. Proposed projects that will have large landscape level impacts, are likely to provide a net conservation benefit, or will involve riparian restoration may need a different or more detailed analysis than what is provided here. Applicants and agencies proposing these, or similar types of projects, should discuss the project with the Service early in the planning process. The Framework may still provide guidance for an effects analysis, but these projects may exercise more flexibility when implementing conservation measures and compensation.

The primary goal of this document is to articulate a conceptual ecological model for the species. This framework represents the Sacramento Fish and Wildlife Office's current analytical approach for evaluating and assessing adverse effects to the VELB. It will be updated as new information becomes available. As always, the Service welcomes dialog and discussion with our partners in assessing impacts for particular projects and encourages project proponents to consult with the Service early in project development whenever possible.

The VELB is protected under the Act wherever it is found. Visual surveys for the VELB, which includes looking for adults and/or exit holes, are currently the only approved method of surveying for the species and are not entirely reliable for determining presence or absence (see below). Visual surveys, habitat assessments, and mitigation site monitoring do not require a section 10(a)(1)(A) recovery permit. Inquiries about other survey methods, recovery permits, and research should be directed to the Listing and Recovery Division at (916) 414-6600.

1.1 Previous Federal Actions

The VELB was listed as a threatened species under the Act on August 8, 1980 (Federal Register 45: 52803-52807). Concurrent with the final listing rule, two areas in Sacramento County were designated as critical habitat for the VELB (Appendix A). The first area, referred to as the "Sacramento Zone", is enclosed by California State Route 160 to the north, the Western Pacific railroad tracks to the west/southwest, and by Commerce Circle to the east. The second area, referred to as the "American River Parkway Zone", is actually two separate areas along the south bank of the American River in Rancho Cordova. A recovery plan for VELB was completed on June 28, 1984; however, due to a lack of information regarding VELB life history, distribution, and habitat requirements, the recovery plan

only described interim actions and not precise recommendations (Service 1984). For more information about VELB, its designated critical habitat, and the VELB recovery plan, please visit:

<https://ecos.fws.gov/ecp0/profile/speciesProfile?sId=7850>.

On September 10, 2010, the Service was petitioned to delist the VELB and on August 19, 2011, the Service responded with a 90-day finding that determined the petition contained substantial information indicating that delisting VELB may be warranted (Federal Register 76: 51929-51931). On October 2, 2012, the Service published a proposed rule to delist VELB and to remove the species' critical habitat designation (Federal Register 77: 60238-60276). However, after receiving additional information regarding VELB, the Service did not delist the species and published the September 17, 2014, Withdrawal of the Proposed Rule to Remove the Valley Elderberry Longhorn Beetle From the Federal List of Endangered and Threatened Wildlife (Federal Register 79: 55874-55917) (Withdrawal Rule). The August 8, 1980, final listing rule and the Withdrawal Rule both described habitat loss as the primary threat to the species.

2.0 Life History

The VELB is a small (0.5 - 0.8 in.) wood-boring beetle in the *Cerambycid* family. It is sexually dimorphic and the females are indistinguishable from the more widespread California elderberry longhorn beetle (*Desmocerus californicus californicus*). Elderberry shrubs (*Sambucus* spp.) are the obligate larval host plants for the VELB (Collinge et al. 2001, Holyoak 2010) and their larvae go through several developmental stages (instars) within the elderberry shrub (Greenberg 2009). Eggs are laid individually on leaves or at the junctions of the leaf stalk and main stem (Barr 1991). Upon hatching, the larvae bore into the elderberry stem (Halstead and Oldham 1990) and create feeding galleries in the pith (Burke 1921, Barr 1991). Prior to pupation, the larvae creates an exit hole, plugs the hole with wood shavings, and returns to the gallery where it pupates (Halstead and Oldham 1990). Approximately 1 month later, the adult beetle emerges from the stem through the previously created exit hole (Burke 1921). Adult emergence, mating, and egg-laying, occurs in the spring and summer (March to July), typically coinciding with the elderberry flowering period (Burke 1921, Halstead and Oldham 1990). Under laboratory conditions, adult males typically live 4 to 5 days, while females can live up to 3 weeks (Arnold 1984). The only identifiable exterior evidence of elderberry use by VELB is the exit hole created by the larvae.

3.0 Range and Habitat Description

The VELB is protected wherever found. The current presumed range extends throughout the Central Valley (<https://ecos.fws.gov/ecp0/profile/speciesProfile?sId=7850>). The range extends from approximately Shasta County in the north to Fresno County in the south including the valley floor and lower foothills. The majority of VELB have been documented below 152 meters (500 feet) in elevation. Areas above 152 meters (500 feet) with suitable habitat and known VELB occurrences in that drainage may contain VELB populations in certain circumstances. The Service can assist in determining the likelihood of occupancy above 500 feet.

3.1 Habitat

Historically, the Central Valley had large (3.2-8.0 km wide), undisturbed expanses of riparian vegetation associated with the watersheds that drained the west side of the Sierra Nevada Mountains and the east side of the Coast Mountain Range. These watershed systems were highly dynamic and their floodplains supported a wide corridor of riparian vegetation (Katibah 1984) in a diverse mosaic of structures and species assemblages from early successional to mature gallery forest (Gilbart 2009).

During the last 150 years California's Central Valley riparian forests have experienced extensive vegetation loss due to expansive agricultural and urban development (Katibah 1984), and in many places, have dwindled to discontinuous, narrow corridors. Natural areas bordering the rivers, which once supported vast tracts of riparian vegetation, became prime agricultural land (Thompson 1961). As agriculture and urbanization expanded in the Central Valley, needs for increased water supply and flood protection spurred water development and reclamation projects. Artificial levees, river channelization, dam building, water diversion, and heavy groundwater pumping have further reduced riparian vegetation to small, isolated fragments (Katibah 1984). In many places, flood control levees have been installed adjacent to and parallel with the river, effectively sectioning the riparian forest habitat into discrete communities on either side of the levee. In recent decades, riparian areas in the Central Valley have continued to decline as a result of ongoing agricultural conversion, urban development, stream channelization and channel hardening.

Elderberry shrubs are common in the Central Valley where they grow naturally in a variety of riparian and non-riparian vegetative communities (Vaghti and Greco 2007). Most elderberry presence within the Central Valley is determined by broad scale hydrologic regimes such as the relative elevation of floodplain and floodplain width, and secondarily by sediment texture and topography (Fremier and Talley 2009). Elderberry shrubs are most common on higher and older riparian terraces, where the roots of the plant are able to reach the water table and where the plants are not inundated for long periods (Talley 2005; Vaghti et al. 2009). Elderberry shrubs can be found on historic floodplain terraces above the river, on levees (both on the river and land sides), and along canals, ditches, and areas where subsurface flow provides water to elderberry roots. Elderberry shrubs typically occur in most vegetation communities that occupy historic and current floodplains and terraces, to the top of channel walls in deeply incised rivers (i.e., the Tuolumne and Stanislaus Rivers), and to the top of and on the land-side of levees where woody plants create savannas or patchy woodlands. Elderberry can be a canopy or subcanopy species depending on the hydrology, vegetation composition, or disturbance at a particular site and it can occur as individual shrubs, clumps, clusters, and groves. In non-riparian settings, elderberries occur either singly or in groups in valley oak and blue oak woodland and annual grasslands. It is not known whether elderberries in this setting are also associated with a shallow water table or other shallow water sources. In natural areas, elderberry shrubs have also been shown to grow best with little canopy cover from associated vegetation (Talley 2005).

The historic distribution of the VELB closely matched the distribution of the elderberry host plant, which was patchily found throughout the Central Valley riparian forests and occasionally adjacent uplands (non-riparian). The Service recognizes habitat for VELB as including both riparian and non-riparian areas where elderberry shrubs are present. Riparian habitat includes all areas that are either influenced by surface or subsurface water flows along streams, rivers, and canals (including the landside of levees) and areas that have the vegetation communities similar to those defined below.

Riparian vegetation communities within the California Central Valley can be described as valley-foothill forest habitat, which includes many different forest associations. Non-riparian habitat includes valley oak and blue oak woodland and annual grassland. The following habitat descriptions have been adapted from Mayer and Laudenslayer (1988) (<https://www.wildlife.ca.gov/Data/CWHR/Wildlife-Habitats>).

Within California, valley-foothill riparian habitats occur in the Central Valley and the lower foothills of the Cascade, Sierra Nevada, and Coast mountain ranges. Riparian habitats show a wide range of both species and structural diversity. The valley-foothill riparian habitat is found in association with riverine, grassland, oak woodland, and agricultural habitats. Canopy height is about 30 meters in a mature riparian forest, with a canopy cover of 20 to 80 percent. Most trees are winter deciduous. There is a subcanopy tree layer and an understory shrub layer. Wild grapes (*Vitis californica*) frequently provide up to 50 percent of the ground cover and festoon trees to heights of 20-30 meters. Herbaceous vegetation constitutes about one percent of the cover, except in open areas where tall forbs and shade-tolerant grasses occur. Many non-native invasive species can also be found, and are sometimes common, in riparian habitat. Oak woodland, oak savanna, and elderberry savanna can occur as both riparian and non-riparian communities.

Dominant riparian canopy layer species include cottonwood (*Populus* sp.), California sycamore (*Platanus racemosa*), willow (*Salix* spp.) black walnut (*Juglans* spp.) and valley oak (*Quercus lobata*). Subcanopy trees include boxelder (*Acer negundo*) and Oregon ash (*Fraxinus latifolia*), and typical understory shrub layer plants include wild grape, wild rose (*Rosa* sp.), blackberry (*Rubus* sp.), poison oak (*Toxicodendron diversilobum*), and buttonbush (*Cephalanthus occidentalis*), and willows. The herbaceous layer consists of sedges (*Carex* sp.), rushes, grasses, miner's lettuce (*Claytonia* sp.), mugwort (*Artemisia* sp.), poison-hemlock (*Conium maculatum*), and hoary nettle (*Urtica dioica*). Many non-native woody species occur with elderberry including tree-of-heaven (*Ailanthus altissima*) and black locust (*Robinia pseudoacacia*)

Elderberry shrubs can be a common understory plant in both non-riparian valley oak and blue oak woodland habitats. Valley oak woodland is generally found at lower elevations than blue oak woodlands, but the two habitat types transition into each other in the lower foothill regions. Annual grasses and forbs dominate the herbaceous layer in both woodland habitat types (Mayer and Laudenslayer 1998) and both intergrade with annual grassland. Valley oak woodland can occur from savanna-like conditions to denser forest-like conditions, with tree density tending to increase along

natural drainages. Valley oak woodlands are almost exclusively dominated by valley oak, but may also contain sycamore, black walnut, blue oak (*Quercus douglasii*), interior live oak (*Quercus wislizeni*), and boxelder. Understory shrubs may include species such as, wild grape, toyon (*Heteromeles arbutifolia*), and California coffeeberry (*Frangula californica*). Blue oak woodlands can also occur from savanna-like conditions to denser forest-like conditions with a nearly closed canopy. Blue oak woodland is comprised of 85 to 100 percent blue oak trees, but may contain interior live oak and valley oak.

Common shrub associates include poison-oak, California coffeeberry, buckbrush (*Ceanothus cuneatus*), California buckeye (*Aesculus californica*), and manzanita (*Arctostaphylos* sp.). Within both of these habitats, elderberry may be found in the understory as well as in small clumps within the upland savanna. Elderberry shrubs are also often found away from riparian areas where ditches, irrigation, groundwater, or other features allow the plant to receive enough moisture and as ornamental plantings in regularly maintained landscaped areas.

3.1.1 Use of Riparian Habitat

Research suggests that the VELB occurs throughout the Central Valley in metapopulations (Collinge et al. 2001). Metapopulations are defined as a system of discrete subpopulations that may exchange individuals through dispersal or migration (Breininger et al. 2012, Nagelkerke et al. 2002). The VELB metapopulation occurs throughout contiguous intact riparian habitat as subpopulations that shift spatially and temporally within drainages, resulting in a patchwork of occupied and unoccupied habitat. Removal of suitable habitat (whether occupied or unoccupied) can increase the distance between occupied and unoccupied patches. Because its physical dispersal capability is limited, this fragmentation decreases the likelihood of successful colonization of unoccupied habitat (Collinge et al. 2001). As a consequence, the subpopulations are more vulnerable to stochastic events that may reduce or eliminate the subpopulation. The loss of multiple subpopulations can have an adverse impact on the long-term persistence and health of the metapopulation. Therefore, maintaining contiguous areas of suitable habitat is critical for maintaining the VELB.

At the local level, it appears that much of the variation in VELB occupancy of elderberry shrubs results from variables such as elderberry condition, water availability, elderberry density, and the health of the riparian habitat (Talley et al. 2007). This research indicates that healthy riparian systems supporting dense elderberry clumps are the primary habitat of VELB (Barr 1991, Collinge et al. 2001, Talley et al. 2006, Talley et al. 2007). Elderberry shrubs typically have a clumped distribution across the landscape (Figure 1) although they can occur singly. Upon emergence, VELB typically stay within the local clump (Talley et al. 2007). Talley et al. (2007) found that much of the time, distances between stems with exit holes averaged 25-50 meters (65-165 feet) apart. At larger scales, average distances between these occupied clumps ranged from 200 meters (656 feet) up to 800 meters (2,625 feet) (Figure 1).

Because the elderberry is the sole host plant of the VELB, any activities that adversely impact the elderberry shrub may also adversely impact the VELB. Adverse impacts to elderberry shrubs can occur

either at a habitat scale or at an individual shrub scale. Activities that reduce the suitability of an area for elderberry plants or elderberry recruitment and increase fragmentation may have adverse impacts to mating, foraging, and dispersal of VELB. The patchy nature of VELB habitat and habitat use makes the species particularly susceptible to adverse impacts from habitat fragmentation.

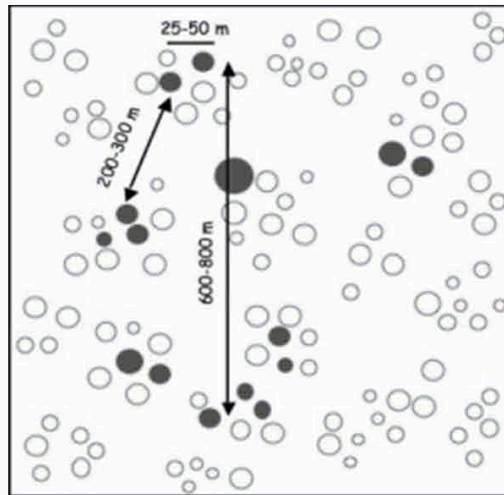


Figure 1. Schematic diagram of the spatial population structure of the valley elderberry longhorn beetle. Open circles represent unoccupied elderberry shrubs, closed circles are occupied by the valley elderberry longhorn beetle. Aggregation sizes and distances used are those found on the American River Parkway, where occupied clumps are approximately 25-50 meters apart, distances between aggregations of occupied clumps are approximately 200-300 meters, and the extent of the cluster of aggregations is 600-800 meters (Talley et al. 2006).

Determining whether an individual plant or clump is occupied by VELB can be challenging. Often the only external evidence that a VELB is present is the small exit hole made by the larva as it leaves the stem. Traditional exit hole surveys can help identify the past use of a particular shrub by VELB, but not its current occupancy. This difficulty makes assessing the likelihood of presence of individual VELB difficult. However, Talley et al. (2007) found that 73% of shrubs with old exit holes also had new exit holes, indicating that presence of an exit hole in the shrub increases the likelihood that that shrub or nearby shrubs are occupied. Therefore, impacts to individual shrubs with exit holes are reasonably likely to result in impacts to individual VELB, but the likelihood of adverse effects may not always be ascertained simply by the presence of exit holes (or the lack of). A more thorough analysis of nearby occurrences, surrounding habitat, and elderberry density is needed to fully address adverse impacts. In general, because of the difficulty in detecting VELB, the patchy nature of its distribution, and the importance of unoccupied habitat to maintain connectivity between VELB metapopulations, any

impacts to riparian habitat with elderberry shrubs present are likely to result in adverse effects to VELB.

3.1.2 Use of Non-Riparian Habitat

Much of the existing research has focused on the VELB's use of riparian habitat. In non-riparian habitats, a patchwork of individual shrubs provides opportunity for VELB occupancy, but it is unknown if the movement and distribution patterns remain consistent with the patterns found in riparian areas. In non-riparian areas, adverse effects to of VELB are likely to occur as a result of impacts to any elderberry shrub with exit holes, and adverse effects may result from disturbance to elderberry shrubs reasonably close to riparian areas or known VELB populations.

4.0 Occupancy Determination in Non-Riparian Habitat and Appropriate Surveys

The decision tree shown in Figure 2 is used by the Sacramento Fish and Wildlife Office to assess the effect of any proposed project on the VELB. It is recommended that proposed project sites within the range of the VELB be surveyed by a qualified biologist for the presence of elderberry shrubs. If elderberry shrubs are found on or within 50 meters (165 feet) of the project site, we recommend that the habitat be assessed to determine if the project area is in riparian or non-riparian habitat. Depending on the size, duration and/or type of proposed project, the larger area surrounding the project site may also be surveyed for the presence and number of elderberry shrubs.

If the project site is non-riparian and contains elderberry shrubs, we use exit hole surveys to evaluate the site for potential occupancy. Exit hole surveys are not essential in riparian areas, but may be conducted in order to assess the level and significance of adverse effects. The presence of exit holes in a shrub increases the likelihood that the shrub is occupied by VELB; however, a lack of exit holes does not preclude occupancy by the VELB. In the absence of exit holes we recommend that a biologist evaluate the project area using the following criteria (also shown in Figure 2):

1. Is there a riparian area, elderberry shrubs, or known VELB records within 800 meters (2,526 feet) of the proposed project?
Isolated, non-riparian elderberry clumps are less likely to be occupied or become colonized by VELB and those beyond 800 meters (2,526 feet) from the nearest elderberry clump become increasingly less likely to be occupied. Therefore, a qualified biologist can assess the distance of the elderberry shrub from the nearest riparian area, elderberry shrub, and known occupied elderberry location.
2. Was the site continuous with a historical riparian corridor?
Fragmentation of riparian corridors in the Central Valley has resulted in the isolation of elderberry shrubs or clusters that may provide important linkages between or within riparian corridors. A qualified biologist can evaluate the project location in the context of the historical riparian system. Isolated elderberry clumps that were part of a historic riparian vegetative community may still support VELB.

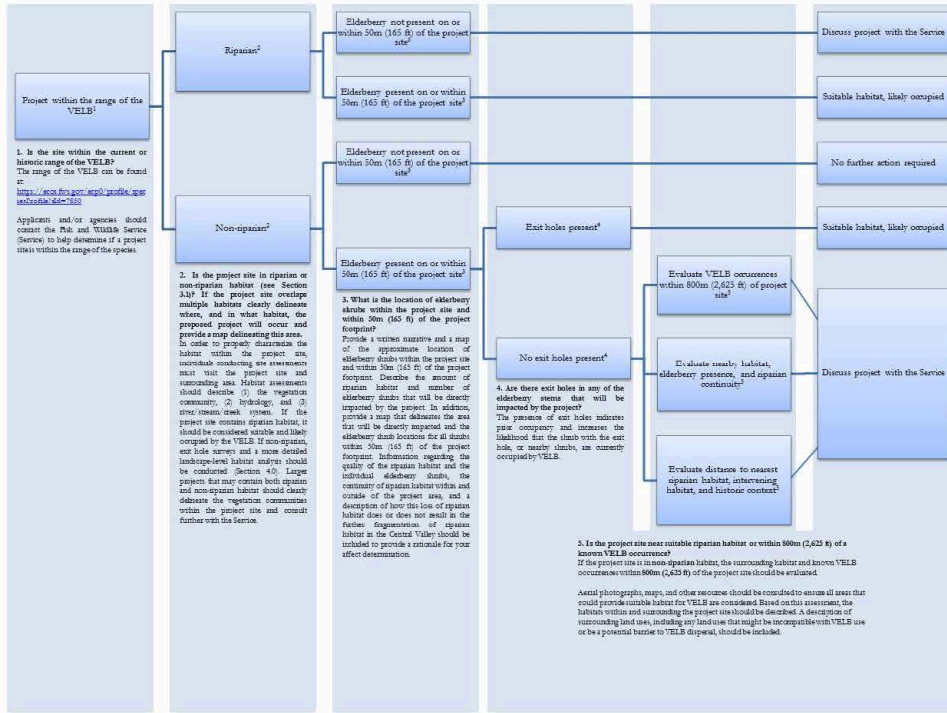


Figure 2. Decision tree to determine the likelihood of a particular elderberry shrub being occupied by valley elderberry longhorn beetle.

5.0 Conservation Measures

We encourage the development of proposed project designs that avoid riparian habitat and/or elderberry shrubs whenever possible. If elderberry shrubs occur on or within 50 meters (165 feet) of the project area, adverse effects to VELB may occur as a result of project implementation. If the project may affect VELB or its habitat, appropriate avoidance and minimization measures are recommended.

5.1 Avoidance and Minimization Measures

The following measures are recommended for incorporation into a proposed project to avoid and minimize effects to VELB and/or its habitat. Not all measures may be appropriate for every project, and agencies/applicants should coordinate with the Service to determine which measures may be needed. The text in this section and Section 5.2 is intended to provide language that may be used by agencies/applicants to describe avoidance and minimization measures for their proposed project.

Fencing. All areas to be avoided during construction activities will be fenced and/or flagged as close to construction limits as feasible.

Avoidance area. Activities that may damage or kill an elderberry shrub (e.g., trenching, paving, etc.) may need an avoidance area of at least 6 meters (20 feet) from the drip-line, depending on the type of activity.

Worker education. A qualified biologist will provide training for all contractors, work crews, and any onsite personnel on the status of the VELB, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for non-compliance.

Construction monitoring. A qualified biologist will monitor the work area at project-appropriate intervals to assure that all avoidance and minimization measures are implemented. The amount and duration of monitoring will depend on the project specifics and should be discussed with the Service biologist.

Timing. As much as feasible, all activities that could occur within 50 meters (165 feet) of an elderberry shrub, will be conducted outside of the flight season of the VELB (March - July).

Trimming (See 5.3). Trimming may remove or destroy VELB eggs and/or larvae and may reduce the health and vigor of the elderberry shrub. In order to avoid and minimize adverse effects to VELB when trimming, trimming will occur between November and February and will avoid the removal of any branches or stems that are ≥ 1 inch in diameter. Measures to address regular and/or large scale maintenance (trimming) should be established in consultation with the Service.

Chemical Usage. Herbicides will not be used within the drip-line of the shrub. Insecticides will not be used within 30 meters (98 feet) of an elderberry shrub. All chemicals will be applied using a backpack sprayer or similar direct application method.

Mowing. Mechanical weed removal within the drip-line of the shrub will be limited to the season when adults are not active (August - February) and will avoid damaging the elderberry.

Erosion Control and Re-vegetation. Erosion control will be implemented and the affected area will be re-vegetated with appropriate native plants.

5.2 Transplanting

In order to protect VELB larvae to the greatest extent possible, we recommend that all elderberry shrubs with stems greater than 1 inch in diameter be transplanted under the following conditions:

1. If the elderberry shrub cannot be avoided.
2. If indirect effects will result in the death of stems or the entire shrub.

Removal of entire elderberry plants without disturbance to the surrounding habitat is uncommon, but may occur on certain projects. The removal may either include the roots or just the removal of the aboveground portion of the plant. We encourage project applicants to attempt to remove the entire root ball and transplant the shrub, if possible. In order to minimize the fragmentation of VELB habitat, the Service encourages applicants to relocate elderberry shrubs as close as possible to their original location. Elderberry shrubs may be relocated adjacent to the project footprint if: 1) the planting location is suitable for elderberry growth and reproduction; and 2) the project proponent is able to protect the shrub and ensure that the shrub becomes reestablished. If these criteria cannot be met, the shrub may be transplanted to an appropriate Service-approved mitigation site. Any elderberry shrub that is unlikely to survive transplanting because of poor condition or location, or a shrub that would be extremely difficult to move because of access problems, may not be appropriate for transplanting. The following transplanting guidelines may be used by agencies/applicants in developing their VELB conservation measures:

Monitor. A qualified biologist will be on-site for the duration of transplanting activities to assure compliance with avoidance and minimization measures and other conservation measures.

Exit Holes. Exit-hole surveys will be completed immediately before transplanting. The number of exit holes found, GPS location of the plant to be relocated, and the GPS location of where the plant is transplanted will be reported to the Service and to the California Natural Diversity Database (CNDDB).

Timing. Elderberry shrubs will be transplanted when the shrubs are dormant (November through the first two weeks in February) and after they have lost their leaves. Transplanting during the non-growing season will reduce shock to the shrub and increase transplantation success.

Transplanting Procedure. Transplanting will follow the most current version of the ANSI A300 (Part 6) guidelines for transplanting (<http://www.tcia.org/>).

Trimming Procedure. Trimming will occur between November and February and should minimize the removal of branches or stems that exceed 1 inch in diameter.

5.3 Impacts to Individual Shrubs

In certain instances, impacts to elderberry shrubs, but not the surrounding habitat may occur. This could take the form of trimming or complete removal of the plant. Trimming elderberry shrubs may result in injury or death of eggs, larva, or adults depending on the timing and extent of the trimming. Since the larva feed on the elderberry pith while they are developing, any trimming that could affect the health of the plant and cause the loss of stems may kill any larva in those stems. No adverse impacts to the VELB will occur if trimming does not remove stems/branches that are ≥ 1 inch in diameter and is conducted between November and February. Trimming that occurs outside of this window or removes branches ≥ 1 inch in diameter may result in adverse effects to VELB. In order to assess the risk of take from trimming activities, we recommend the following be evaluated:

1. Conduct an exit hole survey on the plant
2. Evaluate the surrounding habitat (riparian vs. non-riparian).
3. Evaluate the potential suitability of the plant to provide VELB habitat.
 - a. Riparian plants are much more likely to be occupied or colonized by VELB.
 - b. Plants in non-riparian locations should be evaluated using the criteria in Figure 2.

6.0 Compensatory Mitigation

For all unavoidable adverse impacts to VELB or its habitat, we recommend that lead agencies and project applicants coordinate with the Service to determine the appropriate type and amount of compensatory mitigation. For plants in riparian areas, compensation may be appropriate for any impacts to VELB habitat. In non-riparian areas, compensation is typically appropriate for occupied shrubs (Figure 2). Appropriate compensatory mitigation can include purchasing credits at a Service-approved conservation bank, providing on-site mitigation, or establishing and/or protecting habitat for VELB.

It is recommended that the permanent loss of VELB habitat be replaced with habitat that is commensurate with the type (riparian or non-riparian) and amount of habitat lost. Suitable riparian habitat may be replaced, at a minimum of 3:1 for all acres that will be permanently impacted by the project (Table 1). Suitable non-riparian habitat may be replaced, at a minimum of 1:1 for all acres that will be permanently impacted by the project (Table 1). We typically recommend that any shrub that will be adversely impacted by the project be transplanted to a Service-approved location.

We encourage agencies and/or applicants to propose appropriate compensation for all individual shrubs that will be impacted by the project. Strong compensation proposals consider the location of the plant (riparian or non-riparian) and the potential for the plant to be occupied by VELB (exit

holes present, likely occupied). Projects that only directly affect individual shrubs may consider replacing habitat based on the amount of effects that occur, the location of the shrub (riparian or non-riparian), and the presence of exit holes (non-riparian only) (Table 2). Impacts to individual shrubs in riparian areas may be replaced by the purchase of 2 credits at a Service-approved bank for each shrub that will be trimmed regardless of the presence of exit holes. If the shrub will be completely removed by the activity, the entire shrub may be transplanted to a Service-approved location in addition to the credit purchase. We recommend impacts to individual shrubs in non-riparian areas be replaced through a purchase of 1 credit at a Service-approved bank for each shrub that will be trimmed if exit holes have been found in any shrub on or within 50 meters (165 feet) of the project area. If the shrub will be completely removed by the activity, we suggest that the entire shrub be transplanted to a Service-approved location in addition to a credit purchase.

Table 1. Potential Valley Elderberry Longhorn Beetle Habitat-Level Compensation Examples

Habitat	Compensation Ratio ¹	Total Acres of Disturbance	Acres of Credits	Total Credit Purchase ²
Riparian	3:1	1.2 acres	3.6 acres	87.8
Non-riparian	1:1	0.5 acre	0.5 acre	12.1

¹ acre(s) of credits: acre(s) of disturbance

² One credit (unit) = 1,800 sq. ft.

Table 2. Valley Elderberry Longhorn Beetle Shrub-Level Impact Compensation

Habitat	Compensation Ratio ¹	If the entire shrub will be removed
Riparian	2:1	Transplant the shrub + 2:1 compensation
Non-riparian (exit holes present)	1:1	Transplant the shrub + 1:1 compensation

¹ number of credits: number of shrubs trimmed

² One credit (unit) = 1,800 sq. ft. or 0.041 acre

The compensation scenarios in Table 1 are examples of the amount of habitat (riparian or non-riparian) that may be appropriate to compensate for a project's adverse impacts. Additional examples can be found in Appendix B. The amount of compensation deemed appropriate to offset effects to VELB will take into consideration the effects of the project and desired conservation outcome. The compensation examples in this Framework are for illustrative purposes only. Alternative methods for determining compensation should be coordinated with the Service. Currently, compensation at Service-approved VELB banks is partitioned into 1,800 sq. ft. basins.

Under this scheme, a single credit equals 1,800 sq. ft. or 0.041 acres. In order to calculate the total compensation credits needed for impacts to VELB, the total amount of disturbance in square feet should be calculated, the appropriate ratio applied, and the total number divided by 1,800.

We recommend that any project that occurs in suitable habitat (riparian or non-riparian) compensate for that loss in proportion to the total amount of habitat that will be disturbed as a result of project implementation. The acreage of habitat lost can be assessed based on all permanent surface disturbance including access routes and staging areas.

6.1 Compensatory Mitigation Proposals

If the lead agency or applicant is not purchasing credits at a Service-approved bank, they may compensate for habitat loss through on- or off-site mitigation. The Service has issued interim standards for the long-term management and protection of mitigation sites (https://www.fws.gov/endangered/improving_esa/). Those proposing on-site compensation, off-site habitat creation/enhancement, or those proposing to create a Service-approved conservation bank should work closely with the Service during the planning and development process. It is recommended that all plans adhere to the following criteria that are specific to VELB:

Site Selection and Development. Proposals using a strategic approach to ecosystem protection and restoration that will promote VELB metapopulation dynamics are preferred. Criteria for a suitable mitigation site may include abiotic factors such as soils, water availability, and prior land use as well as the proximity of the site to existing riparian habitat and known VELB records. Appropriate site selection is critical for achieving conservation success. A site that has incompatible soils or hydrology may not be able to meet the success criteria. Proposals that protect or enhance existing riparian habitat are preferred and the proposal should detail what, if any, measures will be needed to restore the site to ensure that it is suitable for elderberry survival.

Planting Plan. We recommend all proposals be designed to meet the desired distribution and density for elderberry shrubs and native associates that will be planted at the mitigation site in accordance with 1-3 below. The planting plan should be specific to the site and factors that will influence the success of the elderberry and native associate plantings. The plan should seek to establish a diverse natural riparian community with a complex vegetation structure. Native associates should include a mix of woody trees, shrubs, and other natives appropriate for the site. Stock of either seedlings or cuttings should be obtained from local sources. The number of elderberry and native associate plantings should be based on the desired distribution and density outcome proposed in the planting plan. The Service encourages planting plans that promote spatial and structural diversity within the mitigation site. We recommend planting plans be designed to meet the following goals:

1. Maximize the number of stems between 2 (0.8 inches) and 12 centimeters (4.7 inches). Talley et al. (2007) found stems within this size range had the largest proportion of VELB exit holes.
2. Minimize competition for sunlight and water. Native associates, particularly trees, can influence the long-term success of the mitigation site. Native associates should be planted at a ratio of 1 native associate for every 3 elderberry plants to avoid competition for sunlight and water with the elderberry plantings.
3. Achieve an average elderberry stem density of 240 stems/acre. This was the average stem density Vaghti et al. (2009) found for elderberry shrubs along the major river systems within the VELB range. The Service and lead agency or applicant should assess this goal after 5 years.

Buffer. A buffer area may be needed between the mitigation site and adjacent lands, depending on adjacent land-use. An appropriate buffer distance can be developed in coordination with the Service when proposing compensation. Although the buffer would be considered part of the mitigation site, the acreage of the buffer may not be considered compensation.

Success Standards. We recommend that the site management plan and/or planting plan specify timelines for achievement of the success standards for the site, as stated below. These timelines should reflect the impacts that the site is intended to compensate for, the specific abiotic factors at the site that could influence establishment, or any credit release criteria that need to be met. Standards for VELB mitigation banks can be found in Appendix C. These standards were developed specifically for mitigation banks, but can be broadly applied to all compensatory mitigation for VELB. Some of the timelines described in the standards may not be applicable in all situations, but agencies and applicants should work with the Service to develop success standards that best meet the goals of their individual compensatory mitigation proposal. We suggest that all compensatory mitigation meet the following:

1. A minimum of 60% of the initial elderberry and native associate plantings must survive over the first 5 years after the site is established. As much as feasible, shrubs should be well distributed throughout the site; however, in some instances underlying geologic or hydrologic issues might preclude elderberry establishment over some portion of the site. If significant die back occurs within the first 3 years, replanting may be used to meet the 60% survival criteria. However, replanting efforts should be concentrated to areas containing surviving elderberry plants. In some instances overplanting may be used to offset the selection of a less suitable site.
2. After 5 years, the site must show signs of recruitment. A successful site should have evidence of new growth on existing plantings as well as natural recruitment of elderberry. New growth is characterized as stems < 3 cm (1.2 inches) in diameter. If

no signs of recruitment are observed, the agency or applicant should discuss possible remedies with the Service.

Monitoring. Specific monitoring protocols and reporting timelines for the mitigation site should be developed in coordination with the Service. The population of VELB, the general condition of the mitigation site, and the condition of the elderberry and associated native plantings in the mitigation site should be monitored at appropriate intervals. In any survey year, a minimum of two site visits between February 14 and June 30 of each year must be conducted by a Service-approved biologist. Surveys must include:

1. A search for VELB exit holes in elderberry stems, noting the precise locations and estimated ages of the exit holes. The location of shrubs with exit holes should be mapped with a GPS. Because adult VELB are rarely encountered, targeted surveys for adults are not required. However, surveyors should record all adult VELB seen. Record photographs should be taken for all observations of adult VELB and their location mapped with a GPS. All exit hole or adult VELB observations should be reported to CNDDDB.
2. An evaluation of the success standards outlined above.
3. An evaluation of the adequacy of the site protection (fencing, signage, etc.) and weed control efforts in the mitigation site. Dense weeds and grasses such as Bermuda grass (*Cynodon dactylon*) are known to depress elderberry recruitment and their presence should be controlled to the greatest extent practicable.
4. An assessment of any real or potential threats to VELB and its host plant, such as erosion, fire, excessive grazing, off-road vehicle use, vandalism, and excessive weed growth.
5. A minimum of 10 permanent photographic monitoring locations should be established to document conditions present at the mitigation site. Photographs should be included in each report.

Reports. A reporting timeline should also be developed during the development of monitoring protocols for the mitigation site. Reports submitted to the Service should present and analyze the data collected from the monitoring surveys. Copies of original field notes, raw data, photographs, and a vicinity map of the site (including any adult VELB sightings and/or exit hole observations) of the mitigation site must be included with the report. Copies of the report (including any applicable Service file number) must be submitted within 6 months of the survey to the Service (Field Supervisor) at the following address:

U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825.

7.0 Other Activities

The Framework may not be applicable for restoration, floodway maintenance, and other large scale habitat modification activities. These activities and the potential effects to VELB and its habitat should be considered on a project-by-project basis and discussed with the Service. We recommend that project proponents consider the effects to the species on a landscape level and ultimately seek to protect, preserve, and restore the continuity of VELB habitat. These and similar activities that may adversely impact the VELB and its habitat at landscape scales should consider avoidance, minimization, and compensation strategies that are appropriate for the specific project. Compensation may not be appropriate for those projects that impact only individual elderberry shrubs or result in a net benefit to VELB. Some possible conservation measures to consider for these large scale projects include:

1. Transplanting all affected elderberries to a similar on-site location.
2. Maintaining patches of appropriate habitat in areas where large-scale removal of elderberry shrubs will occur.
3. Scale trimming, removal, and other activities that allow VELB to persist within the area.

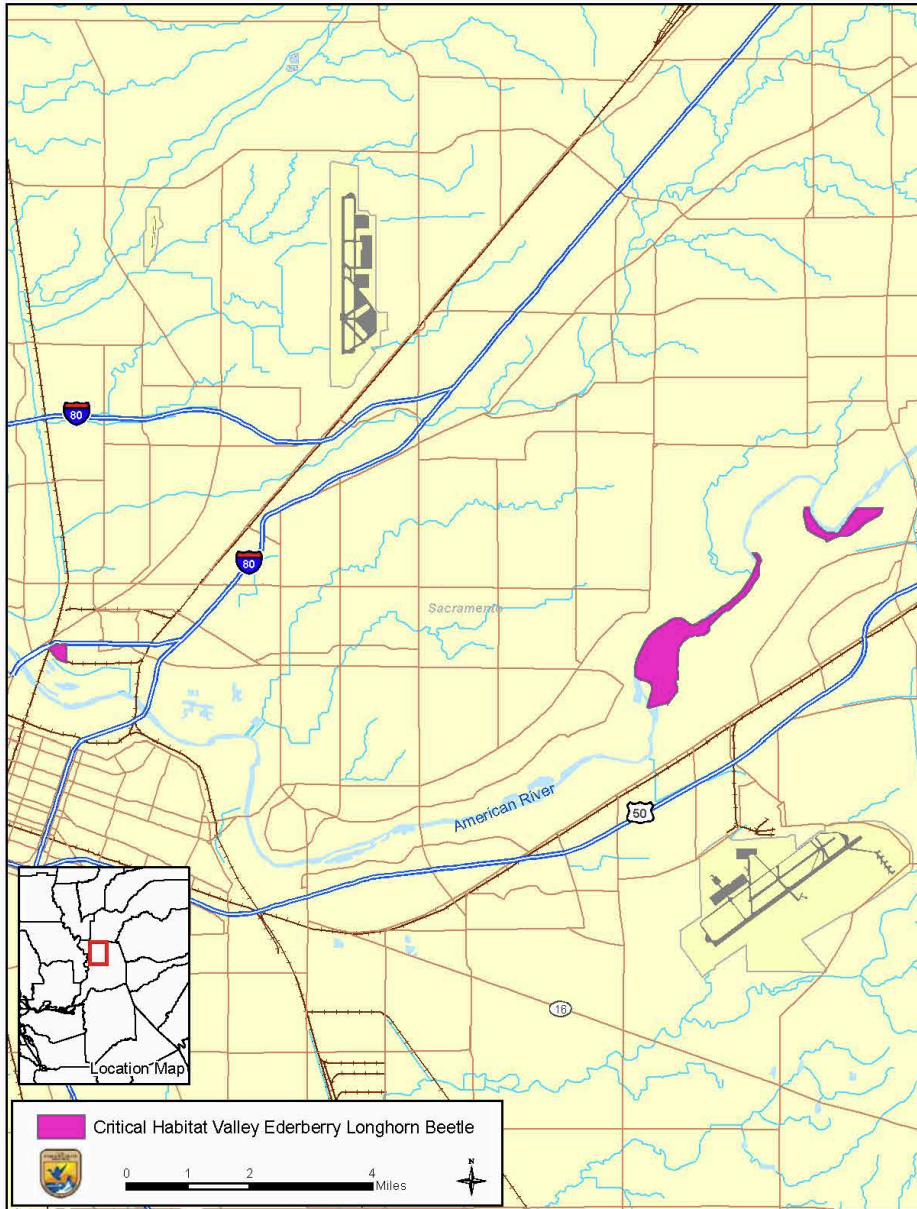
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Appendix A. Valley Elderberry Longhorn Beetle Critical Habitat



Appendix B. Compensation Examples

#1. An applicant is proposing to repair a bridge over Putah Creek. The project will require excavation within the channel and a re-contour of approaches to the new bridge. Pre-construction surveys noted that 3 elderberry shrubs in riparian habitat were within the project area, 2 of these shrubs will be directly impacted by the excavation work. The third shrub will be avoided using the appropriate avoidance and minimization measures. During the project, 0.5 acre of riparian habitat will need to be removed. The applicant has proposed to transplant the 2 directly affected elderberry shrubs to a Service-approved conservation bank and purchase 1.5 acres of credits at the conservation bank.

Conclusion: The project contains 3 elderberry shrubs on or within 50m of the project area. The project will result in the fragmentation of riparian habitat through the loss of 0.5 acres of riparian habitat. The compensation of 3:1 is appropriate for this project because it will be removing riparian habitat. The transplanting of the shrubs is appropriate because they would be directly impacted by the project.

#2. A new bike path will be constructed through an oak woodland/elderberry savanna. Pre-construction surveys identified one elderberry shrub within 0.10 acre of oak woodland/elderberry savanna that will be adversely affected by the proposed action. Exit holes were found on the elderberry shrub. The applicant also identified a conservation area that is suitable for oak woodland/elderberry savanna. Associated natives adjacent to the conservation area are blue oak (*Q. douglasii*), interior live oak, sycamore, poison oak, and wild grape. The applicant and the Service have agreed that transplanting the elderberry shrub into the conservation area and planting the conservation area with non-riparian habitat at a 1:1 ratio is appropriate to off-set the impacts to the VELB from the construction of this project.

Conclusion: The project contains 1 elderberry shrub on or within 50m of the project area. The project will result in the loss of 0.10 acre of non-riparian, elderberry savanna habitat. The proposed compensation of planting the identified conservation area at a 1:1 ratio using the species listed above is appropriate for the project since it will be removing non-riparian habitat. The transplanting of the one shrub into the conservation area is appropriate because it will be directly impacted by the project and the presence of exit holes suggests it was recently occupied by VELB.

The total area required for the conservation plantings are a minimum of 1,800 sq. ft. for one to five elderberry seedlings and up to 5 associated natives. A total of 0.10 acre ($1 \times 0.10 = 0.10$ acre = 4,356 square feet) will be required for the plantings. The conservation area will be seeded and planted with native grasses and forbs, and closely monitored and maintained throughout the monitoring period (see Section 5).

#3. Construction of a cell tower will require the removal of two isolated elderberry shrubs and the temporary loss of a minimal amount of grassland habitat. The project location is 3 miles east of the Feather River. The project site is not near a water course or any other shrubs within 800m. The shrubs were surveyed and do not exhibit exit holes.

Conclusion: The project area contains two non-riparian shrubs on or within 50m of the project area. Since both shrubs lack exit holes, other factors need to be considered to determine the likeliness of occupancy. A review of occurrence data reveals there are no known VELB occurrences within 800m of the project site and historical imagery shows the project site has never been a part of, or connected to, riparian habitat. Based on the specifics of this scenario, the two elderberry shrubs within the project area are not likely to be occupied..

Appendix C. VELB Mitigation Bank Standards

The following was prepared by Sacramento Fish and Wildlife Office conservation banking staff as part of an effort to standardize and make transparent the process for establishing Valley Elderberry Longhorn Beetle (VELB) conservation banks. The credit release schedule and performance standards are intended to be practical, while promoting the success of the plantings. This document is not a comprehensive review of VELB literature, and is subject to revision.

Credit Release Schedule

The credit release schedule and performance standards are designed to ensure that the VELB conservation bank plantings will be self-sustaining after the irrigation is turned-off (before the start of year 5), so the credit release schedule is longer than it would be without irrigation, and credits will not be released prior to the year indicated. Credits will be released per the following schedule, slightly modified from the May 2008 Statewide Banking Template:

Table 1. Credit release schedule.

Credit Release	Action	Credits to be Released
1	Bank Establishment	15%
2	Service Acceptance of As-builts*	25%
3	Meet Year 2 Performance Standards, and endowment funded 15%	15%
4	Meet Year 3 Performance Standards, and endowment funded 40%	15%
5	Meet Year 5 Performance Standards, and endowment funded 70%	15%
6	Meet Year 7 Performance Standards, and endowment funded 100%	15%

*Review to be accomplished within 60 days of receipt of complete as-built drawings.

Note: endowment can be funded on an accelerated schedule, if the bank sponsor so desires.

Performance Standards

Performance standards apply to the credit releases upon the third release. If the elderberry population is too large for direct census, then sampling methods may be used, and they must be thoroughly described in the proposed bank's development and management plans, and will be subject to Service approval. Sample size must be adequate to assess the health of the population, as determined by a qualified plant ecologist¹. Qualifications should be submitted with proposal.

Performance standards are based on survival without re-planting, and on baseline conditions of health and vigor of the elderberry plantings. If performance standards are not met, then the bank sponsor will meet with the Service to determine a course of action.

Table 2. Performance Standards.

Credit Release #	Monitoring Year	Performance Standards
3	Year 2	<ul style="list-style-type: none"> 60% survival of original planted elderberries without re-planting², and all survivors categorized as “normal”³ to “exceptionally vigorous”³ 60% survival of associates without re-planting² Irrigation ok
4	Year 3	<ul style="list-style-type: none"> Maintain 60% survival of original planted elderberries without re-planting², and all survivors categorized as “normal”³ to “exceptionally vigorous”³ Maintain 60% survival of associates without re-planting² Irrigation ok
5	Year 5	<ul style="list-style-type: none"> Maintain 60% survival of original planted elderberries without re-planting² Maintain 60% survival of associates without re-planting² No more than 10% decline in overall health of <i>Sambucus</i> from baseline conditions⁴ No irrigation⁵ Fertilizer application prohibited
6	Year 7	<ul style="list-style-type: none"> Maintain 60% survival of original planted elderberries without re-planting² Maintain 60% survival of associates without re-planting² No more than 10% decline in overall health of <i>Sambucus</i> from baseline conditions⁴ No irrigation⁵ Fertilizer application prohibited

¹Qualified plant ecologist is defined as a person who:

- a) holds a bachelor’s degree or higher in botany, plant ecology or related plant science, or demonstrates experience equivalent to such education, and
- b) shows demonstrated expertise in ecological sampling/experimental design beyond obtaining an academic degree, and
- c) has 2+ years experience in collecting and analyzing botanical field data beyond obtaining an academic degree

²If re-planting, then time-clock begins again, with no additional credit releases until performance standards for the monitoring year in which the re-planting occurred has been met. Re-planting must be approved by the Service in advance.

³See Vigor and Vitality, below.

⁴Years 2, 3 and 4 are used to establish the baseline condition. See Baseline Conditions, below.

⁵If irrigation continues beyond the end of monitoring year 4, credit release #'s 5 and 6 will be delayed beyond the years indicated in Table 2.

Vigor and Vitality

Observations made by a qualified plant ecologist during the late spring/early summer will be used to determine the vigor and vitality of surviving shrubs for the year 2 and 3 performance standards, and photographs should clearly document this. The following scale will be used (from Mueller-Dombois and Ellenberg, 1974):

- Very feeble, never flowering/fruiting
- Feeble
- Normal
- Exceptionally vigorous

Baseline Conditions

Observations made by a qualified plant ecologist during late spring/early summer will be used to determine the baseline conditions of the planted elderberries. Sampling is allowable where the population of planted elderberries is extensive, and must be thoroughly described in the bank's development and management plans. The following measurements will be used to determine baseline conditions (Elzinga, et. al., 1998):

- Height
- # of inflorescences per shrub
- # of stems per shrub
- # of stems over 1" diameter per shrub
- Volume of plant (height x cover)

These measurements will be averaged for surviving shrubs over years 2, 3 and 4. Condition of the planted elderberries in years 5 and 7 will be compared to the baseline. Photographs should clearly document the baseline condition.

Monitoring Reports

Monitoring reports will be required during the establishment period for years 2-7, and should clearly document the progress of the plantings. All surveys must be thoroughly described, and copies of any field notes or data sheets from the current year included. Photographic documentation of elderberry and associate condition during the field surveys is required, and should clearly show the condition of all shrubs sampled. If sampling, describe sampling design. Each report should be comprehensive, and include data summaries and other pertinent information from previous monitoring years.

Requirements for long-term monitoring and reporting, including due dates, should be discussed in the bank's development and management plans.

References for Appendix C

- Elzinga, Caryl L., D. W. Salzer, and J. W. Willoughby. 1998. Measuring and Monitoring Plant Populations. BLM Technical Reference 1730-1.
- Gilbart, Meghan. 2009. The health of blue elderberry (*Sambucus mexicana*) and colonization by the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) in restored riparian habitat. Master's Thesis, California State University, Chico.
- Mueller-Dombois, Dieter and H. Ellenberg. 1974. Aims and methods of vegetation ecology. John Wiley and Sons, Inc.

EXHIBIT K

Article 17

Feature article from *Watershed Protection Techniques*, 3(1): 554-565

Microbes and Urban Watersheds: Concentrations, Sources, & Pathways

Microbes are problematic. They are small and include hundreds of groups, species, biotypes and strains. They are ubiquitous in the environment, found on nearly every surface of the earth. They exist within us, on us, on plants, soils and in surface waters. They grow rapidly, die off, survive or multiply depending on a changing set of environmental conditions. Some microbes are beneficial to humans, while others exert no impact at all. Other microbes cause illness or disease, and a few can even kill you.

The presence of some types of microbes indicates a potential risk for water contamination, while other microbes are pathogens themselves (i.e., they are known to cause disease). Microbes are nearly always present in high concentrations in stormwater, but are notoriously variable. They are produced from a variety of watershed sources, such as sewer lines, septic systems, livestock, wildlife, waterfowl, pets, soils and plants, and even the urban storm drain system itself.

It is little wonder that many watershed managers are thoroughly confused by the microbial world. This article seeks to provide enough background to help a watershed manager assess bacteria problems. It contains a national review and analysis of microbial concentrations, sources, and pathways in urban watersheds. The major focus is on fecal coliform bacteria, for which the most urban watershed data is available, but reference is also made to protozoa, such as *Cryptosporidium* and *Giardia*.

The article begins with a field guide to the bacteria found in urban waters. It compares the frequency of detection, origin, indicator status and measurement units of different microbes. The next section presents a national assessment of bacteria levels in urban stormwater. The last section profiles the many different human and nonhuman bacteria sources that can potentially occur in an urban watershed.

Field Guide to the Microbes

The complex microbial world is confusing to most; therefore, it is worth a moment to understand some of the terminology used to describe it. The term *microbes* refers to a wide range of living organisms that are too small to see with the naked eye. *Bacteria* are very simple single celled organisms that can rapidly reproduce by binary fission. Of particular interest are *coliform*

bacteria, typically found within the digestive systems of warm-blooded animals. The coliform family of bacteria includes total coliforms, fecal coliforms and the group *Escherichia coli* (*E. coli*). Each of these can indicate the presence of fecal wastes in surface waters, and thus the possibility that other harmful bacteria, viruses and protozoa may be present. Fecal streptococci (a.k.a., *Enterococci*) are another bacteria group found in feces which, under the right conditions, can be used to determine if a waste is of human or nonhuman origin. As such, all coliform bacteria are only an *indicator* of a potential public health risk, and not an actual cause of disease.

A *pathogen* is a microbial species that is actually known to cause disease under the right conditions. Examples of bacterial pathogens frequently found in stormwater runoff include *Shigella spp.* (dysentery), *Salmonella spp.* (gastrointestinal illness) and *Pseudomonas auerognosa* (swimmer's itch). Some subspecies can cause cholera, typhoid fever and "staph" infections. The actual risk of contracting a disease from a pathogen depends on a host of factors, such as the method of exposure or transmission, pathogen concentration, incubation period and the age and health status of the infected party.

Protozoa are single-celled organisms that are motile. Two protozoans that are common pathogens in surface waters are *Giardia* and *Cryptosporidium*. To infect new hosts, these protozoans create hard casings known as cysts (*Giardia*) or oocysts (*Cryptosporidium*) that are shed in feces, and travel through surface waters in search of a new host. The cysts or oocysts are very durable and can remain viable for many months. The protozoan emerges from its hard casing if and when a suitable host is found.

Table 1 provides a general comparison of the many microbes found in urban stormwater runoff, in terms of their frequency of detection, origin, indicator status, measurement units and information use.

Public health authorities have traditionally used fecal coliform bacteria to indicate potential microbial risk, and to set water quality standards for drinking water, shellfish consumption or water contact recreation. Some typical fecal coliform standards are provided in Table 2. Fecal coliforms are an imperfect indicator and regulators continually debate whether other bacterial species or groups are better indicators

Microbial Indicator	Found in Urban Runoff?	Fecal Origin?	Non-Human Sources?	Indicator or Pathogen	Units of Measurement ^a	Information Use ^b
Total coliforms	All samples	Most	Animals, plants, soil	Neither	Counts per 100 ml	Historical, seldom used
Fecal coliforms	All samples	Most	Animals, plants, soil	Indicator	Counts per 100 ml	Water contact, shellfish, drinking water
Fecal streptococci	All samples	Yes	Warm-blooded animals	Indicator	Counts per 100 ml	Sometimes used to ID waste source ^c
<i>Escherichia coli</i>	Nearly all samples	Yes	Mammals, some found in soils	Indicator, some are pathogen	Counts per 100 ml	Water contact, shellfish, drinking water
<i>Salmonella spp.</i>	About half	Yes	Mammals (esp. dogs)	Pathogen	Counts per 10 ml	Food safety
<i>Pseudomonas aeruginosa</i>	All samples	Yes	Mammals	Pathogen	Counts per 100 ml	Drinking water
<i>Cryptosporidium spp.</i>	Less than half	Yes	Mammals (esp. livestock)	Pathogen	Oocysts per liter	Drinking water
<i>Giardia spp.</i>	Less than half	Yes	Mammals (esp. dogs and wildlife)	Pathogen	Cysts per liter	Drinking water

^a Research use many different terms and sampling methods to describe their bacterial counts, including MPN (most probable number), colony forming units (CFU), colonies, or organisms.

^b See Table 2 for a more thorough discussion on bacteria and protozoan standards.

^c It is important to note that fecal strep is a poor method for urban stormwater

of potential health problems and how low indicator levels must be to ensure “safe” water. The debate, however, remains largely academic, as over 90% of the states still rely of fecal coliform in whole or in part as their recreational water quality standards (USEPA, 1998).

Fecal Coliform Levels in Urban Stormwater Runoff

Coliforms are ubiquitous—about 20% of all water quality samples at U.S. Geological Survey’s main sampling stations across the country exceeded the 200 MPN/100 ml fecal coliform standard in the 1980s (Smith *et al.*, 1992) *Note: Most samples were conducted in dry weather conditions and in larger watersheds.* The highest fecal coliform levels were routinely collected in agricultural and urban watersheds. For-

ested and pastured watersheds had much lower fecal coliform levels (about 50 to 100 MPN per 100 ml).

The vast majority of urban stormwater monitoring efforts utilize fecal coliform as the primary microbial indicator. A small handful of researchers have measured other coliforms or other specific pathogens (e.g., *Salmonella*, *Pseudomonas*, etc.). Some caution should be exercised when evaluating storm concentrations of fecal coliforms, as most represent a “grab” sample rather than a true flow-composite sample. This, along with differences in how samples are counted and averaged, produces the notorious variability that is associated with stormwater fecal coliform data.

Pitt (1998) reports a mean fecal coliform concentration in stormwater runoff of about 20,000 colonies per 100 ml based on 1,600 storm runoff samples

Table 2: Typical Coliform Standards for Different Water Uses

Water use	Microbial Indicator	Typical Water standards
Water contact recreation	Fecal coliform	<200 MPN per 100 ml
Shellfish bed	Fecal coliform	<14 MPN per 100 ml
Drinking water supply	Fecal coliform	<20 MPN per 100 ml
Treated drinking water	Total coliform	No more than 1% coliform positive samples per month
Freshwater swimming	<i>E. coli</i>	<126 MPN per 100 ml
Marine swimming	<i>E. coli</i>	<35 MPN per 100 ml

Important Note: Individual state standards may employ different sampling methods, indicators, averaging periods, averaging methods, instantaneous maximums and seasonal limits. MPN=most probable number. Higher or lower limits may be prescribed for different water use classes. Please consult your state water quality agency or USEPA (1998) to determine bacteria standards used in your community.

largely collected during the Nationwide Urban Runoff Program (NURP) in the early 1980s. He also reports a nearly identical mean fecal coliform concentration of about 22,000 colonies per 100 ml that was derived from a second database containing 25 additional stormwater monitoring studies conducted since NURP.

The Center for Watershed Protection has recently developed a third database containing 34 more recent urban stormwater monitoring studies. An analysis of the Center database indicates a slightly lower mean concentration of fecal coliform in urban stormwater of about 15,000 per 100 ml. The Center fecal coliform database is profiled in Figure 1. Nearly every individual stormwater runoff sample in the database exceeded bacteria standards, usually by a factor of 75 to 100. Some indication of the enormous storm to storm variability in fecal coliform bacteria can be seen in Figure 1, with concentrations often spanning five orders of magnitude at the same sampling location. Other data for fecal streptococci and *E. coli* are provided in Figures 2 and 3.

Arid and semi-arid regions of the country often experience higher fecal coliform levels. For example, Chang (1999) computed a flow-weighted mean fecal coliform concentration of 77,970 MPN/100 ml in 21 small urban watersheds in Austin, Texas.

It should be noted that the most extreme bacteria concentrations in stormwater runoff from larger catchments (10^5 - 10^9) are usually associated with an inappropriate human discharge (e.g., failing septic system, sanitary sewer overflows or illicit connections) (Pitt, 1998).

Fecal coliform levels are generally much lower in stream baseflow than during storms, unless an inappropriate sewage discharge is present upstream (Gannon and Busse, 1989; USEPA, 1983). This is most evident at runoff monitoring stations at recently developed suburban watersheds that have few suspected sewage discharges. For example, Varner (1995) sampled fecal coliform samples at 11 stations in suburban catchments in the City of Bellevue, WA. Overall, the mean stormflow concentration of fecal coliforms (4,500 MPN/100 ml) was about nine times greater than mean baseflow concentrations (600 MPN/100 ml) for all stations.

Watershed managers should systematically assess dry weather flows from stormwater outfall pipes, however, before they conclude that dry weather bacteria concentrations are not a concern. In some communities, as many as 10% of all pipe outfalls have dry weather flow. Even if only a few of these flows contain sewage, they can produce very high bacteria concentrations during baseflow conditions.

Fecal coliform levels are about 90% lower in runoff that occurs in winter than during the summer months, although bacteria levels can increase sharply during snowmelt events (USEPA, 1983 and Figure 4). Researchers have occasionally correlated bacteria levels with factors such as rainfall, rainfall intensity, antecedent rainfall, turbidity and suspended solids within individual urban watersheds. Few of these relationships, however, appear to be transferable from one watershed to another. Other watershed variables that may better predict bacteria levels include population density (Glenne, 1984), age of development and percent residential development (Chang, 1999).

Unlike many pollutants, fecal coliforms do not appear to be directly related to subwatershed impervious cover. For example, Hydroqual (1996) evaluated fecal coliform concentrations for seven small subwatersheds of different impervious cover in the Kensico watershed, a small drinking water reservoir for New York City. Undeveloped subwatersheds with 4% impervious cover had fecal coliform concentrations well below the 200 MPN standard, whereas watersheds ranging from 20 to 65% imperviousness exceeded the standard handily (Figure 5). While developed watersheds nearly always had greater fecal coliform concentrations than undeveloped watersheds, more impervious cover in a developed watershed was not observed to increase fecal coliform concentrations.

Protozoan Levels in Urban Runoff

Until recently, the major sources of protozoa in surface waters were generally thought to be human sewage, dairy runoff and wildlife sources. The only study to date that has measured *Cryptosporidium* or *Giardia* in stormwater runoff found high levels of both protozoans (Stern *et al.*, 1996). David Stern and his colleagues monitored a series of agricultural and urban watersheds within the New York City water supply reservoir system, and found urban subwatersheds had slightly higher rates of *Giardia* and *Cryptosporidium* detection than agricultural subwatersheds, and a higher rate of confirmed viability (Table 3 and Stern *et al.*, 1996).

States *et al.* (1997) also found very high levels of *Cryptosporidium* and *Giardia* in storm samples collected from combined sewers in the Pittsburgh region (geometric means of 28,881 cysts/100 ml for *Giardia* and 2,013 oocysts/100 ml for *Cryptosporidium*). The protozoa were detected in virtually every sample collected from the combined sewer overflows. Sampling of protozoa is complicated by durability of their cysts and oocysts in the environment (i.e., some *Cryptosporidium* and *Giardia* cysts and oocysts persist, but are no longer viable of infecting another host). Much more sampling is needed in other regions to determine if stormwater and combined sewer runoff are major sources of *Cryptosporidium* and *Giardia*.

Bacteria Sources in Urban Watersheds

The high concentrations of bacteria in stormwater are derived from many possible human and non-human sources. Consequently, watershed managers must investigate many different sources and source areas in order to develop an effective strategy for bacteria control. Some of the more likely bacteria sources are described in Table 4.

Human Sources of Bacteria

The major source of bacteria in most urban waters was human sewage until the advent of modern waste-

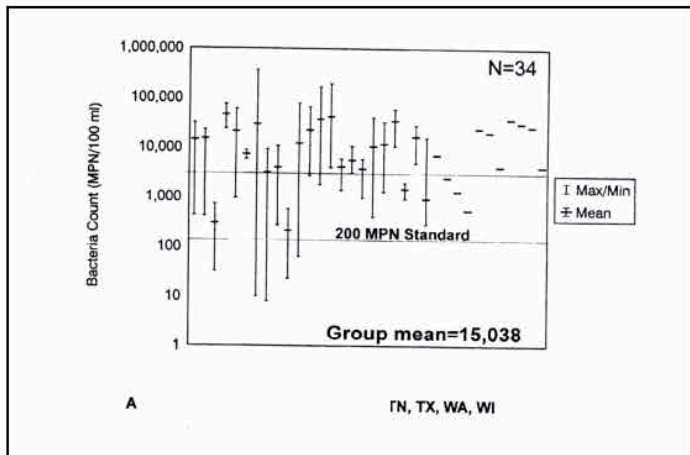


Figure 1: Fecal Coliforms in Urban Stormwater Runoff

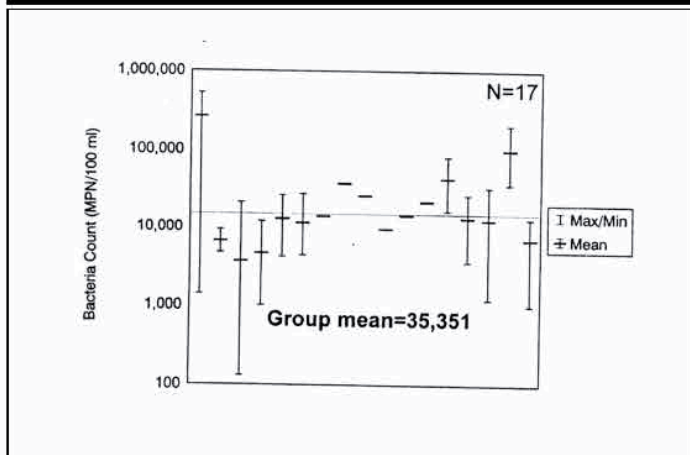


Figure 2: Fecal Streptococci in Urban Stormwater Runoff

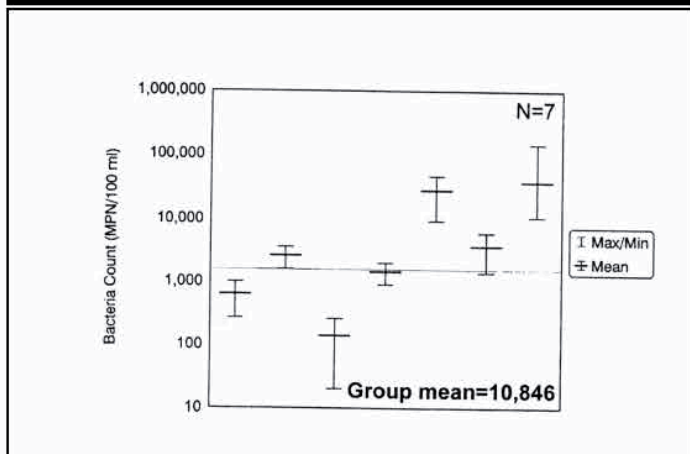


Figure 3: *E. coli* in Urban Stormwater Runoff

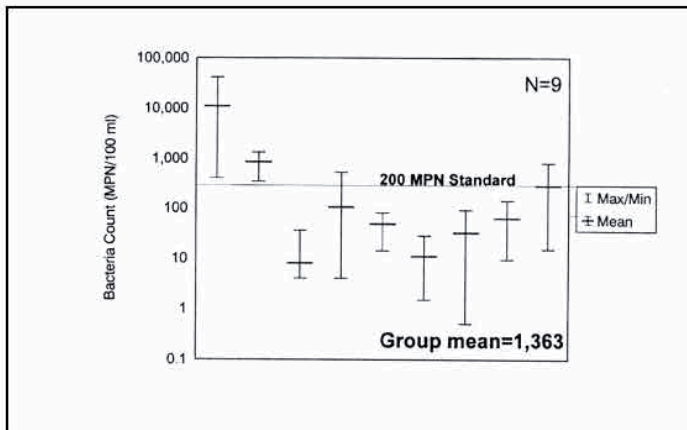


Figure 4: Fecal Coliforms in Winter Runoff

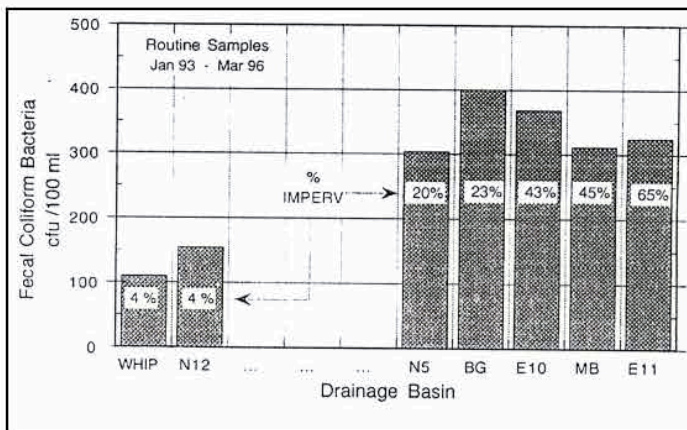


Figure 5: Fecal Coliform Levels in Watersheds of Different Impervious Cover (Hydroqual, 1996)

water treatment. Wastewater is now generally collected in a central sewer pipe and sent to a municipal plant for treatment in most urban watersheds. Ideally, wastewater treatment provides more efficient collection, conveyance, and treatment of wastewater than septic systems or package plants. In reality, many sewer systems are still an episodic or chronic source of bacteria. Potential pathways of human sewage to surface waters include combined sewer overflows, sanitary sewer overflows, illegal sanitary connections to storm drains, transient dumping of wastewater into storm drains and failing septic systems.

The potential significance of sewage as a bacteria source can be quickly grasped from Table 5, which compares typical coliform levels from several waste streams, including raw sewage, combined sewer overflows, failed septic systems, stormwater and forest runoff. Raw sewage typically is about two to three orders of magnitude “stronger” than stormwater runoff in terms of coliform production, and is four to five orders of magnitude “stronger” than forest runoff that is influenced only by wildlife sources. As a general rule, human sources of sewage should be suspected when fecal coliform concentrations are consistently above 10^5 (Pitt, 1998).

- *Combined sewer overflows (CSOs)*

Many older cities have a sewer system that carries both wastewater and stormwater. During some storms, the capacity of the treatment system is exceeded, and diluted wastewater is discharged directly into the surface waters without treatment. As seen in Table 5, CSOs have extremely high bacteria levels and deserve immediate attention as a bacteria source when they are found in any watershed.

- *Sanitary sewer overflows (SSOs)*

Human sewage can be introduced into surface waters even when storm and sanitary sewers are separated. Leaks and overflows are common in

Table 3: Percent Detection of *Giardia* Cysts and *Cryptosporidium* oocysts in Subwatersheds and Wastewater Treatment Plant Effluent in the New York City Water Supply Watersheds (Stern *et al.*, 1996)

Source water sampled (No. of sources/No. of samples)	Percent Detection			
	Total <i>Giardia</i>	Confirmed <i>Giardia</i>	Total <i>Cryptosporidium</i>	Confirmed <i>Cryptosporidium</i>
Wastewater effluent (8/147)	41.5	12.9	15.7	5.4
Urban subwatershed (5/78)	41.0	6.4	37.2	3.9
Agricultural subwatershed (5/56)	30.4	3.6	32.1	3.6
Undisturbed subwatershed (5/73)	26.0	0.0	9.6	1.4

many older sanitary sewers where capacity is exceeded, high rates of infiltration and inflow occur (i.e., outside waters gets into pipes, reducing capacity), frequent blockages occur, or are simply falling apart due to poor joints or pipe materials. Power failures at pumping stations are also a common cause of SSOs. The greatest risk of a SSO occurs during storm events; however, little comprehensive data is available to quantify SSO frequency and bacteria loads in most watersheds. The Association of Metropolitan Sewage Agencies (AMSA, 1994) estimates that about 140 overflows occur per one thousand miles of sanitary sewer lines each year (1,000 miles of sewer serves a population of about 250,000). The AMSA survey also found that 15 to 35% of all sewer lines were over capacity and could potentially overflow during storms.

• *Illicit connections to storm sewers*

Sewage can be introduced into storm sewers by accident or design. The hundreds of miles of storm and sanitary sewer pipes in a community creates a confusing underground spaghetti of utilities, so it should not be surprising that improper connections are made to the wrong sewer. For example, Johnson (1998) reported that just under 10% of all businesses in Wayne County, MI had illicit connections, with an average of 2.6 illicit connections found at each detected business. While most illicit connections did not contain raw sewage (e.g., floor drains, sinks), 11% of the Wayne County illicit connections included toilet discharges. Schmidt and Spencer (1986) found a 38% rate of illicit connections in Washtenaw County, MI, primarily among automobile-related and manufacturing businesses. It is not clear how many of these illicit connections involved sewage, as compared to wash water. Pitt and McClean (1986) detected illicit connections in about 12% of storm sewers in Toronto, and Pitt

(1998) found that 18% of storm outfalls surveyed that had dry weather flow were contaminated by human sewage in a small Alabama subwatershed.

• *Illegal dumping into storm drain system*

There is quite a bit of anecdotal evidence of illegal transient dumping of raw sewage into storm drain

Table 4: Potential Sources of Coliform Bacteria in an Urban Watershed

Human Sources

Sewered watershed

- Combined sewer overflows
- Sanitary sewer overflows
- Illegal sanitary connections to storm drains
- Illegal disposal to storm drains

Non-sewered watershed

- Failing septic systems
- Poorly operated package plant
- Landfills
- Marinas and pumpout facilities

Non-human Sources

Domestic animals and urban wildlife

- Dogs, cats
- Rats, raccoons
- Pigeons, gulls, ducks, geese

Livestock and rural wildlife

- Cattle, horse, poultry
- Beaver, muskrats, deer, waterfowl
- Hobby farms

Table 5: Comparison of Bacterial Densities in Different Waste Streams (MPN/100 ml) (Pitt, 1998; Lim and Oliveri, 1982; Smith et al., 1992, Horsely & Witten, Inc., 1995)

Waste stream	Total coliform	Fecal coliform	Fecal streptococci
Raw sewage	2.3×10^7	6.4×10^6	1.2×10^6
Combined sewer overflow	$10^4 - 10^7$	$10^4 - 10^6$	10^5
Failed septic systems	$10^4 - 10^7$	$10^4 - 10^6$	10^5
Urban stormwater runoff	$10^4 - 10^5$	2.0×10^4	$10^4 - 10^5$
Forest runoff	$10^2 - 10^3$	$10^1 - 10^2$	$10^2 - 10^3$

from septage vac trucks (i.e, honey wagons), recreational vehicles and portable toilets (Johnson, 1998). In addition, there may be inadvertent dumping from moving vehicles, such as livestock carriers and recreational vehicles. The overall significance of illegal or inadvertent dumping as a watershed bacteria source, however, is hard to quantify.

- *Failing septic systems*

About one-fourth of all American households rely on on-site septic systems to dispose of their wastewater, which translates to about 20 million individual systems (Wilhelm *et al.*, 1994). After solids are trapped in a septic tank, wastewater is distributed through a subsurface drain field and allowed to percolate through the soil. Bacteria are effectively removed by filtering and straining water through the soil profile, if the septic system is properly located, installed and maintained. A large number of septic systems fail, however, when wastewater breaks out or passes through the soil profile without adequate treatment. The regional rate of septic system failure is reported to range from five to nearly 40%, with an average of about 10% (Table 6).

The causes of septic system failure are numerous: inadequate soils, poor design, siting, testing or inspection, hydraulic overloading, tree growth in the drain field, old age, and failure to clean out. When investigating whether septic systems are likely to be a major bacteria source in a watershed, managers should consider the following risk factors: septic systems that are older than 20 years, situated on smaller lots, service second homes or provide seasonal treatment, are adjacent to shorelines or ditches, are located on thin or excessively permeable soils, or are close to bedrock or the water table. The design life of

most septic systems is 15 to 30 years, at which point major rehabilitation or replacement is needed.

Tuthill *et al.* (1998) detected coliforms in 30 to 60% of shallow wells in Frederick County, MD, with the highest concentration found on lots of a half acre or less served by septic systems. Glasoe and Tompkins (1996) reported a much higher failure rate for septic systems situated near waterfront as compared to more upland areas. Duda and Cromartie (1982) reported a very strong relationship between the density of septic systems and shellfish bed closure in the flat coastal plain of North Carolina.

Non-Human Bacteria Sources

Unless an inappropriate human sewage discharge is present in an urban watershed, most of the bacteria present in storm runoff are generally assumed to be of nonhuman origin. Recent genetic studies by Alderiso *et al.* (1996) and Trial *et al.* (1993) independently concluded that 95% of fecal coliform found in urban stormwater were of nonhuman origin. Recent microbial tracking by Samadpour and Checkowitz (1998) also confirms that nonhuman sources (dogs and livestock from hobby farms) were the primary source of bacterial contamination in a lightly developed Washington watershed, although septage effluent was a secondary source.

Documented nonhuman sources of fecal coliform bacteria in urban watersheds are dogs, cats, raccoons, rats, beaver, gulls, geese, pigeons and even insects. Dogs in particular appear to be a major source of coliform bacteria and other microbes, which is not surprising given their population density, daily defecation rate, and pathogen infection rates. According to van der Wel (1995), a single gram of dog feces contains 23 million fecal coliform bacteria. Dogs have also

Table 6: Failure Rate for Septic Systems

Geographic location	Source	Failure rate (%)
Frederick County, MD	Tuthill, 1998	30+
Detroit, MI	Johnson, 1998	20
Wayne County, MI	Johnson, 1998	21
Oakland County, MI	Johnson, 1998	39
Florida	Hunter, 1998	5
Mason County, WA	Glasoe and Tompkins, 1996	12
Puget Sound, WA	Smayda et al., 1996	10 to 25

been found to be significant hosts for *Giardia* and *Salmonella* (Pitt, 1998). The *Salmonella* infection rate for dogs and cats ranges from two to 20% according to Lim and Oliveri (1982), who also noted that dog feces were the single greatest source contributing fecal coliform and fecal strep bacteria in highly urban Baltimore catchments. Trial *et al.* (1993) reported that cats and dogs were the primary source of fecal coliforms in urban subwatersheds in the Puget Sound region. In addition, Davies and Hubler (1979) found 13% of cats and 25% of dogs were infected with *Giardia*. Pitt (1998) notes that prior studies have indicated that dogs are a significant host of *Pseudomonas aureginosa*.

Urban wildlife can also be a significant bacterial source. In highly urban areas, rats and pigeons can be a major source of bacteria (Lim and Oliveri, 1982). In more suburban watersheds, raccoons have adapted to an underground habitat within storm drain pipes, and use ledges in storm drain inlets on a temporary basis. Blankenship (1996) reported that exceedance of *E. coli* standards in a Virginia coastal area was due to the local raccoon population.

Beaver are gradually recolonizing many urban stream habitats where they had previously been extirpated (Kwon, 1997). Numerous studies have fingered beavers as a key source of *Giardia*. For example, Monzingo and Hibler (1987) detected giardia in an average of 44% of beavers sampled in a Montana lodge, and also documented *Giardia* cysts in beaver ponds, pond sediments and downstream waters. Other researchers have found lower infection rates. For example, Frost *et al.* (1980) found *Giardia* in 10% of the beaver population and 40% of the muskrat population, while Davies and Hubler (1979) reported an 18% *Giardia* infection rate among beavers in Ohio.

Geese, gulls and ducks are speculated to be a major bacterial source in urban areas, particularly at lakes and stormwater ponds where large resident populations become established. Levesque *et al.* (1993) detected an increase in *E. coli* concentrations from flock of gulls roosting near a reservoir, which is not to surprising given that they have very high bacteria excretion rates (Table 7). Relatively little data is available to quantify whether geese and ducks are a major source of fecal coliforms or pathogens. Moorhead *et al.* (1998) did find high *E. coli* concentrations in a series of stormwater impoundments in West Texas that were heavily utilized by waterfowl, and other stormwater researchers often attribute high coliform levels to upstream geese or duck populations (Pitt *et al.*, 1988). Bacteria production from waterfowl are expected to be greatest in small impoundments and concrete water storage reservoirs.

Livestock can still be a major source of fecal coliform in unsewered urban watersheds, particularly those areas of the urban fringe that have horse pastures, "hobby" farms and ranchettes (Samadapour and

Checkowitz, 1998). Although these operations are very small, the stocking density is often very high, and good grazing and riparian management practices are seldom applied.

Bacterial Survival and Growth in the Urban Drainage System

It is commonly assumed that most fecal coliform bacteria rapidly die off in the outside world in a few days. Research, however, has shown that many bacteria merely disappear from the water column and settle to bottom sediments, where they can persist for weeks or months in the warm, dark, moist and organic-rich conditions found there (Burton *et al.*, 1987). Fecal coliform levels in stream and lake sediments are routinely three to four orders of magnitude higher than those in the overlying water column (Van Donsel and Geldrich, 1971).

The same behavior has recently been noted in the bottom sediments of stormwater ponds and urban lakes (Pitt, 1998). Other researchers have documented that fecal coliform bacteria can survive and even multiply in the sediments in urban streams, ditches and drains (Burton *et al.*, 1987; Marino and Gannon, 1991). Some evidence of fecal coliform survival has been observed in catch basins (Butler *et al.*, 1995; Ellis and Yu, 1995) and also within roadway curb sediments (Sartor and Boyd, 1977; Bannerman *et al.*, 1996). Coliform bacteria also have been found to survive and grow in moist soils and leaf piles (Oliveri *et al.*, 1977). This may explain why grass swales and ditches frequently have high bacteria levels.

The strong evidence that fecal coliform bacteria can survive and even multiply in sediments indicates that the drainage network itself can become a major bacterial sink and/or source during storm events if sediments are flushed or resuspended.

Bacterial Source Area Research

Several researchers have sampled small source-areas within the urban landscape to determine where the major nonhuman sources of fecal coliforms are found. The two most recent studies have been conducted in Madison, Wisconsin (Bannerman *et al.*, 1993) and Marquette, Michigan (Steuer *et al.*, 1997). While the bacteria levels were widely different in the two studies, both indicated that residential lawns, driveways and streets were the major source areas for bacteria (Table 8). As might be expected, rooftops and parking lots were usually smaller source areas.

The source area data lend some credence to the "Fido" hypothesis—areas of the urban landscape that are used by dogs and other pets tend to generate higher bacteria levels. In addition, both studies reported end-of-pipe bacteria concentrations that were at least an order of magnitude higher than any source area in the

**Table 7: Bacterial Densities in Warm-Blooded Animals Feces
(Pitt, 1998; Godfrey, 1992; Geldrich *et al.*, 1962)**

Waste stream	Fecal coliform (Density/gm)	Fecal streptococci	Unit discharge (lbs/day)
Human	1.3×10^7	3.0×10^6	0.35
Cats	7.9×10^6	2.7×10^7	0.15
Dogs	2.3×10^7	9.8×10^8	0.32
Rats	1.6×10^5	4.6×10^7	0.08
Cows	2.3×10^5	1.3×10^7	15.4
Ducks	3.3×10^7	5.4×10^7	0.15
Waterfowl	3.3×10^7	-	0.18 - 0.35

contributing watershed, which suggests that the storm drain system was the greatest bacterial source in the watershed, possibly as a result of the resuspension of storm drain sediments or an undetected illicit connection. The tendency for end-of-pipe bacteria levels to exceed contributing source area levels was also documented in stormwater source area monitoring in Toronto conducted by Pitt and McClean (1986).

Priorities for Watershed Research.

Our ability to manage bacteria problems on a watershed basis are handicapped by some major data gaps, particularly with respect to pathogen levels, bacterial source areas and the linkage between indicators and human pathogens. The following priority research areas would help to fill these gaps and be of practical value to watershed managers:

- More epidemiological research on the public health risk associated with limited exposure to urban stormwater (wading, canoeing, tubing, etc.).
- Expanded monitoring for *Giardia* and *Cryptosporidium* in stormwater runoff from sewered and unsewered catchments.
- Development of better, faster and more robust bacteria indicator tests that can reduce analysis time from the current 48 hours to two hours or less. Not only would such tests provide early warning of public health risks, but they would allow researchers to collect automated storm samples which is currently not recommended due to holding times.
- Sampling of *Cryptosporidium*, *Giardia* and *Salmonella* infection rates for different populations of dogs, cats, and other urban wildlife.
- More systematic monitoring of the frequency and volume of sanitary and storm sewer discharges to determine bacteria contributions during sanitary sewer overflows and dry weather flows.

- Development of better, faster and more accurate field methods to determine how frequently septic systems fail, and the potential bacterial load they contribute to a watershed. In addition, a standard protocol for defining septic system “failure” needs to be adopted.
- Systematic sampling of bacteria sources and reservoirs within a network of storm drains and stormwater practices should be done.
- Development of watershed models or statistical tools that can better project and quantify bacteria sources and dynamics.

Summary

This review of bacteria levels and sources leads to four troubling conclusions. The first is that it is exceptionally difficult to maintain beneficial uses of water in the face of even low levels of watershed development, given the almost automatic violation of bacterial water quality standards during wet and dry weather. Thus, if a watershed manager has a beach, shellfish bed or drinking water intake to protect, they can expect that even a modest amount of watershed development is likely to restrict or eliminate that use.

The second troubling conclusion is that bacteria levels in urban stormwater are so high that watershed practices will need to be exceptionally efficient to meet current fecal coliform standards during wet weather conditions. Given stormwater fecal coliform levels equivalent to the national mean of 15,000 per 100 ml, watershed practices may need to achieve nearly a 99% removal rate to meet standards. The inability of current stormwater practices, stream buffers and source controls to attain this daunting performance level is reviewed in article 67.

The third troubling conclusion is that watershed managers will need to perform a lot of detective work to narrow down the lengthy list of potential bacteria suspects. Considerable monitoring resources will need

Table 8: Concentrations (Geometric Mean Colonies per 100 ml) of Fecal Coliforms from Urban Source Areas (Steuer *et al.*, 1997; Bannerman *et al.*, 1993)

Geographic location	Marquette, MI	Madison, WI
No. of storms sampled	12	9
Commercial parking lot	4,200	1,758
High traffic street	1,900	9,627
Medium traffic street	2,400	56,554
Low traffic street	280	92,061
Commercial rooftop	30	1,117
Residential rooftop	2,200	294
Residential driveway	1,900	34,294
Residential lawns	4,700	42,093
Basin outlet	10,200	175,106

to be applied to isolate the unique mix of bacteria sources that cause water quality problems in each specific watershed, and more importantly, identify sources that are most controllable.

Lastly, it is very troubling that we understand so little about the actual relationship between bacterial indicators and the risk to public health in urban watersheds. Fecal coliform remains an imperfect indicator, yet no better alternative has yet to emerge to replace it. A great deal more research is needed to fully indicate the real public health risk of urban stormwater. **See also articles 31, 67 and 125.** —TRS

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EXHIBIT L

TIPPING POINT

'What diluted sewage looks like.' American River in Sacramento tainted with feces

BY RYAN SABALOW AND VINCENT MOLESKI

SEPTEMBER 12, 2019 05:30 AM



Families enjoying Tiscornia Beach at the American River confluence on Labor Day 2019 weren't aware of alarmingly high levels of E. coli recently found in water tests. The beach is downstream from homeless encampments that aren't served by restrooms. BY DANIEL KIM

A grocery sack containing what appeared to be human feces hung from a branch over the American River, a short boat ride upstream from one of Sacramento's most popular summertime swimming areas.

Nearby, a makeshift toilet was perched over a hole in the sand, feet from the waterline and a short walk from a couple of tents and a man washing a shirt in the river.

"Depends on my mood, but if I have to go, I pop a squat," said another nearby homeless man, before paddling away in a blue kayak.

The scenes on the American late last month illustrate an ongoing public health and environmental crisis in one of the two rivers that flow through California's capital city. As [Sacramento's homeless population grows](#), the encampments and lack of public bathrooms for the people who live along the banks have created a risk of disease, public health data and interviews show.

A Sacramento Bee investigation found high levels of E. coli bacteria — a sign of fecal contamination — along the lower stretch of the American, where homeless camps line the banks, residents walk their dogs, and where thousands of swimmers dip into the water to escape Sacramento's summer heat.

Water samples reviewed by The Bee showed dangerous E. coli spikes this summer when swimmers were present at Tiscornia Beach, a popular summertime gathering spot where the American and Sacramento rivers converge north of downtown. There, a swirling effect from the currents causes any bacteria washing from upstream to linger.

[Thirteen out of 15 weekly water samples](#) taken at the beach since June exceeded state and federal standards, records show. Those estimates determine when at least three out of every 100 swimmers would be expected to suffer ailments such as diarrhea from coming in contact with feces-fouled water.

Tiscornia's E. coli readings were three times higher than the safety threshold on Aug. 27, and six times higher on Aug. 13, the height of the summer season. However, officials caution the high numbers wouldn't necessarily translate into a three- to six-fold increase in swimmers falling ill those days.



Angel Martinez runs through the water at Tiscornia Beach at Discovery Park on Sept. 1. Daniel Kim DKIM@SACBEE.COM

Sacramento is one of the few U.S. cities with two easily-accessible rivers running through it. The county-managed American River Parkway attracts millions of bikers, swimmers, boaters, hikers and anglers annually. A [2006 county-commissioned study estimated that by 2025](#), more than 12.4 million people would use the park each year.

Despite this widespread popularity, few public bathrooms are available 24 hours because local officials have refused to provide them where homeless congregate, saying campers would just destroy them. Officials remain unwilling to point to the homeless, which number between 200 and 300 along the American River, as a source of the fecal bacteria.

Instead, they've embarked on a three- to four-year study that will test the DNA of the bacteria to determine its exact source. The cost to taxpayers: \$600,000 to \$800,000.

For their part, local officials say aside from the study, they're already taking other steps to address the region's homeless issue. The Sacramento City Council recently approved new shelters that will come online in the coming months, which will help reduce the numbers of parkway campers, officials said.

In the meantime, [they post results of the state's E. coli tests on the county's website](#) and have installed permanent signs along the parkway's river access points to warn swimmers to avoid drinking the water and to wash their hands and shower after getting wet.

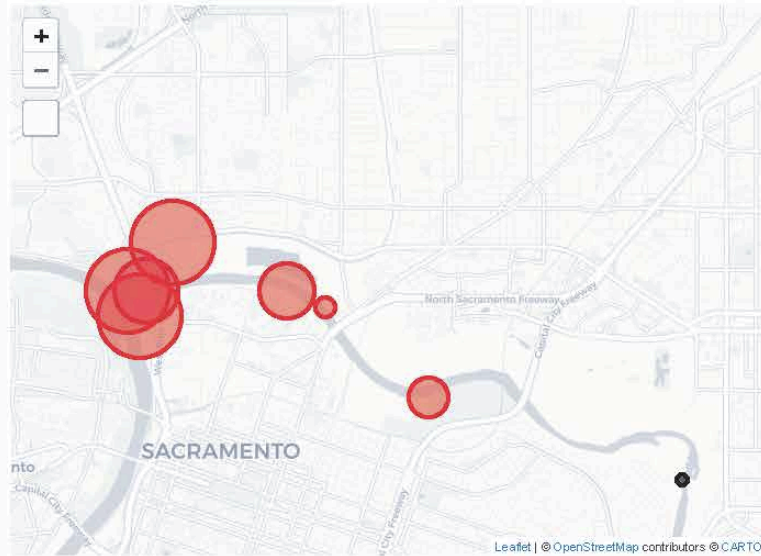
Those are good steps, said Alexandria Boehm, a [Stanford University professor who studies water quality](#) and contamination at public beaches. But Boehm said she wouldn't swim or let a child get in the water at Tiscornia Beach after reviewing the state's E. coli sampling data and learning that homeless camps were upstream.

She's alarmed and baffled by officials' decision not to set out toilets for the campers.

"You don't need a PhD to say, 'There's somebody pooping in the river. Let's put a bathroom out,'" she said.

TESTING THE WATERS

The EPA requires a public health warning when 3.2 people out of 100 would likely suffer digestive problems from coming in contact with feces-contaminated water. Percentage of tests along the American River that exceeded that threshold since 2018:



Map: Nathaniel Levine and Michael Finch II • Source: California State Water Resources Control Board

'THE REAL ISSUE HERE'

In interviews with The Bee, Sacramento County's public health officers, its parks director, the parkway's chief ranger, and the city councilman and county supervisor whose districts include the Lower American River were either noncommittal or adamant that providing restrooms for homeless encampments wasn't on the table.

When portable toilets are set out, the officials said, the homeless just destroy them. Officials told horror stories of the toilets getting clogged with sleeping bags, tipped over or set on fire. Officials do provide several portable bathrooms at Tiscornia, and for special events and when flooding closes permanent restrooms.

County park rangers also have to lock permanent parkway bathrooms during the night because the homeless use them to do drugs or for prostitution, they said.

BEHIND OUR REPORTING

About this story

Thousands of people swim, boat and fish in the American River near downtown Sacramento.

But a Sacramento Bee investigation found alarmingly high levels of E. coli bacteria — a sign of fecal contamination — along the lower stretch of the American, where homeless camps line the banks, residents walk their dogs, and where thousands of swimmers dip into the water to escape Sacramento's oppressive summer heat.

Click on the arrow in the upper right to read more.

Officials said the only solutions are long-term ones, including more affordable housing and more shelter beds.

“If this is really a story about E. coli, let’s talk about what is contributing to the fact that you’ve got a population living on the parkway,” Sacramento County Supervisor Phil Serma said. “That’s the real issue here.”

Some relief on that front is on the way, but how much it will clear out campers along the river is unclear.

The Sacramento City Council voted last month to create hundreds of more shelter beds in the coming months. But most of the new shelters are focused primarily on getting homeless off the streets in individual neighborhoods, downtown in the [Capitol Park Hotel](#) and under the W/X freeway and in south Sacramento, miles from the parkway.

Sacramento County, which spent more than \$50 million in homeless services last year, runs homes and apartments across the county as “scattered-site” shelters that house about 275 people a year. Another nearly 300 families are served by the county in shelters and temporary housing annually. But even as the county has [prioritized finding permanent housing for homeless people](#), finding available affordable units to house the remaining thousands has proved challenging.

As the homeless population grows, a [report released last year by the Sacramento Regional Coalition to End Homelessness](#) pointed to a widespread lack of bathroom access that extends far beyond the parkway. The report said the city operates 205 parks, but most either have no bathrooms or have facilities with limited hours. In the central city, where many homeless people congregate, only five of 22 parks have restroom facilities.



A man washes clothes in the American River in Sacramento on Aug. 28. Daniel Kim DKIM@SACBEE.COM

Portable toilets are relatively cheap. The county says each one costs \$155 per month to rent and maintain. But it's far more expensive to operate bathrooms that are staffed by workers to make sure they're kept clean and not vandalized.

In 2016, the city started a six-month pilot program that opened a "pit stop" restroom in the River District, an industrial area north of downtown, that was staffed during daytime hours. The program cost taxpayers around \$174,000. Of that, the city paid \$35,000 for a used, air-conditioned mobile restroom, featuring a dog-waste and needle-collection containers.

After the trial run, the city decided to shelve the program and is instead spending \$575,000 on restroom and other homeless services at a county-owned facility in the River District.

The pit stop, meanwhile, is still available for rent from the city. The cost: \$450 a day.

County spokeswoman Kimberly Nava said staffing a facility like that 24 hours a day would cost county taxpayers around \$200,000 a year.

Meanwhile, parkway rangers can issue citations for open defecation, but tickets for human waste aren't commonly given out. The campers have learned to hide their makeshift latrines or dispose of their feces, because if a ranger sees it, they can get cited, said Chief Ranger Michael Doane.

A recent federal appellate court ruling prohibits local governments from prosecuting homeless people for sleeping on public property if there are no available shelter beds. But rangers maintain they still have the authority to clear permanent illegal campsites from the parkway due to garbage, damage to levees and environmental degradation.

As of August, rangers have cleared 4,138 camps and removed 975 tons of trash in 2019.

The camps quickly pop back up.

Tommie McKinnie, who was camped last month upstream from Tiscornia, said when he has to go, he uses a plastic bag and carries his waste to the trash piles along the adjacent bike trail, where it's picked up and disposed of by park workers. But many of his neighbors are far less courteous, he said.

"They throw bags (of feces) into the river. Sometimes they get into the river and just poop," he said.

"Where they gonna go, you know what I mean? McDonald's is way down there. They're not going to walk all the way down to the restroom. They're going to use the restroom right here. Every day, someone is using the restroom right here on this beach. Every day. I can tell you, right now, you can walk down, and you'll see toilet paper right there. On the ground. With poop on it."



Tommie McKinnie, who is homeless and lives along the American River, talks about his experience with the lack of bathrooms along the river in Sacramento on Aug. 28. Daniel Kim DKIM@SACBEE.COM

Some swimmers are unaware of what's going into the water upstream.

Over the busy Labor Day weekend when temperatures neared 100 degrees, Tawny Cooper was one of the dozens of people lounging at Tiscornia Beach. Cooper hadn't seen the sign with small lettering warning swimmers about the risks on the drive into the parking lot. She said she had no idea that the water she was about to wade into was fouled with fecal bacteria.

"I was going to take a dip, but I might not now," she said. "That's really gross. Aren't there bathrooms around here?"

VIOLATING FEDERAL STANDARDS

So far, no cases of water-borne illness have been reported to county health officials, but experts say that's no guarantee people aren't getting sick.

The samples the state takes from the river are only looking for *E. coli* as an indicator of fecal contamination in the water, experts say. Not every strain of *E. coli* bacteria causes potentially lethal symptoms such as bloody diarrhea, which would trigger a notification to county health officials. Most *E. coli* strains found in human and animal intestines are harmless.

But feces can contain a host of other viruses and bacteria that can make people sick. Usually, the symptoms they would cause such as diarrhea clear up without a doctor's visit, so the health department likely would never know if someone fell ill from swimming in the American, said Robert Metcalf, a retired Sacramento State microbiology professor who studies water contamination.

To determine the health risks of feces-contaminated water, the U.S. Environmental Protection Agency studied the rates at which swimmers were likely to suffer some sort of illness based on *E.*

coli levels in the water.

Based on the research, the EPA set a public health warning threshold for when at least 32 people out of 1,000 would likely suffer from digestive problems from coming in contact with the water. In 75 tests since 2018, Tiscornia Beach exceeded that threshold in three out of every four samples, according to a Bee analysis of the state's data.

Metcalf's wife, Mary Beth, a physician, is on the Save the American River Association board of directors, which has been calling for more bathrooms along the parkway because of the risk to public health. SARA volunteers also have been performing their own bacterial sampling along the American River under Robert Metcalf's guidance.

"Horrendous," retired Sacramento State professor Alan Wade said in an email that included pictures showing ghastly gobs of bacterial growth on Petri dishes from recent samples he'd taken at Tiscornia. "This is what diluted sewage looks like."

'A LONG-TERM PROBLEM'

State officials at the Central Valley Regional Water Quality Control Board, which regulates water quality, are deferring to the county's leadership on what to do with the results from their E. coli sampling data.

With no fecal disease outbreaks in Sacramento, officials are waiting for the results of the multi-year DNA testing study to be able to conclusively say where the contamination is coming from in the American River and whether it's human-caused. The sampling started last month.

Officials will spend the next three to four years gathering samples at various points along the river and DNA testing the E. coli bacteria they collect. The hope is they'll be able to track down exact sources of the contamination so the problems can be fixed.

"This is a long-term problem. We are not going to fix this problem tomorrow," said Meredith Howard, a regional water board official whose agency is leading the \$600,000 to \$800,000 study, funded by the county and local stormwater and sewer districts.

Leaky sewage lines and other urban sources of feces could be contributing to the E. coli spikes, officials say. The DNA tests also could prove whether the E. coli stems from dogs and geese, whose feces also is found along the parkway.

On a recent morning, nearly 50 Canada geese were swimming at Tiscornia Beach. A single goose can produce up to three pounds of feces per day, [by some estimates](#).

Several dog walkers were spotted letting their animals swim in the river near Sutter's Landing, a popular dog park.

Last week, county-supplied dog waste bags weren't anywhere to be seen on the walking path from the park to the American River. But several piles of dog feces were in the sand along the trash-strewn shoreline. Four young women in bikinis lounged waist-deep in the water, below a homeless campsite surrounded by trash. Toilet paper and human feces were strewn through the trees nearby.

Over Labor Day weekend, Edgar Munoz said he usually comes to the river about once a year, but after learning about the bacteria in the water, he'll be thinking twice about taking a swim next time.

"I might not go in there now," Munoz said. "I might just go home and rinse off."

PROFOUND DISEASE RISKS

The health risks associated with open defecation aren't limited to swimmers.

Last year, at least 14 cases of typhoid fever, a disease that can spread through fecal contamination, were reported in Los Angeles County, though it's not clear how many of them, if any, were linked to the homeless encampments. Typhoid is rare in the U.S. with most cases associated with people who travel to foreign countries with substandard sanitation.

The trend continued this year. So far, there have been at least eight reported cases. One Los Angeles Police Department officer, and possibly a second, caught the disease, according to a May LAPD news release. The officers were based at a station near Skid Row where an estimated 2,000 homeless people live, but health officials and the LAPD haven't disclosed how the officers came in contact with the bacteria.

Two years earlier, [20 people died in San Diego County](#) from an outbreak of Hepatitis A, which was linked at least in part to poor sanitation among the homeless.

Both the bacteria that causes typhoid and the virus that causes Hepatitis A are found in stool, and they can easily spread when infected people don't wash their hands after defecating. Typhoid also can be spread through water contamination. No outbreaks of either disease have been reported in Sacramento.

In San Diego during the Hepatitis A outbreak, officials declared a formal public health emergency, and began placing toilets and hand-washing stations out for the homeless, including along its rivers, said David Gibson, executive officer of the San Diego Regional Water Quality Control Board.

San Diego County officials in 2017 estimated around 300 people live along the San Diego River alone.

Yet officials almost immediately took many of the toilets away once the outbreak was contained, Gibson said.

The hepatitis outbreak may have been contained, but that hasn't stopped homeless people from defecating where their feces washes downstream, contaminating local rivers and San Diego's ocean beaches.

This summer, Gibson's agency ordered local authorities to investigate and identify the sources of human fecal bacteria in the lower San Diego River. Gibson doesn't have the authority to order them to put the toilets back out, but his agency can fine local authorities for allowing fecal waste from the camps to contaminate the waterway.

For Gibson, providing toilets would be a common-sense solution to a basic public health problem.

"Indeed, when you see outbreaks of hepatitis and typhoid," Gibson said, "you begin to realize we've in a sense taken a step a century back in communicable diseases through lack of adequate sanitation."

Sacramento Bee reporters Theresa Cliff, Tony Bizjak, Michael Finch II and Alexandra Yoon-Hendricks contributed to this story.

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Comment 8-1:

The comment asserts that the Draft EIR fails to provide an adequate project description by not settling on a finite project description for Trail Segment #2.

Response to Comment 8-1:

Pages 2-1 through 2-12 provide a comprehensive description of the proposed project. Consistent with CEQA Guidelines Section 15124, includes a detailed map showing the precise location and boundaries of the proposed project (see Figures 2-1 and 2-2 on pages 2-3 and 2-4 of the Draft EIR), a list of the project objectives sought by the proposed project (see page 2-1), a general description of the project's technical, economic, and environmental characteristics (see pages 2-1 through 2-11), and a brief description of the intended uses of the Draft EIR (see page 2-12).

As more fully described in Chapter 2 "Project Description" of the Draft EIR, the trail description was divided up into 6 different segments. Trail segments were determined based on existing land use, topographic, and trail design considerations that would be encountered within the American River Parkway. For example, Segment's 1 and 3 will require coordination with the Union Pacific Rail Road and development of a protective cover over portions of the proposed trail traversing beneath the railroad crossing. With no real defined bench along a portion of the water side levee in Segment 4, a benched alignment was proposed for this segment, but was changed to a top of levee alignment due to potential levee performance issues associated with construction of a "benched" alignment. Trail segments 1 and 2 also offer unique land use and design challenges resulting from past landfill and disposal activities. For this reason, two alignment sub-alternatives are proposed for Segment 2. These alternatives are located along the boundaries of the parcels and would minimize land use and health and safety impacts resulting from ongoing land fill remediation activities on site. Due to the timing of onsite remediation activities and the design costs associated with constructing a trail in this location, the City has indicated that construction of Trail Segments 1 and 2 would be completed at a future date, contingent on the availability of funding and the status of landfill remediation activities (see page 2-7 of the Draft EIR). As more fully described above in Master Response #2 "Biological Resources" (see Section 2.2.1), the existing Mitigation Measure BIO-6 has been modified to ensure additional tree and vegetation evaluations and environmental analysis is considered prior to completing final design and construction of these trail segments.

Comment 8-2:

The comment asserts that the project description provided in the Draft EIR does not clearly describe the reason for the alignment change to a "levee-top" trail for Segment 4.

Response to Comment 8-2:

The commenter is incorrect in their assertion and is directed to pages 1-3 through 1-5, Section 1.2 "Project Location and Background" of the Draft EIR. In addition to describing (see below) why the proposed project evolved from the trail alignment evaluated in the IS/MND to the current project, the Draft EIR provides a finite project description that was consistently analyzed throughout the EIR.

As stated in the Draft EIR, preliminary discussions with several responsible agencies (including the ARFCD and USACE) considered placement of the trail on a med-height bench (along the waterside levee slope) to be a potential risk to levee performance, with the potential to increase levee operation and maintenance costs. Consideration of these issues contributed to the ARFCD Board's decision in

March 2019 to grant the City a variance to construction a “levee top” trail along a 0.25 mile portion of Segment 4, thus removing the levee performance concerns associated with the previous trail design. With no levee performance issues identified for the remaining trail segments and considering the ARFCD safety issues reiterated above in Comment Letter #3 (from the American River Flood Control District, David Aladjem), the City does not anticipate any additional “levee top” variances from the ARFCD for other segments of the proposed trail project. This coordination effort on behalf of the City and the ARFCD does not indicate a lack of a finite project description, as the commenter asserts. Rather, it demonstrates the desire of the City (and the project’s responsible agencies) to design a trail project that minimizes environmental concerns and meets the overall intent and objectives of the proposed project.

Comment 8-3:

The commenter describes a perceived uncertainty regarding the treatment of the Erlewine gate, under the proposed project and indicates that the Draft EIR should disclose if changes to the Erlewine gate are expected as part of the project, or at least include those changes in the cumulative projects list.

Response to Comment 8-3:

As described above in the response to comment 7-19, the City has no plans to impede access to the American River Parkway through closure or alteration of the Erlewine Gate access point under the proposed project. For this reason, the project description in the Draft EIR does not identify any improvements or design considerations for the Erlewine gate.

Comment 8-4:

The comment asserts that the long term impacts from operation and maintenance of the project are not described in the Draft EIR.

Response to Comment 8-4:

Section 2.3.6 “Trail Operations and Maintenance”, Chapter 2.0 “Project Description”, of the Draft EIR describes the operation and maintenance associated with the project. The section (page 2-11) begins with an overview of the various operation and maintenance measures that would be implemented as part of the proposed project (consistent with other trails and recreation areas within the American River Parkway), including public safety, litter control, graffiti control, signage, access control, security, compliance enforcement, repair, rehabilitation, replacement, and removal of recreational trails facilities.

Additionally, Section 2.3.6 “Trail Operations and Maintenance”, also describes the following typical vegetation management activities would routinely occur, as part of the proposed project:

- Mowing – Mowing activities would occur up to 4 times annually, performed by ARFCD. Mowing would generally occur within a 4-foot area on each side of the trail. Mowing within the drip-line of elderberry shrubs would be limited to the season when adult valley elderberry longhorn beetles (VELB) are not active (August - February) and would avoid damaging the elderberry shrub.
- Trimming – Trimming of vegetation and hazard tree/limb removal along the trail would occur once annually. Woody vegetation would be trimmed back up to 4 feet from the sides of the trail, with a 12-foot vertical clearance. Vegetation less than 3 inches in diameter would be cleared by

hand or small engine weed-eaters or chainsaws. Small material or grasses would be mowed close to the ground with low impact rubber-tired tractors. Vegetation over 3 inches in diameter may require larger equipment such as telescoping chainsaws, hoe-mounted flail mowers, bucket machines to hoist the crew and equipment, and climbing crew with chainsaws.

- Removal of Vegetation from Trail Surfaces – The removal of invasive vegetation would be eradicated through very limited and selective application of herbicides. Per U.S. Fish and Wildlife Service (USFWS) recommendations, the use of insecticides, herbicides, fertilizers, or other chemicals would not be used within 98 feet of elderberry shrubs.
 - As much as feasible, all O&M activities that could occur within 165 feet of an elderberry shrub, would be conducted outside of the flight season of the VELB (March - July) to minimize impacts to VELB. However, it is assumed that up to 5 elderberry shrubs may be affected as part of maintenance activities.

These Operation and Maintenance activities are part of the proposed project and have been evaluated as part of the impact analysis described in Chapter 3. “Environmental Setting, Impacts, and Mitigation Measures”. Specific references to the vegetation maintenance plan include Impact BIO-1, which provides an analysis and quantifies the impacts to riparian vegetation and VELB (Table 3.2-2). The potential noise impacts associated with trail maintenance activities are addressed in Impact NOS-1 (page 3.8-8 of the Draft EIR) and traffic/circulation impacts are addressed in Impact TRC-2 (page 3.10-5 of the Draft EIR).

Comment 8-5:

The comment asserts that the Draft EIR’s analysis of environmental impacts is defective and fails to disclose potentially significant impacts which the commenter summarizes, including: unsheltered persons (failure to address the baseline amount of illegal camping activity in the project area or that paving the trail for the project would facilitate increases in unsheltered persons residing in the project area), water quality (presence of fecal coliform), and impacts to public services from increase in crime, fires, or waste disposal, resulting from the proposed project.

Response to Comment 8-5:

The summary of environmental impacts described by the commenter is noted. As referenced in the last paragraph of Comment 8-5, specific comments on these significant impacts follow. Responses to these specific comments are also provided below.

Comment 8-6:

The commenter asserts that the proposed project would be inconsistent with the City of Sacramento’s General Plan Master EIR because that document contemplated a trail constructed on the levee top. The comment also asserts numerous inconsistencies with the ARPP (Paradise Beach Policy 10.26 and Parkway Policy 10.4.2) including those identified in Exhibit G of the commenter’s letter, including inconsistencies with City of Sacramento General Plan Policy ER 2.1.5, which calls for the City to preserve the ecological integrity of creek corridors and riparian resources. Additionally, the comment asserts that the City and County have no funding to pay for maintenance, representing an inconsistency with the ARPP.

Response to Comment 8-6:

Please refer to Master Response #3 “Land Use Compatibility” (provided above in **Section 2.2.1**) for a detailed discussion of the perceived inconsistencies with the City’s General Plan and the ARPP identified by the commenter. As discussed in detail in the master response, the proposed project is considered a future improvement in the ARPP and the commenter misconstrues the construction of this planned improvement as an inappropriate extensive development. Additionally, consistent with the intent of Policy ER 2.1.5, the City considered and incorporated a number of trail design and construction features (including a levee top trail within Segment 4 and placement of most construction staging areas outside of the Parkway or within disturbed areas) to minimize biological resource impacts resulting from the project and to preserve the ecological integrity of riparian and other sensitive habitats, contrary to the commenter’s assertion. As stated in the last sentence of Policy ER 2.1.5, the City is proposing mitigation in compliance with local, state, and Federal regulations, consistent with the intent of the policy, the larger Goal ER 2.1, and the additional 43 policies from the City of Sacramento General Plan and the American River Parkway Plan described in pages 3.2-11 through 3.2-19 of the Draft EIR.

Comment 8-7:

The commenter asserts that the project may have potentially significant aesthetic impacts, including those associated with increased transportation and illegal camping uses.

Response to Comment 8-7:

As more fully described above in the response to Comment 7-2, the Draft EIR analysis fully describes how the proposed project would not result in a significant impact to scenic quality due to several factors; including, the project’s temporary disturbance period and relatively narrow construction corridor; the proposed project’s consistency with the goals and policies of the ARPP, in particular Policy 3.1, 8.4, 8.17, and 10.4.2; and the resultant vegetation impacts which are distributed throughout the narrow linear construction corridor as it traverses the larger American River Parkway.

Previous comments submitted on the IS/MND were considered. As a result, the Draft EIR provided additional photo documentation (see Figures 3.1e and 3.1f) and analysis which included comparisons of existing views along the proposed trail alignment with example views from similar developed trails (including both Top of Levee and waterside Toe of Levee segments) within the American River Parkway. Previous comments are correct in indicating that some portions of the proposed trail alignment are narrower, with a greater density of surrounding vegetation. However, several other portions of the trail alignment (as shown in Figure 3.1f) include much wider expanses between the proposed trail corridor and riparian vegetation, that would likely not be affected by the project.

Overall, previous trail planning and outreach activities have influenced trail design revisions that have taken into consideration the unique aesthetic and biological resource characteristics of the study area. Specific design considerations have included a trail location that addresses neighborhood concerns for visibility and privacy; a flexible trail width that can be adjusted to minimize vegetation disturbance in more restricted areas of the corridor; and the placement of staging areas in disturbed areas or locations outside the American River Parkway to minimize the project’s overall construction footprint, native vegetation disturbance, and ultimately the scenic quality of the study area.

Both Section 3.9 “Public Services, Recreation, and Utilities” and Section 3.10 “Transportation and Circulation” describe the impacts of increased pedestrian and bicycle use generated by the proposed

project. Levee maintenance vehicle trips within the project area would remain unchanged as part of the proposed project.

As more fully described above in the response to comment 7-10, the Draft EIR analysis concluded that there was no substantial evidence to indicate that the proposed project would lead to increased crimes or fires relative to the current condition of the project area resulting in the need for additional law enforcement staff or facilities as the proposed project would not include a significant expansion in terms of buildings or associated population growth and because a majority of the trail alignment is currently used for various types of undeveloped recreation, served by the City of Sacramento Police Department and City/County Park Rangers.

During subsequent discussions with Sacramento Police Department and City/County Park Ranger personnel, the general consensus from law enforcement personnel is that portions of the study area have existing homeless populations and that increasing activity (through additional recreational use) may reduce the opportunities for continued use of the area for illegal camping.

Comment 8-8:

The commenter asserts that the project may have potentially significant impacts on recreation and aesthetics.

Response to Comment 8-8:

The commenter is referred above to the response prepared for comment 7-13. Potential conflicts between new and existing trail uses are addressed under two separate impact discussions (Section 3.9 “Public Services, Recreation, and Utilities” and Section 3.10 “Transportation and Circulation”) in the Draft EIR. Page 3.9-8 of the Draft EIR addresses this impact under Impact PSR-3, which acknowledges comments received from the IS/MND and NOP, which identified similar concerns for increased conflicts between existing pedestrian use and high-speed bicycle trail users. The impact analysis further states that the design of the proposed project addresses this impact by incorporating a modified trail design that includes multiple trail options (paved trail, wider unpaved shoulders, and informal foot trails) which combined with the relatively narrow paved trail cross section (compared to other segments of the American River Parkway trail) would reduce the potential for conflicts among trail users.

Page 3.10-5 of the Draft EIR also addresses this issue under Impact TRC-2. The analysis for Impact TRC-2 also describes how the trail design (with wide shoulders for pedestrian access and a narrower paved surface to reduce bicycle speeds) is intended to minimize trail user conflicts between existing pedestrian and proposed bicycle use.

Regarding the potential aesthetic impacts resulting from project-related tree removal, the commenter is directed to Impact AES-1 (page 3.1-11 of the Draft EIR), which describes the project impacts to scenic quality. Previous comments submitted on the IS/MND were considered during preparation of the Draft EIR, with trail design incorporating several considerations to minimize vegetation and tree removal including, a location that addresses neighborhood concerns for visibility and privacy; a flexible trail width that can be adjusted to minimize vegetation disturbance in more restricted areas of the corridor; and the placement of staging areas in disturbed areas or locations outside the American River Parkway to minimize the project’s overall construction footprint, native vegetation disturbance, and ultimately the scenic quality of the study area.

Impact AES-1 describes how the proposed project would not result in a significant impact to scenic quality due to the project's temporary disturbance period and relatively narrow construction corridor; the proposed project's consistency with the goals and policies of the ARPP, in particular Policy 3.1, 8.4, 8.17, and 10.4.2; and the resultant vegetation impacts which are distributed throughout the narrow linear construction corridor as it traverses the larger American River Parkway. Additionally, as more fully described in Section 3.2 "Biological Resources", the Draft EIR includes the following mitigation measures developed to minimize vegetation impacts along the trail corridor and reduce the spread of invasive plant species:

Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions

The City shall ensure the construction contractor will implement the following actions before and during construction activities:

All temporarily disturbed areas shall be returned to pre-project conditions within one year following completion of construction/maintenance. These areas shall be properly protected from washout and erosion using appropriate erosion control devices including coir netting, hydroseeding, and revegetation.

Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species

The City shall ensure the following mitigation measures shall be implemented, as appropriate, to avoid the spreading of invasive plant species throughout the project site during construction and maintenance activities, particularly in riparian areas:

- All hay, straw, hay bales, straw bales, seed, mulch, or other material used for erosion control or landscaping on the project site, and all material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
- All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)

Following completion of the construction phase of the project, the City will ensure the trail operator implements the operation and maintenance measures designed to remove invasive species from the project area. These measures are fully described on page 2-11 of Chapter 2 "Project Description" of the Draft EIR and were fully evaluated as part of the proposed project.

Comment 8-9:

The commenter asserts that the project may have significant air quality operational impacts from maintenance vehicles.

Response to Comment 8-9:

The commenter is incorrect and referred to the response prepared for comment 7-16. As more fully described in the response, the air quality and related greenhouse gas emissions analysis and impact conclusions) provided in the IS/MND were determined applicable to the proposed project and incorporated by reference into the Draft EIR. This included both construction and operation-related impacts. Operation-related impacts were determined to be less than significant due to the relatively small number of vehicle trips resulting from routine inspections, debris removal, trail repair of cracks, in addition to typical vegetation management activities. Operation-related air quality emissions resulting from the project are not expected to result in operational emissions of NO_x or ROG above 65 pounds per day, exceeding Sacramento Metropolitan Air Quality Management District's thresholds of significance.

While air quality modelling and analysis documented in the IS/MND concludes that construction-related air emissions would also not exceed Sacramento Metropolitan Air Quality Management District's thresholds of significance, all projects that would involve construction activities, regardless of the significance determination, are required to implement applicable Basic Construction Emission Control Practices. These air quality and greenhouse gas emission control practices (including low vehicle speeds, limited equipment idling, etc.) would apply to the proposed project and are referenced in Mitigation Measure AIR-1, which is included in Table ES-1 "Summary of Impacts and Mitigation Measures" of the Draft EIR.

Comment 8-10:

The commenter asserts that the project may have significant biological resource impacts.

Response to Comment 8-10:

The commenter is directed above to Master Response #2 "Biological Resources". Commenter is incorrect in asserting that the Draft EIR failed to analyze a full levee top alternative. The commenter is referred to the analysis for Alternative 2 "Top of Levee Construction-Segments 4 through 6" provided on page 4-4 of Chapter 4 "Description of Project Alternatives" of the Draft EIR. Additionally, as noted in Master Response #2, any approved vegetation replacement planting will also adhere to the riparian habitat replacement requirements determined by the California Department of Fish and Wildlife as part of their review and approval of a Streambed Alteration Agreement with the American River Parkway for the proposed project.

Comment 8-11:

The commenter asserts that the Draft EIR fails to identify the number of trees to be removed and trimmed within Segments 1-2 and is delaying analysis of the project's potentially significant impacts.

Response to Comment 8-11:

The commenter is directed above to Master Response #2 "Biological Resources".

Comment 8-12:

The commenter asserts that the Draft EIR fails to fully analyze biological resource impacts, including the potential impacts of purported mitigation measures from any permitting requirements.

Response to Comment 8-12:

The commenter is directed above to Master Response #2 “Biological Resources”. State and local permitting agencies with jurisdiction over the project are identified in Section 2.4 “Project Permits and Approvals” of the Draft EIR. Construction of the proposed project will not occur until all permitting requirements have been completed. Mitigation requirements (including location, compensation ratios, etc.) will ultimately be determined following consultation with key regulatory agencies having responsibility over the management of affected resources, including the CDFW (compliance with 1602 Streambed Alteration Agreement), the USFWS (Endangered Species Act compliance for VELB), and the County of Sacramento (tree ordinance), within the study area. To facilitate agency review and permitting compliance, the Draft EIR includes appropriate environmental setting/baseline descriptions, a quantification of habitat and species impacts (tables and maps identifying tree and VELB locations), and a comprehensive set of mitigation measures (including applicable best management practices and avoidance measures from similar and recent agency consultations).

Comment 8-13:

The comment asserts that the Draft EIR does not adequately address potential water quality impacts resulting from increased trail use.

Response to Comment 8-13:

The second paragraph of the comment (page 10 of 16) states the following:

Though the project would increase visitors to the American River Parkway, it does not include additional restroom facilities, nor additional trash receptacles. This increase in visitors can be expected to result in an increase in human and dog feces in the area along the trail. As described in a recent Sacramento Bee article, there is an “ongoing public health and environmental crisis” on the American River. (See Exhibit L, ‘What diluted sewage looks like.’ American River in Sacramento River tainted with feces, Sacramento Bee, September 12, 2019.)³ As the article discusses, the lack of bathroom facilities for unsheltered persons camped along the American River is a likely contributor to the contamination. At sample sites just downstream of the project area, many of the samples show unsafe levels of E. coli.

City understands and agrees that homelessness has increased in the region and with that increase many public and environmental resources may be affected. However, implementation of the proposed trail project is not anticipated to result in additional homeless populations within the area. Trail use would generate additional recreational visitors or uses following project implementation; however, new visitors would be similar to existing uses in the proposed project area (hiking, dog walking, bicycling). Although the number of users along the trail alignment, particularly bicycle commuters, may at times be greater relative to existing conditions, the exact mix of new users who may use the trail, and the assumption that certain types of trail users will degrade water quality conditions in the adjacent American River (particularly regarding the presence of fecal coliform *Escherichia coli* (abbreviated as *E. coli*) is speculative.

The September 12, 2019 Sacramento Bee article included as part of the commenter’s original letter (dated November 30, 2018) submitted in response to the IS/MND does discuss fecal contamination in the Sacramento and American rivers, however this article focuses on issues specifically at Tisornia

Park and cites State Water Resources Control Board (SWRCB) test results from locations outside of the study area for the proposed trail alignment. The Sacramento Bee article also specifically states that local hydraulic conditions at the confluence of the Sacramento and American rivers may exacerbate *E. coli* concentrations in this area. Due to the addition of Sacramento River water and the proximity to downtown near the Tiscornia Park site, the City asserts that analysis of water quality impacts several miles downstream of the proposed project location are outside the scope of this Draft EIR and there is no evidence to support that the proposed project would affect the water quality conditions described.

The article cited also states that geese are capable of producing up to three pounds of feces per day. As stated in the Draft EIR (page 3.6-9), most *E. coli* strains are harmless and do not cause human illness (they are the necessary bacteria found in the intestines of mammals). As cited in the article, until the results of ongoing DNA testing are available, to specifically pinpoint the species-specific origin of fecal contamination in the American and Sacramento rivers, this issue will likely remain unresolved and cannot be fully analyzed. If DNA results of feces analysis ascertain whether or not the contamination is originating from humans, geese, dogs or other mammals, then other management solutions may be developed by the City, County, SWRCB, and/or EPA. However, proposing solutions for the regionwide management of fecal coliform is outside the scope of the Draft EIR and the effect of paving a small section of trail near the river, as it relates to regional *E. coli* contamination levels cannot be attributed to a specific source, use, or user at this time. Additionally, there is no evidence to support that the proposed project would exacerbate the water quality conditions described.

Additionally, the Watershed Protection Techniques journal article also submitted as part of the commenter's original letter (dated November 30, 2018) is not specific to the project area or the Sacramento region and discusses general fecal contamination issues in urban waterways. The City respectfully disagrees with the commenter's assertion that the sources provided in their submitted comment letter provide substantial evidence that the proposed project would cause water quality impacts due to fecal coliform bacteria and disagree with the commenter that results from this journal article should be used to inform impact conclusions in the Draft EIR, because site-specific water quality data for the proposed project alignment is available from an ongoing SWRCB/County/SASD study of water quality and this site-specific data was used to discern impact conclusions provided on page 3.6-9 of the Draft EIR.

The commenter cites EPA public health warning thresholds and infers that the Draft EIR has not adequately disclosed *E. coli* levels or warnings. As stated in the Draft EIR, many sites along the Lower American River are sampled weekly for *E. coli* concentrations. The Paradise Beach site is the only sample site that is immediately adjacent to the waterside trail alignment, and this site has not shown any exceedances of the SWRCB's Statewide Bacterial Objectives, which were adopted to protect recreational users from the effects of pathogens in California water bodies, during the period of available data (January 11, 2018 and October 8, 2019). The bacterial objectives are consistent with Section 303(c) of the Clean Water Act and 40 CFR part 131, and EPA has issued an approval letter for these objectives, including an assertion that the SWRCB Bacteria Water Quality Objectives correspond with the risk protection level of 32 illnesses per 1,000 (i.e. 3.2 out of 100) recreators and use *E. coli* as the indicator of pathogens in freshwaters. The SWRCB monitoring threshold for *E. coli* is 100MPN/100mL for the geometric mean of 5 samples taken over 35 days, which is even more stringent than the Basin Plan requirement cited by the commenter. Current water quality monitoring results can be found at the following site: https://docs.google.com/spreadsheets/d/1W5JdX6gx07uTsK_i_sFVXSftlNql-dLurXI4v3A9zKA/edit#gid=446055853.

The County Regional Parks Department also works under the direction of the Sacramento County Health Officer to inform recreation users of the risks of boating, swimming or wading in the Lower American River. Informational signs are posted at common river access locations with historically high *E. coli* readings such as Discovery Park Boat Launch, Tiscornia Beach, and the Howe Avenue River Access. The County also maintains a “Healthy Swimming Status” web page for locations along the American and Sacramento Rivers: <https://regionalparks.saccounty.net/Parks/E-coli/Pages/ParkStatus.aspx>.

The Appellate Court case cited by the commenter (*Lighthouse Field Beach Rescue v. City of Santa Cruz, 2005, 131 Cal.App.4th 1170, 1197*), specifically addresses a situation that arose when the City of Santa Cruz failed to follow its own policies, as stated in their General Plan, regarding off-leash dog use at a beach and adjacent park, which also contained sensitive habitat areas. The City respectfully disagrees with the commenters assertion that this court decision set a precedent for analysis of potential impacts from increased visitors with dogs, since off-leash use is strictly prohibited in City Parks (except for designated off-leash, enclosed dog parks) and in the American River Parkway. If dog owners allow a pet to be off-leash in these areas, they can be (and frequently are) cited by City and County parks personnel.

The City noted the prior IS/MND comments received regarding the issue of water quality impacts (particularly increases in fecal coliform bacteria) due to assumed increase in dog-owning visitors and a lack of an accompanying increase in restroom facilities and trash receptacles. The City reasserts the conclusion of IMPACT HWQ-1 as described in the Draft EIR (see pages 3.6-0 and 3.6-10), that trail uses following project implementation would be similar to existing uses in the proposed project area (hiking, dog walking, bicycling). Although the number of users along the trail alignment, particularly bicycle commuters, may at times be greater relative to existing conditions, the exact mix of new users who may use the trail, and the assumption that certain types of trail users will degrade water quality conditions in the adjacent American River (particularly regarding the presence of fecal coliform (*E.coli*)) is speculative. The Two Rivers Trail, adjacent American River Parkway and nearby City parks are public recreation facilities and the City cannot control the types of recreationists or other users that choose to access publicly-funded and maintained recreational facilities. Similar to the surrounding trails within the American River Parkway, the proposed project is designed to connect with existing developed access points (Sutter’s Landing Regional Park and Glenn Hall Park) that include trash cans, dog waste bags, and restrooms. Plans for the construction of a restroom facility at Sutter’s Landing Regional Park are currently underway.

The commenter requests that storm water drainage and treatment facilities be constructed specifically to contain drainage water from the trail, that the commenter asserts will contain increased fecal coliform bacteria, specifically from dog feces washed into the river during rain events. The City respectfully disagrees that this is a requirement for the trail solely because the trail would be paved and used by similar to existing uses in the proposed project area (hiking, dog walking, bicycling). The City will design drainage facilities long the trail to accommodate expected stormwater flows, based on historical data. The trail, and any associated grading or drainage will comply with current, industry-standard construction and drainage requirements and will be consistent with stormwater management along other sections of trail and within the Parkway. Except for Segments 1 and 2, which are not water adjacent, current City and County trails drain via culvert or overland flow to the nearest surface waterway. The commenter asserts that after the trail is paved, storm runoff will drain directly into the river without treatment. This mechanism would be consistent with existing drainage patterns and stormwater management at the currently unpaved trail alignment, where any stormflows drain directly to the adjacent river. However, the City is unaware of any requests for drainage improvements or stormwater

capture along the existing, unpaved trail where nearby residents participate in dog-walking, as stated in public meetings and comments, where the danger of contamination from dog feces would currently exist due to existing uses of the unpaved trail. Additionally, other paved and unpaved trails in the City and Parkway contain industry-standard stormwater drainage features, that do not connect to a capture or treatment system. The City of Sacramento, like most cities in the U.S. employ a storm drainage system that drains directly from streets and sidewalks to our surface waterway and does not receive treatment in the same manner as municipal wastewater. The need for region-wide or site-specific stormwater capture and treatment prior to discharge to surface waters is a larger issue and outside the scope of analysis for the Draft EIR.

The commenter suggests the need for additional mitigation such as the placement of bathrooms, provisions for dog feces bags, additional trash cans, proper signage and additional unspecified design modifications. As previously described above, the City has incorporated these suggestions by connecting the trail to existing access points (Sutter’s Landing Regional Park and Glenn Hall Park) that include trash cans, dog waste bags, and restrooms. Plans for the construction of a restroom facility at Sutter’s Landing Regional Park are currently underway.

Comment 8-14:

The commenter asserts that the project may have potentially significant transportation impacts and the Draft EIR does not disclose the existing transportation uses of the project area.

Response to Comment 8-14:

The commenter is directed above to the responses prepared for comments 7-13, 8-7, and 8-8. Both Section 3.9 “Public Services, Recreation, and Utilities” and Section 3.10 “Transportation and Circulation” describe the impacts of increased pedestrian and bicycle use generated by the proposed project. Levee maintenance vehicle trips within the project area would remain unchanged as part of the proposed project.

Comment 8-15:

The commenter asserts that the Draft EIR fails to provide an accurate baseline setting for public safety.

Response to Comment 8-15:

The commenter is directed above to the response prepared for comment 7-10. Section 3.9 “Public Services, Recreation, and Utilities” provides an analysis of the proposed project on both Fire Protection/Emergency Medical Services (Impact PSR-1) and Police Protection (Impact PSR-2) impacts. For baseline setting details, the commenter is directed to the Draft EIR analysis which begins (on page 3.9-1) by providing a description of how law enforcement resources (including Sacramento Police Department and City/County Rangers) are allocated and assigned on an annual basis based upon several factors, including, but not limited to incidents of crime within a geographic area (police beat), population, and police staffing capabilities.

Comment 8-16:

The commenter asserts that the Draft EIR fails to disclose the project’s cumulative impacts.

Response to Comment 8-16:

The commenter fails to provide any examples of project's missing from Table 5-2, with the exception of listing the proposed project (does not include completion of the project with a connection between Phase 1 and Phase 2). It's unclear why Table 5-2 should include the proposed project, as the proposed project is already being evaluated as the focus of the Draft EIR analysis and in context with the list of past, present, and reasonably anticipated future projects (Draft EIR Table 5-2).

The cumulative analysis includes an evaluation of the ten (10) resource topics included in Chapter 3 "Environmental Setting, Impacts, and Mitigation Measures", including water quality and public services, contrary to the comment. The cumulative water quality analysis is provided on Draft EIR pages 5-14 and 5-15 and the public services, recreation, and utilities analysis provided on Draft EIR pages 5-17 and 5-18. For each of the environmental resource topics evaluated in the cumulative analysis, the evaluations include the following details:

- Identification of the geographic scope for each environmental resource topic.
- Description of the level of significance of the combined impact of the proposed project with the projects listed in Table 5-2.
- Significance determination and finding of the proposed project's incremental contribution to the combined cumulative impact.

The commenter is further directed to the response to comment 8-13, which addresses the water quality concerns associated with additional trail use described by the commenter.

Comment 8-17:

The commenter asserts that the Draft EIR fails to include a reasonable range of alternatives and fails to fully analyze the alternatives it does include.

Response to Comment 8-17:

The commenter is directed above to Master Response #1 "Alternatives to the Proposed Project" (provided above in **Section 2.2.1**). The commenter is incorrect in their statement that the Draft EIR fails to mention differences in biological and water quality impacts between the alternatives. For Alternative 1, the biological resource and water quality impacts are described as being the same or similar to the proposed project (see page 4-4 of the Draft EIR). For Alternative 2, the biological resource and water quality impacts are described as being less severe or similar to the proposed project (see page 4-5 of the Draft EIR). For Alternative 3, the biological resource and water quality impacts are also described as being less severe or similar to the proposed project (see also page 4-5 of the Draft EIR). For Alternative 4, no additional biological or water quality impacts were identified (see page 4-6 of the Draft EIR).

Comment 8-18:

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

The commenter provides introductory comments and requests, on behalf of Save Don't Pave, that an Environmental Impact Report be prepared and circulated for the proposed project.

Response to Comment 8-18:

The introductory comments are noted.

Since submittal of this letter, the City has prepared and circulated a Draft EIR for the project, which includes a comprehensive project description consistent with CEQA Guidelines, Section 15124 (see pages 2-1 through 2-12 of the Draft EIR). As more fully described in the Draft EIR, a benched trail alignment was originally proposed for a portion of Trail Segment 4; however, this portion of Segment 4 was changed to a top of levee alignment due to potential levee performance issues associated with construction of a “benched” alignment.

Comment 8-19:

The commenter further states that an EIR be prepared for the proposed project. This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-19:

An EIR has been prepared for the proposed project and the commenter is referred above to the response prepared for comment 8-18.

Comment 8-20:

The comment asserts that the IS/MND fails to provide an adequate project description and environmental setting. This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-20:

An EIR has been prepared for the proposed project, which includes an environmental setting section for each affected environmental resource topic (see Chapter 3 “Environmental Setting, Impacts, and Mitigation Measures”). The commenter is also referred to the responses prepared above for comments 8-1 through 8-4 regarding the project description provided in the Draft EIR.

Comment 8-21:

The commenter provides a summary statement asserting that the mitigation measures in the IS/MND are inadequate to reduce project impacts to a less than significant level. This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-21:

The commenter’s summary statement is noted.

Comment 8-22:

The commenter asserts that the proposed project would conflict with existing land uses and designations as indicated in the City of Sacramento General Plan and the American River Parkway Plan.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-22:

The commenter is referred to Master Response #3 “Land Use Compatibility” for a detailed discussion of the perceived inconsistencies with the City’s General Plan and the ARPP identified by the commenter.

Comment 8-23:

The commenter asserts that the proposed project is inconsistent with the Sacramento Bicycle Master Plan equity goals (increasing equitable investments in bicycling facilities for all neighborhoods by 2020).

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-23:

The commenter is incorrect and referred to pages 56 and 57 and Appendix C of the updated Sacramento Bicycle Master Plan, which identify the proposed project as a “near” or “short term” project under the master plan.

Comment 8-24:

The commenter asserts that the project may have potentially significant aesthetic impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-24:

As more fully described above in the response to Comment 7-2, the Draft EIR analysis fully describes how the proposed project would not result in a significant impact to scenic quality due to several factors; including, the project’s temporary disturbance period and relatively narrow construction corridor; the proposed project’s consistency with the goals and policies of the ARPP, in particular Policy 3.1, 8.4, 8.17, and 10.4.2; and the resultant vegetation impacts which are distributed throughout the narrow linear construction corridor as it traverses the larger American River Parkway.

Comment 8-25:

The commenter asserts that the project may have potentially significant impacts on recreation.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-25:

The commenter is referred above to the responses prepared for comments 8-8 and 7-13. Potential conflicts between new and existing trail uses are addressed under two separate impact discussions (Section 3.9 “Public Services, Recreation, and Utilities” and Section 3.10 “Transportation and Circulation”) in the Draft EIR.

Comment 8-26:

The commenter asserts that the project may have significant air quality impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-26:

The commenter is incorrect and referred above to the responses prepared for comments 8-9 and 7-16.

Comment 8-27:

The commenter asserts that the project may have significant biological resource impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-27:

The commenter is directed above to Master Response #2 “Biological Resources”.

The commenter’s suggestion to include information on tree survival needs in to the text of IS/MND Mitigation Measure 3-1 “Conduct Worker Environmental Awareness Training Program Regarding Special-status Species and Sensitive Habitats prior to Construction” is noted. A similar mitigation measure (Mitigation Measure BIO-1) is identified on page 3.2-28 of the Draft EIR. The goal of Mitigation Measure BIO-1 is to inform construction personnel on the identity of any special-status species and sensitive habitats (including riparian habitat and trees) that must be avoided during the construction process. The inclusion of tree survival needs would not increase the effectiveness of Mitigation Measure BIO-1 and is therefore not recommended for inclusion to the mitigation measure.

The commenter’s suggestion that site monitoring and environmental fencing locations need to be determined in consultation with a trained arborist as part of Mitigation Measures 3-2 “Install Temporary Fencing Around Environmentally Sensitive Habitat”, Mitigation Measure 3-4 “Return Temporarily Disturbed Areas to Pre-Project Conditions”, and 3-7 “Monitor During Ground Disturbance and Vegetation Removal” from the IS/MND are noted. Similar mitigation measures (Mitigation Measure BIO-2, BIO-4, and BIO-7) are identified on pages 3.2-29, 3.2-30, and 3.2-32 of the Draft EIR. It is important to note that any habitat protection fencing or on-site species/biological resource monitoring (see Mitigation Measures BIO-2, BIO-4, BIO-7, and BIO-14) must all be completed by a qualified biologist. The commenter’s suggestion would not increase the effectiveness of these measures and is therefore not recommended for inclusion.

Comment 8-28:

The commenter asserts that the project may have significant cultural resource impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-28:

This comment is specific to the “benched” trail alignment originally considered for Trail Segment 4. As described above in the response to comment 8-18, the “benched” trail alignment is no longer considered part of the proposed project. No further response is required.

Comment 8-29:

The commenter asserts that the MND ignores past geotechnical issues in the project area.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-29:

The geotechnical issues and erosion related impacts described by the commenter are identified in Section 3.4 “Geology and Soils” and Section 3.6 “Hydrology, Water Quality, and Drainage” of the Draft EIR. Impacts HWQ-1 and HWQ-2 (on pages 3.6-9 through 3.6-11 of the Draft EIR) provide an analysis of the potential erosion, water quality, and flood-related impacts resulting from the proposed project. Potential erosion related impacts were determined to be less than significant, with implementation of the water quality/erosion best management practices included in Mitigation Measure BIO-3 “Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices”.

The commenter is also referred to the response prepared for comment 2-8, which includes modifications to the text of Mitigation Measure GEO-1.

Comment 8-30:

The comment asserts that the project may have significant hazard impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-30

The commenter is referred above to the responses prepared for comments 2-8 through 2-13.

Comment 8-31:

The commenter asserts that the project may have potentially significant hydrology and water quality impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-31:

The commenter is referred above to the responses prepared for comments 7-8, 8-13, and 8-16.

Comment 8-32:

The commenter asserts that the proposed project may have potentially significant noise impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-32:

Both construction and operation-related noise impacts are analyzed in Section 3.8 “Noise”. As more fully described on page 3.8-8 of the Draft EIR, existing trail users have been documented to use existing gravel paths along both the levee toe and levee crown. Development of a (majority) levee toe paved bike trail with adjacent trail areas designated for pedestrians will likely reduce the use of the exposed levee crown path by many users and reduce the effect of noise from trail users to nearby residents. No night time use of the trail (as identified by the commenter) resulting in unacceptable levels of nighttime noise are anticipated under the proposed project. Operation-related noise impacts are considered less than significant.

Comment 8-33:

The commenter asserts that the proposed project may have potentially significant public service impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-33:

The commenter is referred above to the responses prepared for comments 7-10, 7-20, and 8-7.

Comment 8-34:

The commenter asserts that the proposed project may have potentially significant transportation and traffic impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-34:

The commenter is referred above to the responses prepared for comments 7-13 and 8-7.

Comment 8-35:

The commenter asserts that the MND fails to address the project’s cumulative impacts.

This comment is from the previously submitted Soluri Meserve comment letter on the project analyzed in the IS/MND (11/30/18).

Response to Comment 8-35:

The commenter is referred to Chapter 5 “Other CEQA Considerations” for a description of the cumulative setting, methodology, and impacts of the proposed project. The commenter is also referred above to the responses prepared for comments 7-8 and 8-16.

Letter #9: Sierra Club – Sacramento Group

LETTER 9



Sacramento Group
909 12th Street, Suite 202
Sacramento, CA 95814

September 16, 2019

Ron Bess, Assistant Planner
City of Sacramento
Community Development Department
300 Richards Boulevard
Sacramento, CA 95811

E-mail: Rbess@cityofsacramento.org

RE: Comments on the Draft Environmental Impact Report for the Two Rivers Trail--Phase II Project

Dear Mr. Bess,

These comments are submitted on behalf of the Sacramento Group of the Sierra Club regarding the Draft Environmental Impact Statement for the Two Rivers Trail project. The Sacramento Group of the Sierra Club has been following this project with much interest and has submitted comments on the previous version of the project.

We appreciate that the City has responded to the comments provided by the Sierra Club and others that requested that the City perform an EIR for this project to better understand the environmental impacts. The Draft EIR does provide a more thorough explanation and analysis of the environmental impacts, as well as identifying options for avoiding some of the worst of those impacts.

Specifically, we appreciate that the Draft EIR includes an option that would avoid the great majority of negative environmental impacts to the narrow riparian area along the American River and to the habitat of the federally threatened Valley Elderberry Longhorn Beetle. This option, Alternative 3, would include the portion of the trail that has already been approved for construction on the crown of the levee—the 1500-foot section known as Segment 4—and would extend that construction on the levee crown through Segment 5A, which is adjacent to and continuous with Segment 4.

Segment 5A is the reach of trail where the terrace at the levee toe is narrowest and most densely vegetated with large trees and elderberry shrubs. It is this reach, Segment 5A, where construction of a paved trail at the toe of the levee would result in the vast majority of the impacts to the existing riparian area and habitat for the Valley Elderberry Longhorn Beetle—the federally listed threatened species that is closely dependent on elderberry shrubs. Not only would this option dramatically reduce the impacts of the project overall, it would also dramatically reduce the cost of the project, as \$2.6 million of the projected \$6.4 million cost of the project is mitigation for environmental impacts, a majority of which are the impacts to Valley Elderberry Longhorn Beetle habitat.

The Sacramento Group of the Sierra Club supports Option 3 to reduce impacts to the existing riparian area and habitat for the Valley Elderberry Longhorn Beetle.

Section 4.5—Environmentally Superior Alternative—and Table 4-1 on pages 4-6 and 4-7 of the Draft EIR provide a generalized comparison of the environmental impacts various alternatives. However, this

9-1

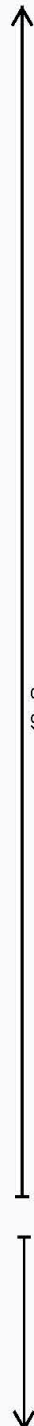
9-2

generalization greatly de-emphasizes the differences between Alternative 3 and the Proposed Project. In order to provide a more useful analysis to allow the public and the City to better understand the differences among the alternatives, this section should provide an explicit comparison of the impacts that would need to be mitigated in each alternative, and the costs associated with both the construction and mitigation for each alternative. Specifically, we would like to see a comparison of: a) the number of large trees removed in each alternative; b) the total acres of riparian vegetation removed; c) the number of elderberry shrubs impacted; d) the number of elderberry stems larger than 1-inch diameter that would be trimmed; e) the total acres of elderberry canopy impacted; f) the estimated cost of construction; g) the estimated cost of mitigation.

The comparison of alternatives in Section 4.5 on pages 4-6 and 4-7 of the Draft EIR provides only the most generalized comparison of the various alternatives in terms of agency approval, indicating only that Alternative 3 does not “provide an acceptable project to all authoritative agencies.” Elsewhere, the Draft EIR explains only that “[the American River Flood Control District] expressed concerns regarding the ability to perform levee maintenance and inspection activities from the levee crown patrol road and has precluded construction along the levee crown unless absolutely necessary due to the complete absence of a toe bench,” at page 4-5, and “ARFCD expressed concerns regarding the ability to perform levee maintenance and inspection activities from the levee crown patrol road if the entire crown was occupied by the bike trail,” at page 4-4. Not only is this rather vague, it is also the case that expressing a concern regarding a maintenance issues does not preclude finding a solution. The ARFCD expressed similar concerns about the placement of the trail on the levee crown in Segment 4 but they were able to resolve those concerns and ultimately to indicate their support for that proposal.

The way that Alternative 3 is presented in the Draft EIR implies that the City is rejecting this alternative without actually asking the ARFCD to consider extending the portion on the levee crown for another half-mile. Furthermore, by failing to provide an explicit and quantitative comparison of the impacts of each alternative, the Draft EIR fails to present the differences in a way that would inform a decision by the ARFCD to consider extending the portion on the levee crown. This again indicates the need for the EIR to provide an explicit comparison of alternatives, as described above. In addition, the EIR should identify options for addressing the concerns raised by the ARFCD, especially given that the ARFCD has already voted once to support placing Segment 4 on the levee crown. Importantly, the ARFCD concerns about placing the trail on the levee crown are specific to the bike trail occupying the entire crown. “ARFCD expressed concerns regarding the ability to perform levee maintenance and inspection activities from the levee crown patrol road if the entire crown was occupied by the bike trail,” at page 4-4 of the Draft EIR, underline added. The levee crown, which is currently occupied entirely by a gravel road, is 20 feet wide; the paved bike trail component of the project, as presented in the Draft EIR for every alternative, is only 8 feet wide. It is entirely feasible that the paved bike trail could be located at the levee crown, while the unpaved pedestrian trail is located at the levee tow, where such a trail already exists. The eight-foot-wide bike trail—the only portion that needs to be paved—if placed on the levee crown, does not occupy the entirety of the crown. Even with a two-foot-wide graded shoulder—as presented in Figure 2-3 on page 2-5 of the Draft EIR, the entire width of the path is ten feet, leaving ten feet of the crown outside the path, and not occupying the entirety of the levee crown. It seems that there is much room for discussion and potential agreement with the ARFCD regarding Alternative 3.

We urge the City to engage the ARFCD to solicit their approval for Alternative 3, based on the fact that the bike trail would occupy only a fraction of the levee crown, thus addressing the ARFCD’s concerns as described in the Draft EIR. In those discussions, the City could offer the option to place only the paved bike trail on the levee crown and to locate the pedestrian trail at the levee toe, where such a trail already exists. To adequately analyze and compare the alternatives—and Alternative 3, in particular—the EIR should address the fact that the paved bike trail would cover only a portion of the levee crown, and include the option to place only the paved bike trail on the levee crown and to locate the pedestrian trail at



cont.
9-2

9-3

the levee toe. The EIR should include this option in the comparison of alternatives, explicitly identifying costs and impacts requiring mitigation.

↑ cont.
9-3

Finally, in our previous comments on this project, we expressed our strong support for on-site mitigation for the impacts to riparian vegetation, Valley Elderberry Longhorn Beetle, and large trees, in order to maintain the riparian habitat along this stretch of river and to maintain habitat connectivity for the Valley Elderberry Longhorn Beetle. The Draft EIR at page 3.2-1 states that “While onsite mitigation may be the preferred option, implementation of this mitigation strategy is contingent on the availability of onsite locations and the feasibility of managing/monitoring the mitigation sites once they are in place.” The EIR should provide an assessment of whether onsite mitigation is feasible and whether it will be attempted. Given that up to 57 elderberry shrubs are proposed to be transplanted, the location of the mitigation is critically important to the impacts to the Valley Elderberry Longhorn Beetle within the project area. Specifically, the mitigation should occur along the south bank of the American River within the project area or directly adjacent to the project area.

9-4

We urge the City to include in the project design mitigation measures that would ensure that any loss of riparian trees and impacts to Valley Elderberry Longhorn Beetle be mitigated locally, through replanting of trees and elderberry shrubs in the riparian area adjacent to the Two Rivers Trail between Sutter’s Landing and the H Street Bridge. The riparian area in this reach is exceedingly narrow and vulnerable to damage and disturbance. Furthermore, while there is some prime habitat for Valley Elderberry Longhorn Beetle along this reach of the American River, the groups of elderberry shrubs are separated in many areas, raising the risk that the population will become fragmented. Planting elderberries to bridge those gaps would increase both the connectivity and the overall density of the population of this threatened species in Sacramento’s backyard.

The Sacramento Group of the Sierra Club is highly supportive of expanding opportunities for biking and walking in Sacramento, but such projects can and must include protecting our natural environment and endangered species. Please contact us if you have any questions. Thank you for considering these comments.

Sincerely,



Barbara Leary, Chairperson
Executive Committee
Sierra Club, Sacramento Group

Cc: Adam Randolph, Project Manager, City of Sacramento Department of Public Works,
arandolph@cityofsacramento.org

Comment 9-1:

The commenter indicates their support for Alternative 3 “Extended Top of Levee Segment Alternative” to reduce impacts to the existing riparian area and habitat for VELB.

Response to Comment 9-1:

The commenter’s support for Alternative 3 is noted.

Comment 9-2:

The commenter requests that the Draft EIR provide an explicit comparison of the impacts that would need to be mitigated in each alternative and the costs associated with both the construction and mitigation for each alternative.

Response to Comment 9-2:

The scope of the evaluation for the Draft EIR is addressed above in Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**). The commenter is referred to this master response above.

Comment 9-3:

The commenter raises similar comments as those described above and urges the City to coordinate further with the ARFCD to solicit their approval for Alternative 3 “Extended Top of Levee Segment Alternative”.

Response to Comment 9-3:

The scope of the evaluation for the Draft EIR is addressed above in Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**). The commenter is referred to this master response above.

Comment 9-4:

The commenter expresses strong support for on-site mitigation for the impacts to riparian vegetation, VELB, and large trees, in order to maintain the riparian habitat along this stretch of river and to maintain habitat connectivity for the Valley Elderberry Longhorn Beetle.

Response to Comment 9-4:

The commenter is directed above to Master Response #2 “Biological Resources” (provided above in **Section 2.2.1**). Implementation of an onsite mitigation strategy is contingent on the availability or suitability of onsite locations and the feasibility of managing and monitoring the mitigation sites once they are in place. As stated on page 3.2-1 of the Draft EIR, mitigation requirements (including location, compensation ratios, etc.) will ultimately be determined following consultation with key regulatory agencies having responsibility over the management of affected resources, including the CDFW (compliance with 1602 Streambed Alteration Agreement) and the USFWS (ESA compliance) within the study area. While on-site mitigation within the larger American River Parkway may be an option for consideration as the City and Caltrans complete the Section 7 consultation for VELB with the USFWS; ultimately, the City will mitigate consistent with regulatory agency (CDFW and USFWS) requirements. Habitat density and fragmentation are several factors considered by the agencies in determining replacement mitigation requirements.

Letter #10: Friends of Sutter's Landing and Friends of the River Banks

LETTER 10



Final Two Rivers Bike Trail Phase II Proposed Project DEIR FOSL and FORB Comments (Due 9/16/19)

Mr. Tom Buford, Principal Planner

Attention: Ron Bess, Assistant Planner Community Development Department 300 Richards Boulevard Sacramento, CA 95811 Email: RBess@cityofsacramento.org Tel: (916) 808-8272

Friends of Sutter's Landing and Friends of the River Banks are providing comments on the DEIR for the proposed Two Rivers Bike Trail. Both organizations provided comments at earlier stages of this proposed project and have been closely involved in environmental stewardship, nature programs, and restoration of this area for many years. Both organizations worked closely with the City and others to obtain Prop 68 funds to enhance and restore areas of Sutter's Landing Park and the surrounding American River Parkway for nature, passive recreation, and to provide a better gateway for Sacramento to the Parkway.

Friends of Sutter's Landing (FOSL) is a 501(c)(3) non-profit with a vision to "create a welcoming and safe place along the American River Parkway at historic Sutter's Landing Park in Midtown Sacramento where families and individuals can relax, recreate, and enjoy the beauty and wonders of nature, both now and for generations to come." Friends of the River Banks (FORB) works closely with FOSL on environmental education and programs to share a love of nature with others. FORB has hosted ongoing monthly events for approximately 14 years.

The section of the American River in the project area is in close proximity to a large portion of the population of the City of Sacramento. This area, as well as the rest of the river within the American River Parkway, was preserved thanks to the hard work and foresight of individuals, organizations, and government to make sure it would provide critical and

necessary opportunities to experience nature while living in an urban environment. Although the American River Parkway includes over 5000 acres and some 23 river miles, very little habitat remains on the south side of the American River in the project area and vicinity for wildlife or to provide important ecological services and buffer the river. The remaining habitat also provides passive recreation and enjoyment of nature aesthetics. The remaining habitat in the proposed project area must be preserved and enhanced to provide these vital benefits. The County is currently developing a Natural Resource Management Plan that will provide updated information on sensitive wildlife, habitat and other resources.

FOSL and FORB support a paved Two Rivers Bike Trail if it is designed, constructed, and maintained so as to preserve the wildlife and natural habitat of the area. This has been reflected in our previous comments regarding this project. **Unfortunately, the current preferred alternative does not accomplish this and FOSL/FORB must oppose the project as proposed.** The City has failed to adequately analyze significant biological impacts to wildlife, mitigation and restoration habitat, ecological services, nature aesthetics, and water quality in the unique and sensitive lower American River Parkway. The City has also failed to carry these issues forward in the DEIR and make a good faith effort to avoid such impacts. Avoiding these issues can only be resolved by placement of the remainder of the trail on the levee top. This can be negotiated with the American River Flood Control District as has been shown previously. Privacy concerns by some residences can be addressed with vegetation screening at much less project costs or environmental impacts. Instead of accurately identifying biological impacts the City provided stylized graphics and descriptions that mask them in the DEIR. The City also avoided describing or analyzing similar impacts that have occurred with recent toe of levee bike trail construction at Sutter's Landing Park.

10-1

As a direct result of constructing the trail at the toe of the levee, negative impacts are ongoing within the recently constructed segment of the Two Rivers Bike Trail at Sutter's Landing Park. The City did not evaluate these impacts in the current DEIR although they have direct implications for the proposed project. These impacts included habitat loss, fragmentation, significantly increased legal and illegal activities at Sutter's Landing Park. These ongoing impacts also decrease the enjoyment of nature and open space there. These impacts will continue and increase if the proposed project is built as currently proposed. The cumulative impact of these issues will negatively harm Sutter's Landing Park and the American River Parkway. The City has proposed approximately \$3 million dollars in mitigation in the DEIS without adequately evaluating if these measures can be effective based on experience at Sutter's Landing Park.

Current impacts along the recently constructed segment of the Two Rivers Trail at Sutter's Landing Park are unacceptable and must be resolved before further extension of the bike trail is undertaken in the Parkway. The City has treated this proposed project as if it was an urban development project, ignored sensitive wildlife and habitat, and promised mitigation outside the Parkway for impacts that could be avoided. Such mitigation would add greatly to project costs, as would the necessary effort to protect and restore impacted habitat afterwards. In order to be appropriate and possibly address these impacts any mitigation proposed in the DEIR must be completed in the same area of the Parkway, not off-site in mitigation banks to be identified later as is currently planned. Rather than offer assurances that adequate mitigation will be done later and elsewhere, appropriate mitigation must be accomplished in the project area and immediate vicinity in the Parkway before negative project impacts occur. Areas at Sutter's Landing Park that have been impacted by construction of the last segment of the Two Rivers Bike Trail must be included in this mitigation and maintained to avoid additional and ongoing impacts as a result of placing the bike trail at the toe of the levee.

cont.
10-1

As proposed now, the project would impact the aesthetics, nature, wildlife, and setting the draws people to the Parkway. **Until the proposed project is designed to avoid these unnecessary and significant impacts, FOSL/FORB oppose its construction and operation within the American River Parkway.** These unnecessary and significant impacts and inadequacies include:

Summary of Two Rivers Bike Trail Phase II DEIR Unresolved Impacts and Inadequacies

- Inadequate or missing documentation of biological impacts that are avoidable
- Loss of sensitive habitat in an area of the Parkway with very little remaining
- Destruction of endangered species, VELB, habitat
- Riparian and upland habitat fragmentation
- Impact to existing mitigation areas
- Increased trash and dog and human fecal waste adjacent to the American River
- Loss of wildlife corridor function
- Loss of ecological services in the project area and vicinity
- Cumulative impacts that have not been adequately described or analyzed
- Adds \$3 million dollars to project costs for mitigation including beyond the Parkway
- Doesn't address existing biological impacts that occurred from previous bike trail construction
- Loss of nature and wildlife aesthetics in the project area and vicinity
- Does not adhere to or address the American River Parkway Plan and Resources

10-2

- Does not identify or address impacts to Sutter's Landing Park from the bike trail project
- Does not document Flood Control activities used to drop a levee top alternative

It is possible to provide a paved bike trail on the south side of the American River Parkway; other segments of the same bike trail have been constructed and are now in use. These are primarily sited on top of the levee where they avoid direct impact to trees, wildlife, and sensitive habitat, and preserve a wildlife corridor, lessen water quality impact, provide better wildlife viewing, and passive recreation of these resources. Recent modification of the proposed project to include a section on the top of the levee shows that this can be done here too where it is especially important.

cont.
10-2

An exception to a levee top paved bike trail was recently constructed at Sutter's Landing Park where a project included habitat restoration, limited invasive plant control, and a paved bike trail at the toe of the levee slope. *FOSLFORB did not support this decision which was not part of the original grant. Several years later, most of the planted habitat has been lost due to fragmentation from increased off-trail access introduced by the location of the new paved trail. Construction in and adjacent to sensitive habitat has allowed the introduction and spread of invasive plants, destroyed the irrigation system, and allowed much more dog waste, trash, illegal camping, and other negative activities, including frequent off-trail bike riding through the area. FOSL/FORB and others continue to struggle with the increased impacts from the recently constructed project. This year alone we have held at least 4 work parties to remove invasive plants now spreading rapidly in the Sutter's Landing Park area as a result of recent construction and increased activity there now. We know from firsthand experience that expanding the paved bike trail at the toe of the levee slope would increase these same impacts and greatly threaten remaining sensitive habitat, ecological services, and nature aesthetics in the remaining segments of the proposed project. **The Parkway and its resources including appropriate recreation activities would be better served by first relocating the recently constructed segment of the Two Rivers Bike Trail to the top of the levee in the vicinity of Sutter's Landing Park and restoring the habitat that has been lost or impacted by this recent project.***

10-3

The DEIR dropped the levee top paved trail alternative without further analysis in spite of many comments, including those from FOSL/FORB, identifying the impacts described again here. Instead, the City made a case for prioritizing neighborhood "aesthetics" and promoted an "environmentally superior" alternative that would instead greatly impact natural resources and aesthetics. This is misguided and unacceptable. It also brings into question the City's commitment to preservation of the resources loved by many in the American River Parkway. By directly impacting the very resources in the Parkway that draw people to appreciate them the City sends a message that these resources aren't

10-4

important. A large number of residences adjacent to the levee top already have vegetation in place that effectively screens views from the levee top into their backyard. No information on this is provided in the DEIR but additional screening, if desired, appears to be an easy solution for the neighborhood aesthetics issue.

cont.
10-4

The American River Flood Control District (ARFCD) has indicated that it prefers a toe of levee slope alternative for this segment of the Two Rivers Bike Trail. It would not make that recommendation if it was directly responsible for the costs and mitigation that result. The ARFCD performs required maintenance, inspection, and operation of the levee in other areas where an existing paved segment of the Two Rivers Bike Trail exists and has not made the case for why they could not do so now. No data on current levee maintenance and operation was provided in the DEIR but there are existing methods to deal with recreation activities when necessary. Use of all sections of the Parkway are increasing as Sacramento grows and more people discover they have access to trails, nature, two rivers, and the aesthetics that come with all of that. The ARFCD has the ability now, and uses it when necessary, to close sections of trails or levee while maintenance or other work is conducted. Certain ARFCD practices, such as spraying herbicides without notice in the presence of people recreating in the Parkway, will likely need to be modified regardless of where this segment of the Two Rivers Bike Trail is constructed. Data on current ARFCD activities within the proposed project and along adjacent segments of the Two Rivers Bike Trail must be included in the DEIR if this is going to be used as a reason to impact sensitive wildlife and habitat and add millions of dollars of mitigation to the project.

10-5

The City previously committed to providing a restroom as part of the grant that included the now-constructed segment of the Two Rivers Bike Trail. This restroom has not been built, although FOSL/FORB participated in several design meetings. Meanwhile, use of Sutter's Landing Park and the surrounding American River Parkway has increased in part due to the recent Two Rivers Bike Trail and the now-proposed segment will further increase recreation and travel along the south side of the Parkway including at Sutter's Landing Park. No further extension of the Two Rivers Bike Trail should be undertaken unless the restroom is added to provide necessary public services in this area.

10-6

The comments that FOSL/FORB previously provided on the proposed project have not been adequately addressed in the DEIR and still stand. These comments have been included below. As proposed, this project to extend the Two Rivers Bike trail (Phase II) on either side of Sutter's Landing Park would cause unnecessary impacts to trees, wildlife, and sensitive habitat, impact a wildlife corridor and water quality, and restrict the view and passive recreation. Mitigation proposed in the DEIR must be done in the same area of the Parkway, not off-site in mitigation banks to be identified later. Rather than offer assurances

10-7

that adequate mitigation can be done later, it must be accomplished before project impacts occur. Areas at Sutter's Landing Park that have been impacted by construction of the last segment of the Two Rivers Bike Trail must be included in this mitigation and maintained so that additional and ongoing impacts don't occur as a result of placing the bike trail at the toe of the levee. This is unacceptable and not in compliance with what the City said it would do. **Unless the proposed project is changed to avoid these unnecessary and significant impacts, FOSL and FORB oppose its construction and operation within the American River Parkway .**

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cont.
10-7

Signed,

Sean Ward
President,
Friends of Sutter's Landing Park and

Dale Steele, for
Friends of the River Banks

Previous FOSL and FORB Comments on Two Rivers Bike Trail Phase II Proposed Project (11/22/18)

I am writing on behalf of Friends of Sutter's Landing Park (FOSL) and Friends of the River Banks (FORB) to provide comments on the proposed Phase II Two Rivers Bike Trail. FOSL and FORB were actively involved in securing and developing the grant for restoration, improvements and interpretive information at Sutter's Landing Park which included construction of adjacent segment of the Two Rivers Bike Trail now in use. FORB and FOSL have been active in the project area and downstream at Sutter's Landing Park for over 10 years including hosting many outdoor environmental programs, wildlife counts and other activities. We have documented the presence of many wildlife species in the area and have worked to preserve, restore and expand the wildlife and habitat values in this section of the American River. We have also worked with others to develop a vision for Sutter's Landing Park as Sacramento's gateway to the American River Parkway. Recently, the city of Sacramento submitted state grant proposals identifying preserving, restoring and expanding Sutter's Landing Park as its top priority including more work on the Two Rivers Bike Trail.

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10-8

FOSL and FORB support extending the Two Rivers Bike Trail as an important contribution

regarding these issues. A full environmental impact report (EIR) will be needed for the bike trail project as proposed.

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cont.
10-8

Sacramento County has initiated a Natural Resource Management Plan (NRMP) for the American River Parkway including the segment that this bike trail will be built in. As proposed, the bike project impacts natural resources that need to be fully evaluated and mitigated for and the project will need to wait for the completion of the NRMP. Likewise, the Lower American River Task Force has a Bank Protection Working Group that is currently evaluating flood control priorities and strategies including the project area. The current bike project location could interfere with this work and must wait until it is finished next year so these results can be included in the proposed bike trail project. These needs will further increase the cost of the project. The flood control agency should be responsible for compensating for any impacts to trees, wildlife and sensitive habitat they cause as part of this bike trail project.

10-9

If Phase II of the bike trail is located on the top of the levee there will be much less impact to wildlife, trees and habitat and a lower overall cost to the project. If the flood control agency needs to control trail traffic on the levee this can be done with signs, barriers and a city street detour if necessary as is done elsewhere. Long time users of these levees for walking and bike riding including FOSL and FORB members have not seen any conflict or risk with flood control activities which are infrequent. There are other sections of existing bike trail in the Parkway that are located on the tops of the levee and conflicts have not been documented. It is especially important to locate the new bike trail on top of the levee in the section to the east of I-80 where there is very little room on the existing path at the toe of the levee. Project costs would also be less with a top of the levee design due to no need for levee incision design or construction.

10-10

IS/MND Comments:

Offsite mitigation is NOT appropriate due to the necessity to maintain onsite wildlife corridor function and American River Parkway natural resource values.
The current bike trail location hasn't fully considered the pending work on the NRMP and BPWG which is necessary unless natural resource impacts are avoided.
Locating the new bike trail at the toe of the levee would make it vulnerable to high water flow flooding making the trail impassible. Under those conditions or for other preferences riders would continue to use the top of the levee instead.
Construction staging areas need to be outside the American River Parkway to avoid impacts.
Tree and vegetation removal is unnecessary with levee top construction. No specific

10-11
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to the American River Parkway and Sacramento city parks including Sutter's Landing Park and Glen Hall. Unfortunately we have significant concerns about the proposed location for this phase of the bike trail as currently designed. The currently proposed bike trail extension location would cause unnecessary impacts to existing natural resources including wildlife, habitat and passive recreation activities. These impacts are significant, not adequately assessed or mitigated and could be avoided by locating the trail on top of the levee as necessary to avoid tree and habitat loss. There are other existing segments of this trail now located on the top of the same levee.

FORB and FOSL strongly oppose the current proposal which would place a new paved bike trail at the toe of the levee slope and/or *incised into the levee bank between Sutter's Landing Park and H Street. This location for the new bike trail would impact wildlife and scarce sensitive riparian habitat present now. The original proposal for new bike trail location at Sutter's Landing Park was on top of the levee for the same reasons. When the American River Flood Control agency balked at this location late in the grant cycle claiming that it would interfere with their maintenance activities the trail was relocated rather than providing them access control when maintenance is necessary and requires it. A top of the levee paved bike trail is in place and appears to work adequately downstream on the same Two Rivers trail. The result for the recently constructed bike trail at Sutter's Landing Park included inadequately mitigated impacts to existing wildlife and habitat including sensitive plants such as elderberry, host for the endangered Valley Elderberry Longhorn beetle and other species. These impacts resulted from more foot and bike traffic that encroaches into existing vegetation now as a result of locating the trail off the levee top. This new footbike traffic increased off-trail activities in habitat areas. These impacts were not adequately evaluated or mitigated for in the previous project and they have not been considered in the proposed project. The same impacts would occur and be greater if the new extension of the bike trail is located off the top of the levee. This is unacceptable and the new trail project should be held back until another avoidance alternative is developed and has been fully analyzed.*

If the proposed project continues with a toe of slope design, it will be necessary to provide mitigation for impacts to existing vegetation including sensitive species habitat which serves as a wildlife corridor to adjacent areas of the American River Parkway and Sutter's Landing Park. This mitigation must include avoidance measures to limit off trail access into vegetation, restoration of vegetation and removal of invasive plant species. Maintaining an intact and functioning wildlife corridor will require locating the new trail so that it doesn't encourage off-trail activity in sensitive areas. The current proposal does not accomplish that. Further analysis and environmental studies are needed. The current environmental assessment and mitigated negative declaration (MND) are inadequate and incomplete

cont.
10-11

mitigation has been proposed for the tree/vegetation losses identified.

White-tailed Kites and other raptors including state listed Swainson's hawk are known to nest and forage in the general project area but were not adequately evaluated or mitigated for.

Disturbance to riparian habitat was noted but not adequately documented, evaluated or mitigated. How will these disturbances during and after construction? Monitoring will be needed for this impact.

Valley Elderberry Longhorned beetle habitat and likely presence was identified. Since the flood control agency requirements are responsible for triggering these impacts, that agency should be responsible for mitigation costs.

The proposed project needs to include complete analysis for a levee top alternative including identifying any impacts or avoidance that would result.

Post-construction impacts of increased recreation in an area of the Parkway that has had limited access previously must be included in an EIR. Any differences between these impacts from trail location at the toe or top of the levee must be included

In conclusion, Friends of Sutter's Landing Park and Friends of the River Banks support a properly planned Phase II extension of the Two Rivers Bike Trail that avoids unnecessary impacts and we are available to share our experience and knowledge of the area. We oppose the proposed project as planned because of unnecessary avoidable impacts that have not been properly assessed or mitigated. We urge the city to take appropriate steps now to avoid increasing impacts to scarce vegetation which serves as an important wildlife corridor and allows much passive wildlife viewing and passive recreation along the southern side of the American River Parkway.

Signed,

Dale T. Steele, for FOSL and FORB

#letter

<https://www.friendsoftheriverbanks.org>

<http://www.sutterslandingpark.org>



cont.
10-11



Google Map of the Lower American River Parkway showing limited existing riparian vegetation and wildlife habitat on the south side of the river. Further tree/habitat loss must be avoided and fully mitigated on site after an adequate assessment in an EIR.

Comment 10-1:

The commenter asserts that the Draft EIR fails to adequately analyze significant biological impacts to wildlife, mitigation and restoration habitat, ecological services, nature aesthetics, and water quality in the unique and sensitive lower American River Parkway. The Draft EIR has also avoided describing or analyzing similar impacts that have occurred with recent toe of levee bike trail construction at Sutter's Landing Park.

Response to Comment 10-1:

The commenter is directed above to Master Response #2 "Biological Resources" (provided above in **Section 2.2.1**) for a summary of how the Draft EIR analyzed significant impacts to wildlife. The commenter is also directed to the response to comment 7-2 which describes the Draft EIR analysis related to aesthetics and scenic quality. The commenter is also directed to the response to comment 8-13 which addresses similar water quality concerns raised by the commenter.

Analysis for the bike trail project recently constructed at Sutter's Landing Park was completed by the City, with a resultant mitigation monitoring plan being implemented to address any potentially significant impacts associated with the project. The proposed project will implement its own mitigation monitoring and reporting plan with the various mitigation measures identified in the Draft EIR and summarized in Table ES-1 of the Draft EIR (see page ES-11). The proposed project will also include various permitting conditions and requirements from the USFWS and CDFW that must be implemented prior to project construction.

Comment 10-2:

The commenter provides a summary of their opinion regarding unresolved impacts and inadequacies with the Draft EIR.

Response to Comment 10-2:

The commenter is directed above to Master Response #2 "Biological Resources" (provided above in **Section 2.2.1**) for a summary of how the Draft EIR analyzed significant impacts to wildlife. The commenter is also directed to the response to comment 7-2 which describes the Draft EIR analysis related to aesthetics and scenic quality. The commenter is also directed to the response to comment 8-13 which addresses similar water quality concerns raised by the commenter. The commenter is also directed to the response to 8-16 which addresses cumulative impact concerns raised by the commenter and to Master Response #3 "Land Use Compatibility" for comments related to the proposed project's consistency with the American River Parkway Plan.

Comment 10-3:

The commenter provides a comment regarding the recently completed trail in Sutter's Landing Park.

Response to Comment 10-3:

The comment regarding relocation of the trail at Sutter's Landing Park and restoration of the site is noted. To address the habitat and invasive species impacts identified by the commenter, the proposed project will implement its own mitigation monitoring and reporting plan with the various mitigation

measures identified in the Draft EIR and summarized in Table ES-1 of the Draft EIR (see page ES-11). The proposed project will also include various permitting conditions and requirements from the USFWS and CDFW that must be implemented prior to project construction.

Comment 10-4:

The commenter asserts that the Draft EIR dropped the levee top paved trail alternative without further analysis in spite of many supportive comments.

Response to Comment 10-4:

The scope of the evaluation for the Draft EIR is addressed above in Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**). The commenter is referred to this master response above.

Comment 10-5:

The commenter states that ARFCD activities within the proposed project and along adjacent segments of the Two Rivers Bike Trail must be included in the Draft EIR if this is going to be used as a reason to impact sensitive wildlife and habitat and add millions of dollars of mitigation to the project.

Response to Comment 10-5:

The commenter is directed to pages 1-2 through 1-5 of the Draft EIR which describe the agency concerns regarding potential conflicts between trail users and levee maintenance equipment which contributed to the toe of levee trail alignment currently under consideration, The commenter is also directed above to the comment letter from the ARFCD (Comment Letter #3).

Comment 10-6:

The commenter states that no further extension of the Two Rivers Bike Trail should be undertaken unless the restroom at Sutter’s Landing Park is added to provide necessary public services in this area.

Response to Comment 10-6:

Plans for the construction of a restroom facility at Sutter’s Landing Regional Park are currently underway. The restroom facility is anticipated to be constructed within the next 6 months or so.

Comment 10-7:

The commenter restates the comments made above in Comments 10-1 and 10-2.

Response to Comment 10-7:

The commenter is directed above to Master Response #2 “Biological Resources” (provided above in **Section 2.2.1**) for a summary of how the Draft EIR analyzed significant impacts to wildlife. The commenter is also directed to the response to comment 7-2 which describes the Draft EIR analysis related to aesthetics and scenic quality. The commenter is also directed to the response to comment 8-13 which addresses similar water quality concerns raised by the commenter. The commenter is also directed to the response to 8-16 which addresses cumulative impact concerns raised by the commenter.

Comment 10-8:

The commenter provides an introductory statement regarding the activities and accomplishments of the Friends of Sutter's Landing Park (FOSL) and Friends of the River Banks (FORB). The FOSL and FORB support extending the Two Rivers Bike Trail, requiring the preparation of a full EIR.

This comment is from the previously submitted FOSL/FORB comment letter on the project analyzed in the IS/MND (11/22/18).

Response to Comment 10-8:

The commenter's statement is noted.

Comment 10-9:

This comment is from the previously submitted FOSL/FORB comment letter on the IS/MND (11/22/18). The commenter states that Sacramento County has initiated the preparation of a Natural Resource Management Plan (NRMP) for the American River Parkway and that the proposed project should wait until completion of the NRMP. Similarly, the commenter states that the proposed project should be coordinated with the work proposed by the Lower American River Task Force's Bank Protection Working Group.

Response to Comment 10-9:

As more fully described in Master Response #3 "Land Use Compatibility", the proposed project is consistent with the American River Parkway Plan. Coordination and alignment with the goals and policies of the 2008 American River Parkway Plan has been a County objective for preparation of the NRMP (<https://regionalparks.saccounty.net/Parks/Pages/NaturalResourcesManagement.aspx>., accessed December 3, 2019). A schedule for preparation of the NRMP is located on the County's website; however, the draft NRMP is currently unavailable for review.

The specific levee repair project mentioned by the commenter is part of the American River Common Features in Progress Erosion Control Project. The commenter is referred above to the response prepared for Comment 7-8. The City is aware of the schedule for this planned levee strengthening repair and has reviewed design plans for the levee project, as part of initial coordination with agency staff.

Comment 10-10:

This comment is from the previously submitted FOSL/FORB comment letter on the IS/MND (11/22/18). The commenter states that there will be much less impacts to wildlife, trees, and habitat and a lower overall cost to the project, if the proposed Phase II of the bike trail is located on the top of the levee.

Response to Comment 10-10:

As stated in the Draft EIR (pages 1-2 through 1-5), preliminary discussions with several responsible agencies (including the ARFCD and USACE) considered placement of the trail on a med-height bench (along the waterside levee slope) to be a potential risk to levee performance, with the potential to increase levee operation and maintenance costs. Consideration of these issues contributed to the ARFCD Board's decision in March 2019 to grant the City a variance to construction a "levee top" trail along a 0.25 mile portion of Segment 4, thus removing the levee performance concerns associated with the

previous trail design. With no levee performance issues identified for the remaining trail segments and considering the ARFCD safety issues reiterated above in Comment Letter #3 (from the American River Flood Control District, David Aladjem), the City does not anticipate any additional “levee top” variances from the ARFCD for other segments of the proposed trail project.

Comment 10-11:

This comment is from the previously submitted FOSL/FORB comment letter on the IS/MND (11/22/18). The commenter provides various comments related to the environmental analysis provided in the IS/MND.

Response to Comment 10-11:

Comments related to offsite mitigation are addressed above in Master Response #2 “Biological Resources”. The comment regarding the proposed project and completion of the NRMP is addressed in the response to comment 10-9. The comment regarding vulnerability of the proposed project to high water flow flooding is addressed in the response to comment 7-7.

Regarding construction staging, a majority of the construction staging areas are outside the American River Parkway, on developed surfaces (as shown in Figures 2-1 and 2-2 of the Draft EIR). For those areas within the American River Parkway, construction staging areas are proposed for ruderal or grassland habitat locations, which can be restored within the timeframe provided in the mitigation measure.

The proposal to have a complete levee top trail alignment as the proposed project is addressed in the response to comment 10-10.

Comments regarding potential nesting and foraging impacts to white-tailed kites and other raptors including state listed Swainson’s hawk have been adequately evaluated or mitigated for in the Draft EIR and the commenter is referred to Master Response #2 “Biological Resources”. Impacts to all habitats within the study area (including disturbances to riparian and VELB habitat) have also been adequately evaluated and mitigated for in the Draft EIR and the commenter is referred, above, to Master Response #2 “Biological Resources”. Monitoring will be required for the proposed project and the commenter is referred to Mitigation Measure BIO-7 “Monitor During Ground Disturbance and Vegetation Removal” (more fully described on page 3.2-32 of the Draft EIR).

Letter #11: J. Scott Coatsworth

LETTER 11

Ron Bess

From: J. Scott Coatsworth <scott@mongooseontheloose.com>
Sent: Monday, August 5, 2019 8:57 AM
To: Tom Buford
Subject: Re: Two Rivers Trail: Draft EIR Notice of Availability

Ah, in that case, my official comment:

I am thrilled that the city is moving ahead with the Two RTivers trail upgrade. Right now to get to midtown, we have to go down H Street or J Street, or the long way around with fast cars on Elvas. It's dangerous, especially the Carlson-H Street intersection, which was improved for bikes going north and south but not in the east-west direction.

The levy is already an unnatural construction, so I don't see how the addition of a paved trail will somehow ruin nature. It will vastly improve the riding quality – we tried the current surface once and gave up after almost popping a tire and coming home covered in dust.

11-1

Thanks for working on this great amenity for the neighborhood!

—J. Scott Coatsworth
5344 Sandburg Dr.
Sacemaneto, CA 95819

From: Tom Buford <TBuford@cityofsacramento.org>
Date: Monday, August 5, 2019 at 7:31 AM
To: "J. Scott Coatsworth" <scott@mongooseontheloose.com>
Subject: RE: Two Rivers Trail: Draft EIR Notice of Availability

Comments should be submitted to my attention:

Tom Buford, Principal Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811 Telephone: (916) 808-7931
E-mail: tbuford@cityofsacramento.org

Tom

*Tom Buford, Manager
Environmental Planning Services
(916) 799-1531*

From: J. Scott Coatsworth <scott@mongooseontheloose.com>
Sent: Friday, August 2, 2019 9:40 PM
To: Tom Buford <TBuford@cityofsacramento.org>
Subject: Re: Two Rivers Trail: Draft EIR Notice of Availability

I didn't see a link to make comments? I am in favor of the trail.

—J. Scott Coatsworth

From: Tom Buford <TBuford@cityofsacramento.org>
Date: Thursday, August 1, 2019 at 3:17 PM
To: Tom Buford <TBuford@cityofsacramento.org>
Subject: Two Rivers Trail: Draft EIR Notice of Availability

The City has released the Draft EIR for the Two Rivers Trail. The comment period is August 1, 2019 to September 16, 2019.

The Notice of Availability and Draft EIR are posted on the Community Development web site for environmental documents at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.

Thank you for your interest in the project.

*Tom Buford, Manager
Environmental Planning Services
(916) 799-1531*

Comment 11-1:

The commenter expresses support for the proposed project.

Response to Comment 11-1:

The commenter's support for the proposed project is noted.

Letter #12: Mark Heilman

LETTER 12

August 19, 2019

Ron Bess
Assistant Planner
Community Development Department
300 Richards Boulevard
Sacramento, CA 95811

Mr. Bess;

I am writing today to express my support for Alternative #4 as contained in the recently released environmental document for the Two Rivers Trail Phase II project. At the Saturday, August 10, 2019, presentation hosted by the City at Fremont Presbyterian Church, Ferguson Hall, 2pm to 3pm to present the environmental document and answer questions, a series of mitigation concerns were presented. These were ranked in order of most importance and color coded so the areas of highest concern were readily identifiable.

It occurred to me that these mitigation efforts could be entirely avoided by implementing Alternative #4 contained in the environmental document. This is especially true given that a bicycle trail already exists on the opposite side of the river, that this existing trail required "sunk" costs, the City has already gone to great expense to convert existing City Streets to contain bicycle lanes and that Cal Trans will be including a pedestrian crossing as a part of its project to widen the Cal Expo Freeway bridge. Bicyclists could cross the H Street bridge to access this bicycle trail and connect to the City's existing bicycle trail by using the pedestrian access planned by Cal Trans.

12-1

Additionally, several questions were raised by audience members about the effect of heavy equipment on the levee as a part of the construction as well as increases (and potential mitigation responses) related to encampments, fires, ranger "call outs" in sections of the river where a bicycle trail already exists. From my view the responses by the Project Manager as well as the environmental consultant were wholly unresponsive. In effect, the responses contained no specifics, did not address the specific questions and in effect were "trust us" we've looked at that.

12-2

Again, I would like to raise a concern that these types of Community Meetings are ostensibly to gain public input. Again, at the August 10th meeting the project was presented a "fait accompli, prompting questions from the audience as to whether the purpose was to gather community input as opposed to present what the City intended to do irrespective of Community sentiment. This is a refrain that has been echoed at previous community meetings I have attended.

Thank you for the opportunity to express my views on the expense and mitigation efforts that would be required if this project moves forward.

Mark Heilman



141 Ada Way
Sacramento CA 95819
(916) 452-0600

Comment 12-1:

The commenter expresses their support for Alternative 4 “Align Trail Outside of the American River Parkway. The commenter further states that mitigation efforts associated with the proposed project would be avoided. Additionally, Alternative 4 would be less expensive considering the various bicycle/pedestrian improvements to existing City streets and that the proposed bicycle lanes included as part of the Cal Expo Freeway Bridge project would provide connectivity with other trails in the Parkway.

Response to Comment 12-1:

The commenter is referred to Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**) for a detailed description of the range and the extent of the analysis required by CEQA to address project alternatives. Alternative 4 was determined to not meet any of the basic project objectives (see Table 4-1 on page 4-7 of the Draft EIR). For example, the use of existing streets for bicycles and pedestrians, would not provide an “alternative” transportation access route for commuters nor provide a vital recreation link with other American River Parkway trails. Existing streets would also not provide opportunities for educating trail users through interpretive signs and some of the existing streets and roadways may also not be ADA compliant.

While the commenter is correct that the City has implemented a variety of bicycle and pedestrian improvements to existing City streets, it is currently unclear how the limited access points associated with the current design of the proposed bicycle lanes included as part of the Cal Expo Freeway project would provide an alternative transportation route for commuters and residents to California State University, Sacramento or other areas within eastern Sacramento.

Comment 12-2:

The commenter expresses an opinion that several questions raised by audience members were not addressed at the recent Draft EIR public information meeting held on August 10th at the Fremont Presbyterian Church. Commenter questions whether the intent of the community meetings have been to solicit community input.

Response to Comment 12-2:

While not a comment directed at the adequacy of the Draft EIR, the commenter is directed to pages 1-2 through 1-5 of the Draft EIR which provides background on the planning process for this project dating back to 1986 and includes some of the key coordination activities with the USACE, the County of Sacramento, and the ARFCD. As described in the Draft EIR, the coordination process has been occurring for several years as the City has worked with various agencies and neighborhood groups to address specific concerns regarding the trail, including neighborhood concerns over homeowner privacy and visibility, along with agency concerns regarding levee maintenance and stability.

The commenter expresses concern that the City has been unresponsive to public questions regarding the project and has solicited little public input during scheduled community meetings. The commenter is incorrect in this assertion and is directed to pages 1-17 through 1-18 of the Draft EIR which describes the public outreach events associated with the proposed project including three (3) presentations at the River Park Neighborhood Association General Meeting. The format for all meetings has been to incorporate project updates with opportunities for public input, including formal question and answer sessions and more personal one-on-one questions and answer sessions with City staff at break-out

sessions provided at each of the community meetings. City staff actively sought public input to help determine the preferred trail access point for Glenn Hall Park (October 27, 2018 and June 8, 2019 community meetings) and public input regarding project Alternatives 3 and 4 (June 8, 2019 and August 10, 2019) was incorporated into the Draft EIR alternatives analysis.

Letter #13: Nancy McKenzie

LETTER 13

5747 State Avenue
Sacramento, CA 95819
August 30, 2019

Mr. Ron Bess, Assistant Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811

Subject: Two Rivers Trail Phase II, Draft Environmental Impact Report (DEIR) (August 2019)

Dear Mr. Bess:

Thank you for the opportunity to comment on the Two Rivers Trail Phase II DEIR. My comments below are generally organized to follow the order of topics in the Draft EIR.

Given that the project would require approvals from the Sacramento County of Regional Parks, it seems reasonable that the Sacramento County General Plan (GP) would be used as a guidance document, in addition to the American River Parkway Plan (AARP). The Draft EIR does not refer to the Sacramento County GP in the permits section of the executive summary.

As discussed in the Sacramento County GP, “the native riparian vegetation along the American River in the Parkway, represents a plant community that is rapidly becoming rare in California. It is a rich community supporting a greater diversity of animal life than any other plant community in this State. There are unique opportunities for protection, enhancement and restoration of these threatened and valued areas of native vegetation.” The proposed project is not in compliance with the Sacramento County GP because it will negatively affect the distinctive natural character of the park and open space area adjacent to River Park. Comments below elaborate on how the project conflicts with the Sacramento County GP.

The project conflicts with the following Sacramento County GP objective (Manage Lands for Special Status Species) because it would result in removal or impact to approximately 1.5 acres of elderberry shrubs that are habitat for Valley elderberry longhorn beetle (VELB). It is also in conflict with this objective because it would formalize an informal recreational area (Sacramento County GP Objective: “Manage and maintain special status species and their respective habitat in a manner that resolves conflicts with adjacent privately owned-land and agricultural operations.” Intent: “Proper management and maintenance of special status species habitats must include minimizing potential impacts from activities that may be detrimental to these species, such as active recreation,

13-1

levee protection measures, and development. Wildlife preserves, native grassland propagation, riparian area protection, and natural area buffer zones should be given priority over recreation, ranching, channelization, and development expansion in areas known to or having the potential to contain special status species.” (emphasis added)

Regarding the Sacramento County GP Conservation Element, amended September 26, 2017, page 41), this conservation element directs agencies to preserve the fishery, wildlife, recreational, and aesthetic values of the Lower American River. However, the change from informal to formal recreational use and development as a result of the Two Rivers Bike Trail project, have the potential to place additional stress on natural resources. An increase in or formalization of recreational use could lead to higher nitrate levels, the accumulation of garbage in the stream and riparian zone; and other sources of pollution associated with recreational use. Thus, the proposed project is not in accordance with the Sacramento County GP.

The project would allow and even encourage the infestation of invasive species such as star thistle which compete aggressively with native vegetation and wildlife habitat, due to ground disturbance from the project. Although mitigation measure BIO-5 attempts to reduce this impact to a less than significant level, it does not include a mechanism for ongoing management of invasive plant species in this area. This is a biological, aesthetic and recreational impact. The biological impact is the removal and degradation of habitats, aesthetic impact is the degradation of the Parkway, and recreational impact is that the degradation of the Parkway impacts enjoyment of the aesthetic amenities of the Parkway.

The project is not in compliance with the ARPP. The ARPP stresses the importance of habitat diversity, riparian zone, woodland, upland, vegetation; presence of wildlife and their movement, visibility, grace; “sounds of nature, including birds, wildlife, the flowing river.” With the widening of hardscape and increased bicycle traffic that the City is encouraging, the project would facilitate encroachment on the open green space of the Parkway and discourage/reduce its use by birds and other wildlife in Parkway adjacent to the project. The proposed project would impact the “feeling of peace and tranquility experienced by the people who visit and use the Parkway” (ARPP) by attracting more people to the area. Regarding Paradise Beach, the proposed project directly contradicts the statement in the ARPP that this be an “informal” recreation area. A paved bike trail

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13-1

13-2

13-3
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with associated project elements (such as interpretive signage) would create a “formal” recreation area and destroy portions of this “Protected Area” in the process. ↑ cont.
13-3

The City is proposing to implement Crime Prevention through Environmental Design (CPTED) actions. This was not studied in the Draft EIR but was presented at CEQA public meetings by City or county law enforcement. Under this program, vegetation would be cleared to increase site lines and discourage the use of the area by homeless or others. Clearing of vegetation for this program would result in biological and aesthetic impacts. An example of CPTED is located at the J Street-57th Street-Elvas Avenue loop. While this may have been an appropriate solution at such an urban location, such drastic clearing of vegetation Segments 4-6 is not appropriate in the Parkway and is inconsistent with a number of policies (including ARPP and Sacramento County GP). This should have been addressed in the Draft EIR. 13-4

Section 1.3 of the Wild and Scenic Rivers Act (Parkway Plan 2008 Chapter 4) says that under 1.3.0 State Wild and Scenic River System “The California Legislature passed the State Wild and Scenic Rivers Act (WSRA) in 1972 (PRC Section 5093.50-5093.70). The legislature said that it was the State’s intent that ‘certain rivers which possess extraordinary scenic, recreation, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environment, for the benefit and enjoyment of the people of the State.’ The lower American River was included in the State Wild and Scenic River System in 1972 when the State Act was passed.” (emphasis added) The proposed project conflicts with the Wild and Scenic Rivers Act because it would degrade the Parkway and its habitat and aesthetic value by formalizing and increasing recreational use of the Parkway. 13-5

ES2.3 Project Description

Figures should exhibit the existing bike trail on the north side to show the existing bike system and its relationship to the proposed project. It should also be included in the cumulative impacts analysis. There is an exhibit in the appendices that shows existing bike trails, but it does not fully illustrate the existing bike trails adjacent to the proposed project along with the trail the project would construct. 13-6

Figure 2-3 shows the finished bikeway to be 14 to 16 feet wide. However, this does not include or illustrate the four-foot-wide woody vegetation clearance on either side of the trail (see 2.3.6 Trail Operations and Maintenance).

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cont.
13-6

ES.3 Project Objectives

The first project objective says the project would provide a vital recreation link between the Jedediah Smith Trail on the north side of the American River Parkway, the Sacramento River Parkway, the Sacramento Northern Bikeway Trail, the future Ueda Parkway trails, and the 20th Street bike connection to the Central City. However, there is already a link to Jedediah Smith Trail from the existing southern levee trail via Guy West Bridge.

13-7

The last objective (and also Section 2.3.4, Page 2-7), says the project at Glenn Hall Park would provide ADA trail access. Given that the existing bike trail is not ADA compliant in other areas (for example, spacing of bollards at trail access points is not ADA compliant), why include ADA access as a project objective.

ES-4 Project Alternatives

Alternative 2: Top of Levee Construction – Segments 4 through 6

Under this alternative, the entire length of Segments 4 through 6 would be constructed along the levee crown. To say that it would not meet project objectives does not explain precisely why this alternative would not meet project objectives. Please elaborate.

The existing trail on top of the levee is already sufficient and is used by pedestrians, bicyclists, and joggers; it would not need to be paved. ARFCD expressed concerns regarding the ability to perform levee maintenance and inspection activities from the levee crown patrol road if the entire crown was occupied by the bike trail (page 4.4). Again, the existing condition does not prohibit ARFCD to perform levee maintenance and inspection. However, the Draft EIR states (Section 2.3.6) that mowing would be limited to only four times per year and trimming of vegetation along the trail would occur only once annually. If the ARFCD is performing an activity at the levee that would be a serious conflict with users (such as levee repair), users could be detoured; trail users currently are being detoured around the Rossmoor Bar area through adjacent neighborhoods due to trail maintenance/repair.

13-8

Alternative 4: Align Trail Outside of the American River Parkway

The EIR says that this alternative would not construct the remainder of Phase II of the Two Rivers Bike Trail to Class 1 bicycle and pedestrian standards. Since this part of the alternative is not under Caltrans jurisdiction, why would it have to be a Class 1 facility. The EIR says that implementation of this alternative would not meet any of the project objectives. However, it would meet at least objectives two and five.

13-9

Other Alternatives

Consider only constructing a bicycle/pedestrian river crossing that would connect the north bike trail to the vicinity of Sutter Landing. The cost of mitigation for this project (including VELB habitat mitigation) would be avoided. Given the number and concentration of elderberry shrubs that would be removed/impacted due to the proposed project, what would be the estimated cost of off-site mitigation for this species along with other mitigation included in the Draft EIR. What would be the minimal cost of constructing a river crossing.

13-10

ES-5 Agency Roles and Responsibilities

The Draft EIR explains that “Caltrans is preparing a separate environmental document for the proposed project consistent with the requirements of the National Environmental Policy Act (NEPA) 40 CFR 1500-1508. Compliance with NEPA is required because the proposed project intends to use Federal funding for implementation. Caltrans is the NEPA Lead Agency for the proposed project.” The Draft EIR does not say what NEPA document is being prepared or where it can be accessed. It also does not state what the public review opportunities are for the document Caltrans is preparing.

13-11

Under NEPA, the environmental document is required to address Environmental Justice. Is the NEPA document going to discuss whether the proposed project presents an environmental justice issue.

Section 1.2, Project Location states that the proposed project would result in a “nearly continuous trail alignment along the south side of the American River that links the downtown area of Sacramento to the residential neighborhoods and California State University at Sacramento (CSUS)

13-12

near the eastern boundary of the City.” However, the downtown is already linked to neighborhoods and CSUS by an extensive network of bike trails.

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13-12

The Draft EIR discusses funding sources but does not say how much each funding source is committing to the project. What are all the funding sources and how much funding is each committing to the project. This information is provided at the City’s web page for the project, but should be included here. Caltrans includes project funding information in all of its environmental documents.

13-13

Page 1-5 of the EIR says that the proposed trail is consistent with the ARPP, however, the proposed project is not in conformance with several ARPP policies, discussed below.

13-14

Section 3.1 Aesthetics

Contrary to the EIR’s conclusion in Section 3.1 Aesthetics, the project is not in conformance with several policies of the ARPP (2008):

- Policies 3.13.1 and 3.18, and 7.22 regarding interpretative signs and structures (“...should be aesthetically compatible with the natural environment and aesthetic qualities of the area.”). Interpretative signs should be minimized as they present an opportunity for vandalism and graffiti as has happened in other locations along the bikeway north side of the American River. Signage would further add to the urbanized rather than natural experience of the Parkway.
- Policy 8.2 “Access points and parking lots shall be located where there is the least potential environmental damage and adverse impact on the Parkway’s environment and surrounding neighborhoods.” The design of the trail access point at Glen Hall Park shown in the Draft EIR (Figure 2.5) avoids tree removal. However, at the August 10, 2019 EIR public meeting at Fremont Presbyterian Church, the City said that this design has not had engineering review and therefore could change. The EIR does not address tree removal or other potential impacts that could result in changes to the project. If the design of the access point at Glen Hall Park would result in impacts to trees, what review process (such as CEQA) would the City undertake and would it actively involve the public in a review process.

13-15

The Draft EIR should have included visual simulations of this potential design change and associated impacts.

- Policy 8.5 “Parking lots and public access roads should be designed and constructed using best management practices to ensure permeability and reduce run-off damage, and be buffered by native vegetation plantings. Pavement should be discouraged as a part of new projects.” (emphasis added) The aesthetics section of the EIR does not address the visual impact of adding paving at Glen Hall Park or include any mitigation measure to help shield or soften that effect with native vegetation plantings.
- Policy 8.24 Regarding signage. “Ground pavement stenciling is an effective means of signing with minimal Parkway impact.” The Draft EIR does not propose this as a solution to the clutter and urbanizing effect of signage structures.
- Policy 10.26 Specifically addresses Paradise Beach. “Permanent structures and any other physical changes that would attract groups of users should not be introduced to the area.” The project is not in conformance with this ARPP policy as it will attract more users to this area, along with an increase in the existing trash problem and disturbance in the peace and tranquility of the Parkway in Sections 4-6.

cont.
13-15

Contrary to the EIR’s conclusion in Section 3.1.3 Regulatory Setting and Section 3.1 Aesthetics, the project is not in conformance with the following policies (City of Sacramento 2035 General Plan):

- LU 2.4.1 Unique Sense of Place. The City shall promote quality site, architectural and landscape designs that incorporate those qualities and characteristics that make the City of Sacramento desirable and memorable, including walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.
- LU 2.4.2 Responsiveness to Context. The City shall promote building designs that respect and respond to the local context, including use of local materials, responsiveness to the City

13-16

of Sacramento’s climate, and in consideration of the cultural and historic context of the City’s neighborhoods and centers.

ER 7.1.1 Protect Scenic Views. The City shall seek to protect views from public places to the Sacramento and American rivers and adjacent greenways, landmarks, and urban views of the downtown skyline and the State Capitol along Capitol Mall. The proposed project conflicts with this policy since it would change the existing natural path from an informal to formal recreational use; the project does not protect or enhance open space or the natural area of the Parkway but would introduce a formal recreational structure that would facilitate increased and possibly concentrated use of the area. The proposed project does not protect or enhance the significant wildlife corridor and vegetation of the Parkway for the same reason and because it would remove vegetation – elderberry shrubs, trees, and other vegetation that contribute to the beauty and serenity of the Parkway -- to construct the project and if the City implements the CPTED program. The project has the potential to place additional stress on natural resources with its construction and ongoing operation.

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13-16

On page 3.1-11, the Draft EIR states that the existing visual character of the project site is generally formed by scrubby, riparian vegetation between the toe of the levee and the river, levee slopes covered by grassy vegetation, and upland uses including vacant lands, a former landfill, and (in Segments 3 through 6) single-family residences. This description does not accurately describe the visual character of Segments 4, 5 and 6 where the project proposes to construct the project. The project site is within the larger Parkway and so a visual characterization should include a more complete description.

13-17

The EIR states (page 3.1-11) that there are numerous existing unpaved and gravel tracks and roadways along the levee crown and toes in the project vicinity. This description is very general; it is incomplete and does not accurately describe the visual character of the project site in segments 4-6. The toes of the project levee in segments 4-6 are unpaved; they are not degraded and are not gravel tracks, but are natural pathways with the levee on one side and the natural environment of the Parkway on the other, and they meander through the natural environment of the Parkway.

13-18

The project should include mitigation measures per AARP policies 7.22 and 7.22.1 to 7.22.5. These are Policy 7.22: Structures that are in the Parkway shall be of a design, color, texture and scale that minimizes adverse visual impacts within the Parkway; Policy 7.22.1: Structures shall be located so that neither they, nor activities associated with them, cause damage to native plants or wildlife, without appropriate mitigation; and Policy 7.22.5: To the extent possible, structures shall be screened from view by native landscaping or other naturally occurring features. This should be implemented particularly at the access point at Glen Hall Park.)

13-19

Section 3.2 Biological Resources

On Page 3.2-7 Other Protected Wildlife Species states that the Biological Study Area includes “migratory birds and raptors which are not special-status species.” However, these species are protected under the Migratory Bird Treaty Act.

13-20

Mitigation Measure BIO-1 says that the City shall ensure the construction contractor will implement environmental awareness training with construction personnel. A qualified biologist should conduct this training. Informational pamphlets should be made available to construction personnel, and posters should be posted at staging areas/contractor trailers, regarding identification and avoidance/minimization of impacts to sensitive species/habitats. A contact number for a qualified biologist should be included.

13-21

Mitigation Measure BIO-2 says that temporary fencing/flagging shall be checked regularly and maintained until all work is complete. This measure should refer also to BIO-7 which says that a qualified biologist will check the fencing/flagging weekly.

13-22

Mitigation Measure BIO-4 says that all temporarily disturbed areas shall be returned to pre-project conditions within one year following completion of construction/maintenance. Construction of the proposed project will change existing conditions so returning to pre-project conditions will not be possible. For disturbed areas inside the project area adjacent to the bike trail, this measure should include steps that will be taken if pre-project conditions are not achieved within the year; this should include an on-going maintenance/management/corrective action program (referred to in comment to mitigation measure BIO-5 below).

13-23

Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species should include a long-term management plan such as the Statewide Integrated Pest Management Program (University of California Agriculture and Natural Resources). The Draft EIR says in Section 2.3.6 that mowing will occur four times per year. Biological mitigation measures should include provisions for mowing practices and timing that will not disturb native vegetation in mow area.

13-24

The Draft EIR should also include a mitigation measure for control of star thistle by establishing more shade in open areas. Star thistle “is not competitive under shaded conditions (Roche et al. 1994). Rosettes are particularly susceptible to shading and do not compete well in areas dominated by shrubs, trees or by taller perennial forbs and grasses. For this reason, infestations are nearly always restricted to open grasslands or disturbed sites.” (Joseph M. DeTomaso, University of California Weed Science Program, Yellow Starthistle: Biology and Life History, 1996.) The Draft EIR should include a mitigation measure addressing mowing practices. See “Cultural Control” (regarding mowing practices) and “Revegetation” in How to Manage Pests/Pests in Gardens and Landscapes, Yellow Starthistle, University of California Integrated Pest Management Program, Revised 9/07.

13-25

Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees. This measure says that “if an onsite or offsite City-responsible mitigation site is used...” This measure should require implementation within or immediately adjacent to the project area to help reduce impacts to habitat, aesthetic, and recreational resources. If project site tree and riparian habitat plantings are not fully successful, then an offsite mitigation site should be used. However, ongoing effort should be made so that on-site riparian habitat and protected tree planting are successful.

13-26

Mitigation Measure BIO-12. I support the off-site VELB habitat mitigation with purchase of credits at a Service approved mitigation bank. Given that agencies have not been successful in managing invasive, non-native species that compete with VELB habitat in the Parkway, the off-site solution would be successful and ensure habitat connectivity. Elderberry shrubs will be transplanted under this mitigation measure, however, to put the area adjacent to the trail back to pre-project

13-27

conditions, planting of elderberry should also be included (along with relocating elderberry shrubs) in BIO-6.

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cont.
13-27

In the City of Sacramento 2035 General Plan, GOAL ER 2.1: Natural and Open Space Protection states “Protect and enhance open space, natural areas, and significant wildlife and vegetation in the city as integral parts of a sustainable environment within a larger regional ecosystem.” The proposed project conflicts with this goal since it would change the existing natural path from an informal to formal recreational use; the project does not protect or enhance open space or the natural area of the Parkway but would introduce a formal recreational structure that would facilitate increased and possibly concentrated use of the area; it does not protect or enhance the significant wildlife corridor and vegetation of the Parkway for the same reason and because it would remove vegetation to construct the project and if the City implements the CPTED program . The project has the potential to place additional stress on natural resources with its construction and ongoing operation.

Policy ER 2.1.1 Resource Preservation states that “the City shall encourage new development to preserve on-site natural elements that contribute to the community’s native plant and wildlife species value and to its aesthetic character.” For the same reason as comment to Goal ER 2.1, the proposed project is in conflicts with the City’s general plan.

13-28

Policy ER 2.1.2 Conservation of Open Space states that “the City shall continue to preserve, protect, and provide appropriate access to designated open space areas along the American and Sacramento Rivers, floodways, and undevelopable floodplains, provided access would not disturb sensitive habitats or species.” [emphasis added] For the same reason as comment to Goal ER 2.1, the proposed project is in conflicts with the City’s general plan.

Policy ER 2.1.3 Natural Lands Management states that “the City shall promote the preservation and restoration of contiguous areas of natural habitat throughout the city and support their integration with existing and future regional preserves.” For the same reason as comment to Goal ER 2.1, the proposed project is in conflicts with the City’s general plan.

Policy ER 2.1.4 Retain Habitat Areas states that “the City shall retain plant and wildlife habitat areas where there are known sensitive resources (e.g., sensitive habitats, special-status, threatened,

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endangered, candidate species, and species of concern). Particular attention shall be focused on retaining habitat areas that are contiguous with other existing natural areas and/or wildlife movement corridors. “For the same reason as comment to Goal ER 2.1, the proposed project is in conflicts with the City’s general plan. While the proposed project’s structure would not directly interrupt a wildlife corridor, it would indirectly impact the corridor for the same reason as comment to Goal ER 2.1

cont.
13-28

The proposed project does not comply with several AARP goals and policies to preserve, protect, and improve the natural and recreational resources of the Parkway, including migratory and resident wildlife and diverse natural vegetation, as noted below.

- Policy 1.3 Resource protection and Terrestrial resource policy 3.2 1.3 Resource protection: “Limitation on the use of the Parkway through design and management tools to prevent overuse of the Parkway and preserve the environmental quality, thereby ensuring the integrity of the Parkway for future users.” [emphasis added] The proposed project would facilitate an increase in people using the Parkway; the trail will not confine them. The project would not limit use but would increase use with introduction of large numbers of people into this area which would degrade the environmental, aesthetic, and recreational qualities of the Parkway.
- Policy 3.2.2 This policy states that native vegetation shall be reintroduced in areas of the Parkway where the substrate will support it, especially in areas that have been disturbed by construction, except in sites of human historical value. See Comment to Mitigation Measure BIO-4.
- Policy 3.2.4 This policy states that agencies managing the Parkway shall remove invasive non-native vegetation species that conflict with habitat management goals, recreation uses, flood control or water supply conveyance. Agencies responsible for managing the Parkway are not removing invasive non-native plant species within the Parkway adjacent to existing bike trails, suggesting that this lack of management will continue under the proposed project with the spread of star thistle and other invasive species due to project construction ground disturbance. The City, County, and other agencies or organizations should work

13-29

together to successfully implement an ongoing invasive species eradication program along the Parkway, as is being done in a three-mile stretch of the Parkway between Howe and Watt Avenues (the “star-thistle-free zone”).

Areas dominated by non-native invasive plant species prevent native plants from establishing, provide poor habitat quality for wildlife, degrade visual quality, and reduce the public’s enjoyment of the area.

- Policy 3.4 states that management of the Parkway shall ensure the protection of the Parkway’s resources, its environmental quality and natural values. Same comment as for Policy 3.2.4 above.

cont.
13-29

Section 3.7 Land Use and Planning

The Draft EIR (Impact LUP-1) omission of ARPP’s intent to reduce impacts to and protect the Paradise Beach area de-emphasizes ARPP’s intent. The ARPP policy prohibits structures or changes that would attract groups of users. This policy discussion addresses historical concerns related to parties at the beach, and vehicular access limitations due to the small parking area at Glenn Hall Park, but other policies of the ARPP discussed under Aesthetics and Biology also apply here. ARPP Policy 10.26 addresses the Paradise Beach area, discussing the natural environmental resources of the area and its informal recreational uses. The ARPP describes the area as consisting of 106 acres of Protected Area and 2.2 acres of Developed Recreation that include a large sandy beach which has been created by the sharp bend in the river. The ARPP Policy 10.26 and the Paradise Beach Area Plan prohibit structures or changes that would attract groups of users. Per the ARPP, “due to the limited access, annual flooding, and unstable sandy soil, Paradise Beach should remain an informal recreation area. Permanent structures and any other physical changes that would attract groups of users should not be introduced to the area. Acceptable activities include fishing, kayaking, wading, sunbathing, hiking, volleyball, and related beach activities.”

13-30

Page 3.7-5 the Draft EIR says that the American River Flood Control District has implemented a recreational trails policy prohibiting trails on the levee top in most instances, and the proposed project has been designed in compliance with this policy. The City has told the public repeatedly that this bike trail has been in the works for 20 years. During most of that time, the trail was

13-31

designed to be built on top of the levee, when about five years ago and with little to no outreach to the public (particularly River Park) the trail was redesigned to place it at the toe of the levee. During the first years of planning, did the City not coordinate with the flood control district about potential issues. This design aspect should have been thoroughly vetted early in the planning process (e.g. 20 years ago).

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13-31

In Section 3.9 (Public Services, Recreation, Utilities; page 3.9-8), the Draft EIR states that the “presence of multiple options (paved trail, shoulders, levee crown, and informal foot trails) and the relatively narrow paved trail cross section compared to other segments of the Parkway trail would reduce the potential for conflict among trail users.” However, the proposed project would remove the informal foot trail that currently parallels the levee.

13-32

The Draft EIR (page 3.9-8) says that the project would expand recreational opportunities at the project site by offering a paved multi-use trail. The project may expand recreational opportunities, specifically for cyclists, in the project area, but the analysis should include whether the project will cause significant environmental effects to recreation by accelerating the substantial physical deterioration of the project area.

13-33

Section 5.5 Cumulative Impacts

Under CEQA, the project proponent is to consider whether there are other projects (past, current, future) that could have related impacts, and then determine whether the project’s contribution to the overall impact is “cumulatively considerable.”

The Draft EIR did not describe the impact of past projects – how they changed existing conditions. Only in doing so, can the cumulative impacts of the proposed project be determined.

13-34

The Draft EIR (Section 5.5) states that the proposed project along with past, present, and future projects are site specific and would not combine with other projects that are not in the same view shed to create a cumulative impact. However, the American River Parkway is a continuous resource and continuous view shed and so the proposed project with its associated impacts discussed here would indeed result in visual impacts to the Parkway.

The Draft EIR (Section 5.5) states that although the proposed Two Rivers Trail is part of a larger planned connection between the existing Sacramento River Parkway and the larger Jedediah Smith Memorial Trail located along the northern bank of the American River, no cumulative effects are anticipated because environmental resources that are adversely affected by the proposed project would be localized and of limited extent. The DEIR in evaluating the cumulative impacts assumes that because it is a linear project that it will not have cumulative impacts but that the impacts are confined to the linear area of the project. The project will impacts a number of resources (biological, aesthetic, and recreation) adjacent to the project area just as past projects have done. This linear aspect and impacts to adjacent land/resources should be acknowledged and described.

cont.
13-34

Page 5-8 of the Draft EIR admits that “Development of past and current projects, as well as future proposed projects, continue to alter the visual environment in and around the City.” Therefore, it is important for the City to follow policies of its own general plan and the ARPP to protect the visual environment.

The Draft EIR list (Table 5-2) of past, present, and future projects does not include past projects. Therefore, the analysis of cumulative impacts has not been adequately examined.

Mitigation Monitoring and Reporting Plan (MMRP)

Under CEQA (CEQA Guidelines Section 15097), the City is required to prepare an MMRP that identifies each mitigation measure, who is responsible, and when implementation is successfully completed (as well as outcomes). The public needs to see that the City is meeting its obligations under CEQA . Although not required under CEQA, the MMRP should be published on the City’s environmental documents web page and effected neighborhood websites (i.e., River Park). On its environmental web page, the City should publish the status of the implementation/completion of mitigation measures, especially those related to biological and aesthetic resources.

13-35

Under CEQA Guidelines Section 15089(b) “Lead Agencies may provide an opportunity for review of the final EIR by the public or by commenting agencies before approving the project.” Although additional public review of a Final EIR is not required under CEQA, we hope that the City will provide this opportunity to the public before the Final EIR is certified. Also, if the City Council approves the project, the Findings document (CEQA Guidelines 15091) and Notice of Determination

(CEQA Guidelines 15094) should be provided to the public at the City’s environmental documents webpage as well as relevant neighborhood association web pages.

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13-35

NEPA

Caltrans is preparing a separate environmental document for the proposed project consistent with the requirements of the National Environmental Policy Act (NEPA) 40 CFR 1500-1508. Compliance with NEPA is required because the proposed project intends to use federal funding for implementation. Caltrans is the NEPA Lead Agency for the proposed project. However, the Draft EIR does not identify what NEPA environmental document is being prepared or opportunity for public comment (including publication in the Federal Register). The public should be informed about Caltrans NEPA process for this project, and under NEPA they’re required to address environmental justice, discussed below.

13-36

NEPA-Environmental Justice

Because Caltrans is lead agency under NEPA, it is preparing the NEPA environmental document. This document must assess the proposed project’s impact regarding environmental justice. The project is inconsistent with the Sacramento Bicycle Master Plan. The Master Plan “set[s] forth bicycle related investments, policies, programs, and strategies[.]” (Master Plan, p. 1.) One goal of the Master Plan is increasing equitable investments in bicycling facilities for all neighborhoods by 2020. (Master Plan, p. 2.) According to testimony by Jim Brown, of Sacramento Area Bicycle Advocates (SABA), at the October 18, 2018, meeting of the Sacramento Active Transportation Advisory Committee, many of “projects in the [Bicycle Master] Plan [have been in the Plan] for years and years.” (see Sacramento Active Transportation Commission video, time register approximately 42 minutes). Despite this goal, the project would devote considerable resources to serve one of the least disadvantaged areas of the City in terms of bicycle facilities. The Master Plan identifies East Sacramento as well served by existing bicycling infrastructure (Master Plan, p. 32 [Equity Analysis Composite Index]; see also Exhibit D, Master Plan Excerpt.). Yet, this project which duplicates a world-class bicycle trail that already exists on the north side of the American River, and for which an on-road alternative route already exists that was recently built on Elvas Avenue, uses limited active transportation funds (see Exhibit D, Master Plan Excerpt [Class II trail on Elvas Avenue].) Many areas in the City are substantially less served by existing bicycle infrastructure than the

13-37

Two Rivers Trail Phase II Draft EIR
Nancy MacKenzie Comments
August 30, 2019

project area, and these resources would be better served there (Ibid.) Devoting such considerable resources to this project would be contrary to the Master Plan's equity goals.

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13-37

We appreciate the improvement in the City's communication with the River Park neighborhood and hope that you will continue to keep us informed about this proposed project.

Thank you for considering my comments to the Draft EIR.

Sincerely,


Nancy MacKenzie

Comment 13-1:

The commenter indicates that the study area is within the jurisdiction of the Sacramento County General Plan and the Draft EIR should address this.

Response to Comment 13-1:

The commenter is correct. It is further noted that the current (2008) version of the ARPP is one of the more extensive policy plans (including the Bicycle Master Plan) that is incorporated into the larger Sacramento County 2030 General Plan. Consequently, the specific goals and policies of the ARPP were evaluated as part of the Draft EIR for the proposed project.

Comment 13-2:

The commenter asserts that the proposed project will allow or encourage the infestation of invasive species, such as star thistle, which competes with native vegetation and wildlife habitat, due to ground disturbing activities resulting from project implementation.

Response to Comment 13-2:

To address impacts to wildlife habitats in the project area, the City will ensure the following mitigation measures are implemented during the construction phase of the proposed project:

Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions

The City shall ensure the construction contractor will implement the following actions before and during construction activities:

All temporarily disturbed areas shall be returned to pre-project conditions within one year following completion of construction/maintenance. These areas shall be properly protected from washout and erosion using appropriate erosion control devices including coir netting, hydroseeding, and revegetation.

Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species

The City shall ensure the following mitigation measures shall be implemented, as appropriate, to avoid the spreading of invasive plant species throughout the project site during construction and maintenance activities, particularly in riparian areas:

- All hay, straw, hay bales, straw bales, seed, mulch, or other material used for erosion control or landscaping on the project site, and all material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
- All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)

Following completion of the construction phase of the project, the City will ensure the trail operator implements the operation and maintenance measures designed to remove invasive species from the project area. These measures are fully described on page 2-11 of Chapter 2 “Project Description” of the Draft EIR and were fully evaluated as part of the proposed project. Implementation of invasive species removal measures would address the biological, aesthetic, and recreation impacts identified by the commenter.

Comment 13-3:

The commenter asserts that the proposed project is not in compliance with the plans and policies of the ARPP.

Response to Comment 13-3:

Please refer to Master Response #3 “Land Use Compatibility” (provided above in **Section 2.2.1**) for a detailed discussion of the perceived inconsistencies with the ARPP identified by the commenter.

Comment 13-4:

The commenter asserts that City/County law enforcement measures such as CPTED were not addressed in the Draft EIR.

Response to Comment 13-4:

The commenter is directed to the response prepared for comment 7-20 for information regarding CPTED measures.

Comment 13-5:

The commenter asserts that the proposed project conflicts with the Wild and Scenic Rivers Act because it would degrade the Parkway and its habitat and aesthetic value by formalizing and increasing recreational use of the Parkway.

Response to Comment 13-5:

Pages 89 through 92 of the ARPP provide a historical perspective on the goals and objectives of the Wild and Scenic Rivers Act and describe the lower American River’s designated in 1981 by then Secretary of the Department of the Interior, Cecil Andrus, under Section 2 (a)(ii) of the Wild and Scenic Rivers Act. As described on page 91 of the ARPP:

“The Parkway Plan continues to serve as the management plan for the lower American River under the Wild and Scenic Rivers Act, providing management guidance and direction for state departments and agencies, as well as local governments, in carrying out their responsibilities under the State Wild and Scenic Rivers Act, as well as the Urban American River Parkway Preservation Act. State departments and agencies, as well as local governments, also must ensure that their actions are consistent with their responsibilities under the State Wild and Scenic Rivers Act.”

Please refer to Master Response #3 “Land Use Consistency” for a detailed discussion of the perceived inconsistencies with the ARPP identified by the commenter. As discussed in detail in Master Response #3, the proposed project is considered a future improvement in the ARPP.

Comment 13-6:

The commenter indicates that figures within the Draft EIR should exhibit the existing bike trail on the north side of the American River Parkway to show the existing trail system's connection to the proposed project. The commenter also indicates that Draft EIR Figure 2-3 does not include or illustrate the four-foot vegetation clearance described under Section 2.3.6 "Trail Operations and Maintenance".

Response to Comment 13-6:

Comment noted. While inclusion of a regional trail system figure would visually demonstrate the proposed project's connection to the larger trail system within the American River Parkway, this comment does not pertain to the adequacy of the Draft EIR. The proposed project's connection to the larger trail network is described as part of the project objectives described on page 2-1 of Chapter 2, "Project Description". Additional resources include a map of the entire American River Parkway located on the Sacramento County Regional Parks website (<https://regionalparks.saccounty.net/Rangers/Documents/UPDATED%20ParkwayMap.pdf>) that identifies the larger trail system.

Figure 2-3 is intended to highlight the typical cross section of the trail itself and is not intended to show the various maintenance or operations buffers described under Section 2.3.6 "Trail Operations and Maintenance. However, these buffers are identified in the biological resource impact figures provided in Appendix C of the Draft EIR. These impact buffers were used to determine the project impacts described in Section 3.2 "Biological Resources" of the Draft EIR.

Comment 13-7:

The commenter questions the need for project objectives regarding regional trail connectivity and ADA compliance.

Response to Comment 13-7:

Consistent with the CEQA Guidelines, the City has developed several key project objectives for the proposed project. In developing the project objectives, the City considered how the proposed project would serve and benefit the greatest number of residents within the project area and conform with the unique open space values of the American River Parkway.

Comment 13-8:

The commenter would like further details why Alternative 2 "Top of Levee Construction – Segments 4 through 6" would not meet project objectives.

Response to Comment 13-8:

Please refer to Master Response #1 "Alternatives to the Proposed Project" (provided above in **Section 2.2.1**) for a summary of the alternative(s) analysis provided in the Draft EIR. As more described in the master response, Alternative 2 does not meet the project objective of providing an acceptable project to all authoritative agencies and therefore were considered infeasible to implement.

Comment 13-9:

The commenter would like further details why Alternative 4 "Align Trail Outside of the American River Parkway" would not meet project objectives or have to be developed as a Class 1 facility.

Response to Comment 13-9:

Please refer to Master Response #1 “Alternatives to the Proposed Project” for a summary of the alternative(s) analysis provided in the Draft EIR. As described in the master response, Alternative 4 was determined to not meet any of the basic project objectives (see Table 4-1 on page 4-7 of the Draft EIR). For example, the use of existing streets for bicycles and pedestrians, would not provide an “alternative” transportation access route for commuters nor provide a vital recreation link with other American River Parkway trails. Existing streets would also not provide opportunities for educating trail users through interpretive signs and some of the existing streets and roadways may also not be ADA compliant. Development of a Class 1 bicycle and pedestrian trail is consistent with the grant funding requirements for the proposed project.

Comment 13-10:

The commenter suggests constructing a bicycle/pedestrian river crossing that would connect the north bike trail to the vicinity of Sutter’s Landing. Suggests that the cost of VELB mitigation would be removed under such as alternative.

Response to Comment 13-10:

The commenter’s suggestion for an additional alternative is noted. While the suggested trail could meet the project objective regarding regional trail connectivity and ADA compliance (assumed), it’s not clear how this alternative would meet any of the other objectives (i.e., alternative commute route for East Sacramento, and minimizing environmental impacts). Biological and cultural resource surveys would need to be conducted to determine the extent of impacts for a proposed northern trail connection. Additionally, while some VELB impacts may be reduced, a river crossing would add several new impacts (not currently associated with the proposed project), including water quality and habitat impacts to the American River and various special status fish species.

Comment 13-11:

The commenter states that the Draft EIR does not indicate how or where the proposed project’s NEPA document can be accessed.

Response to Comment 13-11:

As indicated by the commenter, Caltrans is the NEPA Lead Agency for the proposed project and is leading the NEPA compliance phase of the project. The Draft EIR is not a joint CEQA/NEPA, as the proposed NEPA document for this project is currently anticipated to be a NEPA Categorical Exclusion (with supporting technical studies) consistent with the Memorandum of Understanding between the Federal Highway Administration and Caltrans concerning the State of California’s participation in the Surface Transportation Project Delivery Program (23 U.S. Code § 327).

Comment 13-12:

The commenter quotes Section 1.2 of the Draft EIR and indicates that the downtown is already linked to neighborhoods and CSUS by an extensive network of bike trails.

Response to Comment 13-12:

The comment is not directed at the adequacy of the Draft EIR and is not addressed further.

Comment 13-13:

The commenter states that the Draft EIR should include the funding amounts and sources committed to the proposed project.

Response to Comment 13-13:

As indicated by the commenter in their response, the funding sources are listed on the City's project website. Such funding details are not required to be included in the Draft EIR.

Comment 13-14:

The commenter provides a general statement that the proposed project is not in conformance with several ARPP, which are further described in the following comments.

Response to Comment 13-14:

Please refer to Master Response #3 "Land Use Compatibility" for a detailed discussion of the perceived inconsistencies with the ARPP.

Comment 13-15:

The commenter states that the EIR conclusion regarding Aesthetics is not in conformance with several policies of the ARPP, including Policies 3.13.1, 3.18, 7.22, 8.2, 8.5, 8.24, and 10.26.

Response to Comment 13-15:

Please refer to Master Response #3 "Land Use Compatibility" for additional details regarding the perceived inconsistencies with the ARPP.

While specific comments do not indicate why the proposed project is not in conformance with the mentioned ARPP policies 3.13.1, 3.18, 7.22, 8.24, the use of interpretive signs will be minimized, given the open space nature of the American River Parkway. No interpretive signs are currently proposed as part of the project. The proposed project is also considered consistent with the intent of Policy 8.2 and 8.5, as the proposed trail was designed to connect with existing developed access points (Sutter's Landing Regional Park, Glenn Hall Park, and the H Street Bridge) along the American River Parkway with the purpose of minimizing disturbance to sensitive habitats and species. Outside of paving for the trail, no additional paved areas, access roads, or parking lots are included as part of the proposed project, as indicated in Chapter 2 "Project Description" of the Draft EIR.

While specific comments do not indicate why the proposed project is not in conformance with the mentioned ARPP policies 3.13.1, 3.18, 7.22, 8.24, the use of interpretive signs will be minimized, given the open space nature of the American River Parkway. No interpretive signs are currently proposed as part of the project. The proposed project is also considered consistent with the intent of Policy 8.2 and 8.5, as the proposed trail was designed to connect with existing developed access points (Sutter's Landing Regional Park, Glenn Hall Park, and the H Street Bridge) along the American River Parkway with the purpose of minimizing disturbance to sensitive habitats and species. Outside of paving for the trail, no additional paved areas, access roads, or parking lots are included as part of the proposed project, as indicated in Chapter 2 "Project Description" of the Draft EIR.

Should the design at Glenn Hall Park result in tree loss, these impacts would need to be disclosed consistent with the CEQA Guidelines. Visual simulations are not required in determining the adequacy of an EIR. The commenter is directed to Figure 2-5 (page 2-8) of the Draft EIR which visual describes the Glenn Hall Park Trail Access Alignment. It is also noted that the various Glenn Hall Trail access alignments were presented (with graphics) and discussed at least at two public workshops in the Riverpark neighborhood, as part of the CEQA review process.

The commenter's suggestion for "ground pavement stenciling" as an effective means of signing with minimal Parkway impact is noted.

Comment 13-16:

The commenter states that the EIR conclusion regarding Aesthetics is not in conformance with Policies LU 2.4.1, LU 2.4.2, and ER 7.1.1 of the City of Sacramento General Plan

Response to Comment 13-16:

Please refer to Master Response #3 "Land Use Compatibility" for additional details regarding the perceived inconsistencies with the City of Sacramento General Plan.

The proposed project is considered consistent with the intent of Policies LU 2.4.1 and LU 2.4.2, as the City is proposing a quality trail that respects and incorporates design features consistent with other Class 1 trails in the American River Parkway and that strives to provide a recreation experience that contributes to the desirability of the City of Sacramento for residents and visitors alike.

Consistent with the intent of Policy ER 7.1.1, the City has considered and incorporated a number of trail design and construction features (including a levee top trail within Segment 4 and placement of most construction staging areas outside of the Parkway or within disturbed areas) to minimize visual and biological resource impacts resulting from the project and to preserve the ecological integrity of riparian resources, contrary to the commenter's assertion.

Comment 13-17:

The commenter states that the text on page 3.1-11 of the Draft EIR fails to adequately describe the visual character of the study area.

Response to Comment 13-17:

The complete description of the visual character of the study area is provided on pages 3.1-1 and 3.1-2 (Environmental Setting) of Section 3.1 Aesthetics.

Comment 13-18:

The commenter states that the text on page 3.1-11 of the Draft EIR fails to adequately describe the visual character of the study area that includes Trail Segments 4 through 6.

Response to Comment 13-18:

The referenced text on page 3.1-11 is intended to summarize the complete description of the visual character of the study area provided on pages 3.1-1 and 3.1-2. The visual character of Trail Segments 3 through 6 is fully described on page 3.1-2. Photos providing typical views along the proposed trail alignment are provided on pages 3.1-3 through 3.1-8 of the Draft EIR.

Comment 13-19:

The commenter states that the project should include mitigation measures per AARP policies 7.22, and 7.22.1 through 7.22.5.

Response to Comment 13-19:

Outside of the trail and the associated UPRR overhead structures, no additional structures are being considered under the proposed project. The commenter is referred to the analysis under Impact AES-1 (page 3.1.11 of the Draft EIR), which states that implementation of the proposed project would be constructed consistent with ARPP policies concerning aesthetics, including Policy 7.22, which requires that the overhead structures be designed with color, texture, and scale that blends in with their surroundings. Outside of the UPRR overhead structures, construction of the trail would not include any other structures that would affect background views or the overall visual character of the study area. The analysis concluded that scenic (or visual) impacts were determined to be less than significant due to the temporary nature of construction disturbances, consistency with ARPP policies, and the minor changes in visual character following implementation of the proposed project (including the mitigation measures provided in the Final EIR).

Comment 13-20:

The commenter states that migratory birds and raptors, which are not special status species, may be protected under the Migratory Bird Treaty Act.

Response to Comment 13-20:

The commenter is correct. The statement referenced by the commenter on page 3.2-7 was specific to special status plants and wildlife. The biological resources section of the EIR continues with a description of the Migratory Bird Treaty Act (Regulatory Setting) and Impact BIO-1 provides analysis of impacts to protected bird species (page 3.2-27 of the Draft EIR) resulting from the proposed project.

Comment 13-21:

The commenter suggests that a qualified biologist implement mitigation measure BIO-1 and that informational pamphlets and posters for construction personnel, and the availability of contact information for a qualified biologist be incorporated into the mitigation measure.

Response to Comment 13-21:

The suggestion for a qualified biologist to implement the environmental awareness training described in mitigation measure BIO-1 is an existing condition of the measure. The training must be conducted by a qualified biologist. Information and the training materials are also available on site, if new personnel are added to the project. Additionally, any required on-site species or biological resource monitoring (see mitigation measures BIO-2, BIO-7, and BIO-14) must all be completed by a qualified biologist. Consequently, the construction team (City, contractor, etc.) will have the contact information for a qualified biologist, as part of the proposed project, as requested by the commenter.

Comment 13-22:

The commenter states that the monitoring schedule provided in mitigation measure BIO-2 should refer to the schedule provided in mitigation measure BIO-7.

Response to Comment 13-22:

The mitigation measures would be implemented collectively under the guidance of a qualified biologist that is part of the construction team. This will ensure all required monitoring schedules are implemented efficiently as part of the entire construction process.

Comment 13-23:

The commenter states that the site restoration timeline of 1 year is inadequate to ensure disturbed areas are returned to pre-project conditions. The commenter suggests that an on-going maintenance/management/corrective action program be included as part of mitigation measures BIO-4 and BIO-5.

Response to Comment 13-23:

Mitigation measure BIO-4 refers to the return of temporarily disturbed areas to pre-project conditions within a one-year timeline. For the proposed project, temporarily disturbed areas primarily consist of those areas required for construction staging and equipment access. As shown in Figures 2-1 and 2-2 of the Draft EIR, a majority of the construction staging areas are outside the American River Parkway, on developed surfaces. For those areas within the American River Parkway, construction staging areas are proposed for ruderal or grassland habitat locations, which can be restored within the timeframe provided in the mitigation measure. For permanent and temporary impacts to VELB, riparian, or native trees, resource monitoring will be required as determined by the compensatory/restoration aspects of the City and State permitting requirements.

Comment 13-25:

The commenter states that mitigation measure BIO-5 should include a long-term management plan for invasive species and that mitigation measures should include provisions for mowing practices that will not disturb native vegetation.

Response to Comment 13-25:

The trail operation and management aspects of the project include mowing and invasive vegetation removal practices that would be implemented as part of the operational aspects of the project. The commenter is referred to the response to Comment 8-4.

Comment 13-26:

The commenter supports on-site restoration or replacement of riparian and VELB impacts resulting from the proposed project.

Response to Comment 13-26:

The comment is noted. The commenter is directed above to Master Response #2 “Biological Resources”.

Comment 13-27:

The commenter supports onsite restoration using the VELB shrubs that would be transplanted under mitigation measure BIO-6.

Response to Comment 13-27:

The comment is noted. The commenter is directed above to Master Response #2 “Biological Resources”.

Comment 13-28:

The commenter provides a statement that the proposed project is not in conformance with City of Sacramento General Plan Goal ER 2.1, policies ER 2.1.1, ER 2.1.2, ER 2.1.3, and ER 2.1.4.

Response to Comment 13-28:

Please refer to Master Response #3 “Land Use Compatibility” for a detailed discussion of the perceived inconsistencies with the City of Sacramento General Plan.

Comment 13-29:

The commenter provides a statement that the proposed project is not in conformance with several American River Parkway goals and policies including, policies 1.3, 3.2, 3.2.2, 3.2.4, and 3.4.

Response to Comment 13-29:

Please refer to Master Response #3 “Land Use Compatibility” for a detailed discussion of the perceived inconsistencies with the American River Parkway Plan.

Comment 13-30:

The commenter provides a statement that the proposed project is not in conformance with American River Parkway goals and policies for the Paradise Beach Area (Policy 10.26).

Response to Comment 13-30:

Regarding AARP Policy 10.26, the Paradise Beach Area Plan includes this policy which is specifying that “Permanent structures and any other physical changes that would attract groups of users should not be introduced to the area.” The ARPP specifically defines group activities, group sizes, and empowers the Parkway Manager to actively manage group activities to protect Parkway resources and avoid impacts to other Parkway users (ARPP, p. 101-102). Although the project seeks to increase trail use, it is not designed to attract groups of users as that term is described in the ARPP. However, based on the descriptions of groups and group activities in the ARPP, the project description and objectives do not support the argument that the project would attract groups of users. Please refer to Master Response #3 “Land Use Compatibility” for additional details regarding the perceived inconsistencies with the ARPP.

Comment 13-31:

The commenter states that during the initial planning stages for the project, more coordination should have occurred with the flood control district to minimize changes to the trail location (levee top versus toe of levee).

Response to Comment 13-31:

The commenter is directed to pages 1-17 through 1-18 of the Draft EIR which describes the public outreach events associated with the proposed project including three (3) presentations at the River Park Neighborhood Association General Meeting. The format for all meetings has been to incorporate project

updates with opportunities for public input, including formal question and answer sessions and more personal one-on-one questions and answer sessions with City staff at break-out sessions provided at each of the community meetings.

Comment 13-32:

The commenter restates a section of Draft EIR page 3.9.8 regarding conflicts between existing and proposed users and indicates that removal of the informal foot trail will affect existing users.

Response to Comment 13-32:

The commenter is referred to the response prepared for comment 7-13. Regarding the existing informal foot trail that parallels the levee, the proposed project would replace the existing foot trail with a Class 1 bicycle/pedestrian trail. However, as stated in Section 3.9 “Public Services, Recreation, and Utilities” under Impact PSR-3 on page 3.9-8 of the Draft EIR, the proposed project design incorporates a modified trail design that includes multiple trail options (paved trail, wider unpaved shoulders, and more informal foot trails) to accommodate existing uses of the informal foot trail.

Comment 13-33:

The commenter states that the Draft EIR should provide an analysis as to whether the project will cause significant environmental effects to recreation by accelerating the substantial physical deterioration of the project area.

Response to Comment 13-33:

Impact PSR-1 “Recreation: Cause Deterioration of Existing Facilities” is included in Section 3.9 “Public Services”. Additionally, both proposed and existing trail uses are addressed under two separate impact discussions (Section 3.9 “Public Services, Recreation, and Utilities” and Section 3.10 “Transportation and Circulation”) in the Draft EIR. The commenter is also referred above to the responses prepared for comments 7-13 and 8-8.

Comment 13-34:

The commenter asserts that the Draft EIR fails to disclose the project’s cumulative impacts.

Response to Comment 13-34:

Cumulative impacts have been addressed in Chapter 5 of the Draft EIR. The commenter is also referred to the response to comment 8-16 describing the scope and content of the cumulative analysis. The commenter is also referred to Master Response #3 “Land Use Compatibility” for a detailed discussion of the perceived inconsistencies with the American River Parkway Plan.

Comment 13-35:

The commenter requests to see the mitigation monitoring and reporting plan and other CEQA related documents, in addition to the Final EIR.

Response to Comment 13-35:

The City will make available are public review documents consistent with City policies and CEQA Guidelines.

Comment 13-36:

The commenter states that the Draft EIR does not indicate how or where the proposed project's NEPA document can be accessed.

Response to Comment 13-36:

The commenter is referred to the response prepared for comment 13-11.

Comment 13-37:

The commenter states that the NEPA document must address the proposed project's impact regarding environmental justice.

Response to Comment 13-37:

The commenter is referred to the response prepared for comment 7-13.

Letter #14: David Boyer

LETTER 14

September 12, 2019

Ron Bess,
Assistant Planner Community Development Department
300 Richards Boulevard
Sacramento, CA 95811

Dear Mr. Bess,

I have reviewed the Two Rivers Trail (Phase II) Draft EIR and request that this comment letter and the attached letter (Attachment 1) dated August 13, 2018 is included in the current EIR documentation.

The attached letter was written by me and sent via email to all Sacramento City Council Members and all of the members of the Sacramento County Board of Supervisors in response to the initial public project announcement in April, 2018. Some sent "receipt replies" but the letter was apparently not shared with the CEQA Team and was not included as a comment from the public in the IS/MND or in the Draft EIR.

Draft EIR Comments:

To start my comments, I want to state that I am a strong proponent of this project if the comments below are adequately addressed. I believe the DEIR requires some modification before it truly represents and honestly analyzes all the Alternatives.

Alternative 1, Page ES-7 does not describe the location of the trail, however the reader must assume it is referring to the Proposed Project that includes building Segments 4 through 6 in the American River floodplain. This Alternative should disclose that the Proposed Project is not what the City Council, cooperating Agencies, and the public agreed to during initial planning and adoption of the American River Parkway Plan. The trail was initially planned to be constructed on the levee top and was not opposed by the ARFCD during development of the ARP Plan. This Alternative does not discuss how and why this change was made and provides no supporting documentation, reasoning, or analysis for why such an expensive and (in my opinion) less desirable Alternative is presented as the Proposed Project and Alternative 1. The document should be re-written to present the Top of Levee Construction as the Proposed Project and Alternative 1. The riverside location should be another Alternative and should describe the reason for this Alternative and include backup documentation to support the necessity of spending millions of dollars for unnecessary mitigation, questionable trail design, and why such a radical change to initial planning was made.

14-1

I commend the difficult work the City Project Leader and Staff did to get the Top of Levee Construction alternative included in the DEIR and the levee top extension in Segment 4 included in the Proposed Project as written. The trail construction and ramp building on the riverside of the levee and disturbance of the levee banks seriously frightens and concerns many River Park residents.

14-2

However, those changes do not go far enough. I contend the analysis should be reorganized as described above, and the Levee Top Construction Alternative be thoroughly analyzed and compared against the current DEIR Proposed Project.

One sentence that caught my eye on Page 3.2-9 states, "Executive Order 11988 dictates that all federal agencies avoid construction or management practice that would adversely affect floodplains unless that agency finds that there is no practical alternative and the proposed action has been designed or modified to minimize harm to or within the floodplain." Has the Army Corps of Engineers determined that there is "no practical alternative" and "the proposed action has been designed or modified to minimize harm to or within the floodplain."? If so, please include their reasoning and documentation as to why the Top of Levee

14-3

Construction Alternative is not practical and that building and paving new construction ramps and trails in the floodplain does not harm it.

↑ cont.
14-3

I also believe the Proposed Action, as written, violates the City of Sacramento Floodplain Management Ordinance as described on Page 3.6-7.

14-4

The DEIR contains hundreds of pages of boilerplate analysis of temporary effects such as construction noise, equipment exhaust, and dust, issues regarding animals or insects that may or may not be present in the area, and an incredible amount of text dedicated to describing and responding to bureaucratic regulations and requirements. However, the document almost completely dismisses, or does not analyze, the main point discussed in these letters – **why the most obvious and least expensive option is not being seriously considered or discussed!**

The eleven “reasons” supporting a Levee Top Construction Alternative are listed in the attached letter and paraphrased and further discussed below. They are still valid and need to be addressed in the EIR. These reasons are specifically referring to Segments 4 through 6.

14-5

Reason 1.

Not building the trail in the floodplain has many obvious benefits. Many existing trail segments have been heavily damaged or completely destroyed during periodic and recurring high water events over the years. Wherever possible these trail segments have been realigned or relocated to avoid this damage and the extremely high cost of reconstruction. It seems foolish to me to deliberately locate a new trail in a location where it is susceptible to damage from the next high water event (and the next and the next). During the winter of 2017 I saw the river, flowing at “only” 89,000 cfs, destroy the hardened access ramps at both ends of the Jim Jones (PCA) Bridge and severely damage the bridge itself. During this same event, thousands of cubic yards of sand and gravel were deposited into, and eroded from, the Paradise Beach area that is within and adjacent to this project area. Millions of dollars of recent State funded fisheries projects were washed away in this one event. The river is capable of much more unpredictable and catastrophic damage during flows potentially much higher than 89,000 cfs. The power of the river has no difficulty destroying delicate man-made constructions such as ramps and asphalt trails built on sand. The DEIR discusses the effect of a riverside trail on laminar flow and flow obstruction. This is not the point of concern. Of course, a flat, intact, paved surface is not going to impede the flow of the river. The concern is what happens to the toe, bank, and the rest of the levee when the river undercuts the sandy, unconsolidated river alluvium under the trail and/or ramps, and the subsequent lifting and destruction of the trail causes exposed excavations, asphalt debris movement and piling, and the resulting roiling and turbulence erodes away the levee bank and causes potential failure. Why take such an unnecessary risk when a hardened surface on top of the levee would avoid this potential situation and provide additional levee top protection during high impact events?

Reason 2.

The DEIR proposes two trail ramps and two ADA access ramps on the riverside. The construction of all these ramps would be avoided. These ramps are of great concern because of similar conditions described above. The ramps would cost hundreds of thousands of dollars, money that could be better spent hardening the trail on the levee top to withstand damage from vehicles or tractors and significant weather events.

Reason 3.

The Top of Levee Construction Alternative would significantly reduce, or completely eliminate, millions of dollars of environmental studies, monitoring, and mitigation since there would be no disturbance on the riverside of the levee (except for the temporary staging area near Glenn Hall Park where there is little or no existing vegetation). Many concerns of the “Save Don’t Pave” coalition would be eliminated.

14-6

Reason 4.

Paving a trail on the levee top would provide for a more uniform and consistent grade for commuter bike traffic, road bike enthusiasts, physically challenged persons, and would leave the utility road available for

more leisurely walkers, dog walkers, nature enthusiasts, off-road or mountain bike riders, access to the many informal trails into the Parkway open space, and it would leave the unpaved utility road to be used for levee maintenance activities such as mowing. A similar arrangement of levee top trails and utility roads currently exists for several miles upstream from the H Street Bridge to William Pond Park. If one of the main reasons for constructing this trail is to facilitate bicycle commuting, building the trail with up and down ramps does not provide the most accommodating and safe design. A trail with a consistent grade would make for a safer, faster commute route. A trail with fewer ramps would be more accessible to persons with disabilities.

Reason 5.

High water damage to the unpaved utility road would not impact use of the paved levee top trail/roadway and would be much less expensive to repair than a paved trail in that location.

Reason 6.

Levee mowing is not a year-round operation. Once the spring mowing is completed, there are few instances with trail user versus maintenance equipment conflicts. Designing the trail shoulders to withstand damage from equipment tires would be much less expensive than designing and building a new trail to withstand the relentless erosion damage from high water flows. Levee maintenance crews could use their "robot mowers", as described in an ARFCD Newsletter, or a crew with string trimmers to mow areas difficult to access.

Mowing of the riverside of the levee can be completed from the unpaved lower road. I have seen crews drive their truck and trailer down onto the lower road, unload the mower, and mow from the lower road. Page 2-11 states this work occurs "up to 4 time annually" and that "trail maintenance activities may also require temporary closure of sections of trail" and "signs would be placed ... alerting users of the closure and designating alternate routes." This seems reasonable if the ARFCD has deemed it too unsafe to mow when the public can access the area. However, I have never seen any part of the trail closed for mowing operations. If this is to be a new ARFCD policy (to close and sign the trail when mowing is happening) why is it possible to do this for a paved trail located on the lower road, and not for a paved trail located on top of the levee? Please explain the rationale in the EIR.

Inconvenience for the mowing crew caused by inconsiderate members of the public does not justify spending millions of dollars unnecessarily, and building a trail with an inappropriate and potentially dangerous design.

The ongoing trail maintenance activities described on Page 2-11 such as trimming and removal of vegetation such as grass, shrubs, and trees, using light equipment, heavy equipment, and herbicides would be significantly reduced or eliminated with a levee top trail as opposed to a trail in the floodplain directly adjacent to all the associated vegetative growth. In addition to the work described above, significant effort and equipment would be needed for periodic removal of sand and gravel deposited by wind and erosion from the adjacent floodplain and from the levee slopes directly above a riverside paved trail.

Reason 7.

A paved, levee top trail/roadway could be an advantage to the integrity of the levee during extended wet periods when levee patrol traffic would be increased.

Reason 8.

A paved, levee top trail/roadway could also be an advantage to City and County law enforcement patrols, and ambulance and rescue vehicles.

Reason 9.

Paving the existing hardened and compacted levee top would be significantly less expensive than designing and constructing a completely new trail at the toe of the fill, on unconsolidated river sediment, and four



cont.
14-6



14-7



14-8



ramps built on and/or into the side of the levee . The cost of environmental mitigation for a riverside location has not been announced, but was hinted to be in the 3 to 4 million dollar range. This would potentially be more than the actual construction cost of the trail! The public, and the City Council, should know how much more costly this alternative would be. During one of the public scoping meetings, a woman objected to spending that much money mitigating the effects of building in the floodplain. The response from City Staff was "Well, it's not your money, we obtained a grant for this project". Well, the City didn't just create the money. Taxpayers earned that money, and some of it did come directly from Sacramento taxpayers. I agree with her and don't want to see the money wasted on unnecessary mitigation work, and on a project that would be in jeopardy every time the river rises.

Reason 10.

The required ADA access ramps to the trail at Glen Hall Park would only be needed on the park side of the levee, and not also down the other side to access a trail location on the riverside of the levee. This reason alone could save potentially hundreds of thousands of dollars.

Reason 11.

The City would not have to obtain and maintain agreements and maintenance coordination from the County Regional Parks and Regional Parks Commission to build the trail outside the city jurisdiction on County owned property.

As stated at the beginning of this letter, I support this project and would love to use a paved trail built on the levee top in Segments 4 through 6. It would be a wonderful addition to the ARP trail system. However, if the project goes ahead as currently proposed, I would not support such an unwise decision, and would rather see the money returned to the people who earned it and leave the levee and Parkway as it currently exists.

Please revise the DEIR to change and analyze the Proposed Project and Alternatives to better address these issues in the Final EIR.

Thank you for addressing all these concerns.

Sincerely,

David Boyer
5800 Spilman Avenue
Sacramento, CA 95819
(916) 769-9692
dnboyer@att.net

cont.
14-8

ATTACHMENT 1

August 13, 2018

Dear Members of the Sacramento City Council and Sacramento County Board of Supervisors,

I am writing to you in regards to the Two Rivers Trail project. I am a resident of River Park, was a Forester on the Eldorado National Forest for 29 years, and recently retired as a Park Maintenance Supervisor of seven years for Sacramento County. I am a frequent user of the levee top roadway, levee utility road, Paradise Beach area, and other areas of the American River Parkway. I hike and bike all these locations.

I attended the Two Rivers Trail multi-agency informational meeting held at Caleb Greenwood School in spring of this year. The meeting was well attended by both pro and con groups. I was a neutral attendee. The Pro group expressed support citing better access and increased property values. The Con group mostly represented by the local "Save, Don't Pave" group wanted the trails and roads to stay as they currently exist, with no paving what-so-ever. Others only wanted to "Save" the riparian vegetation and parkway animals from being impacted by the trail, but didn't have strong feelings regarding trail construction specifics. The Agency representatives that attended the meeting did an excellent job of providing the information they had available. However, since the American River Flood Control District (ARFCD) was not in attendance, that made the meeting, for me, less than satisfying.

I am now an enthusiastic supporter of completing this paved trail segment to connect Sutter Landing with H Street, and I am very interested in reviewing the CEQA document currently being prepared. However, I feel the options being considered are not adequate because the perfectly viable option of putting the trail on top of the levee is not being considered.

Restricting the trail location to the river side of the levee precludes CEQA documentation and public discussion of the other obvious location, paving the existing roadway on top of the levee. I have heard two versions of why this has happened: the City conceded to demands from property owners with back yards adjacent to the levee to not pave the levee top to limit the number of people using the levee and looking into their back yards, or ARFCD entered into an agreement with the City to not pave levee top roads due to conflicts with members of the public using the levees, or concerns regarding the cost to repair possible pavement edge damage from mowing equipment. These concerns are not unimportant, but they are also not so vital to the property owners or operation of the levee that they cannot be part of the discussion regarding this project. This option is clearly a viable one as evidenced by the fact that there are currently several stretches of levee top that are currently paved. Eliminating this option is, in my opinion, contrary to the intent and purpose of CEQA.

14-9

Some reasons for including the "Levee Top" option include:

1. The obvious benefit of not building the trail in the flood plain of the river. Many existing trail segments have been heavily damaged or completely destroyed during periodic and recurring high water events over the years. Wherever possible these trail segments have been realigned or relocated to avoid this damage and the extremely high cost of reconstruction. It seems foolish to me to deliberately locate a new trail in a location where it is susceptible to damage from the next high water event (and the next and the next).
2. The benched ramp(s) proposed upstream from the railroad and possible other locations would be avoided. It seems inconceivable that the Army Corps of Engineers and ARFCD would agree to excavation of the levee bank(s) to construct the trail. This item alone scares the heck out of several River Park residents I have heard from and may in itself push this project, as proposed, to require the development of an EIR.
3. The "Save Don't Pave" concern over impacts to riparian vegetation and wildlife would be mitigated by not building in the flood plain.

4. Paving the levee top would provide for a more uniform and consistent grade for commuter bike traffic, road bike enthusiasts, physically challenged persons, and would leave the utility road available for more leisurely walkers, dog walkers, nature enthusiasts, off-road or mountain bike riders, and access to the many informal trails into the Parkway open space and river access.

5. High water damage to the unpaved utility road would not impact use of the levee top trail/roadway and would be much less expensive to repair than a paved trail in that location.

6. Levee mowing is not a year-round operation. Once the spring mowing is completed, there are few instances with trail user/maintenance equipment conflicts. Designing the trail shoulders to withstand damage from equipment tires would be much less expensive than designing and building a new trail to withstand the relentless erosion damage from high water flows. Levee maintenance crews could use their “robot mowers”, recently put into service, to mow areas difficult to access.

7. A paved, levee top trail/roadway could be an advantage to the integrity of the levee during extended wet periods when levee patrol traffic would be increased. A paved trail at the toe of the fill could divert high water flows against the fill slope increasing the risk of levee failure.

8. A paved, levee top trail/roadway could also be an advantage to City and County law enforcement patrols, and ambulance and rescue vehicles.

9. Paving the existing hardened levee top would be significantly less expensive than designing and constructing a completely new trail at the toe of the fill, on unconsolidated river sediment, and benched into the side of the levee.

10. The required ADA access ramp to the trail at Glen Hall Park would only be needed on the park side of the levee and not down the river side to access a trail location on the river side of the levee.

11. The City would not have to obtain and maintain agreements and maintenance coordination from the County Regional Parks and Regional Parks Commission to build the trail outside the city jurisdiction on County owned property.

These items should be enough reasons to include the “Levee Top” option in the CEQA document for public consideration and mitigation as needed.

Please include this option in the CEQA document and reject any negotiations or agreements with property owners or ARFCD that preclude this option.

Thank you for your consideration, and contact me if you would like to discuss any of the comments presented above,

s/s

DAVID BOYER
5800 Spilman Avenue
Sacramento, CA 95819
(916) 769-9692
dnboyer@att.net

I concur,
Doug Leslie

cont.
14-9

5311 Moddison Avenue
Sacramento, CA 95819
(916) 835-3197

Comment 14-1:

The comment asserts that the Draft EIR does not clearly describe the reason for the alignment change from a “levee-top” trail to the propose project.

Response to Comment 14-1:

The commenter is incorrect in their assertion and is directed to pages 1-3 through 1-5, Section 1.2 “Project Location and Background” of the Draft EIR. As stated in the Draft EIR, preliminary discussions with several responsible agencies (including the ARFCD and USACE) considered placement of the trail on a med-height bench (along the waterside levee slope) to be a potential risk to levee performance, with the potential to increase levee operation and maintenance costs. Consideration of these issues contributed to the ARFCD Board’s decision in March 2019 to grant the City a variance to construction a “levee top” trail only along a 0.25 mile portion of Segment 4, thus removing the levee performance concerns associated with the previous trail design. With no levee performance issues identified for the remaining trail segments and considering the ARFCD safety issues reiterated above in Comment Letter #3 (from the American River Flood Control District, David Aladjem), the City does not anticipate any additional “levee top” variances from the ARFCD for other segments of the proposed trail project. This coordination effort on behalf of the City and the ARFCD does not indicate a lack of a finite project description, as the commenter asserts. Rather, it demonstrates the desire of the City (and the project’s responsible agencies) to design a trail project that minimizes environmental concerns and meets the overall intent and objectives of the proposed project.

Comment 14-2:

The comment restates that the Levee Top Construction Alternative be thoroughly analyzed and compared against the current proposed project.

Response to Comment 14-2:

The commenter is referred above to the response for comment 14-1 and to Master Response #1 “Alternatives to the Proposed Project” for a summary of the alternative(s) analysis provided in the Draft EIR.

Comment 14-3:

The commenter requests reasoning and documentation from the USACE as to why a Levee Top Alternative is not practical.

Response to Comment 14-3:

The City is current working with the USACE in compliance with applicable regulations including the Rivers and Harbors Act Section 14 (408) authorization for alterations to a Federal project levee.

Comment 14-4:

The commenter asserts that the Proposed Action (project) violates the City of Sacramento Floodplain Management Ordinance.

Response to Comment 14-4:

The commenter does not provide a reason for the violation. This comment is not directed at the adequacy of the Draft EIR.

Comment 14-5 through 14-8:

The commenter provides eleven reasons why a Levee Top Alignment should be constructed instead of the proposed project.

Response to Comment 14-5 through 14-8:

The commenter is referred above to the response for comment 14-1. The commenter is also referred above to Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**).

Comment 14-9:

The commenter has attached a letter (dated August 13, 2018) submitted to the Sacramento City Council and the Sacramento County Board of Supervisors regarding the project previously analyzed in the 2018 IS/MND. Similar to comments 14-5 through 14-8, the commenter provides eleven reasons why a Levee Top Alignment should be constructed instead of the previous project (with the benched levee option for Trail Segment #4).

Response to Comment 14-9:

Since submittal of the August 13, 2018 letter, the benched levee option has been replaced with a levee top alignment for a 0.25 mile section within Trail Segment #4. Regarding the eleven reasons why a Levee Top Alignment should be constructed instead of the proposed project, the commenter is referred above to the response for comment 14-1 and Master Response #1 “Alternatives to the Proposed Project”.

Letter #15: Stephanie Jentsch

LETTER 15

From: [Stephanie Jentsch](#)
To: [Ron Bess](#)
Subject: Comments on the DEIR for the Two Rivers Trail Phase II Project
Date: Monday, September 16, 2019 12:33:18 AM

Dear Mr. Bess,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Two Rivers Trail - Phase II project.

The DEIR states, that Segment 4, " is proposed as a "levee-top" trail alignment, which may extend past the current boundary of Segment 5 should the ARFCD be able to grant additional trail variances to the waterside toe alignment proposed for the remaining portions of the trail". I appreciate that the proposed project provides for the possibility of reducing negative environmental impacts by allowing for additional trail on the levee top. Given that coordination with agencies such as California Department of Fish and Wildlife and U.S. Fish and Wildlife Service will be required for project permitting, it is important that the DEIR does not preclude allowing additional sections of trail on the top of the levee in order to avoid impacts to sensitive habitat if allowed by the ARFCD.

However, while it is helpful for the DEIR to describe the potential to reduce these impacts, it is important for the City and for the public to understand the extent that impacts could be reduced (as well as the amount that costs for mitigating these impacts could be reduced). In order for the City to make an informed decision about the proposed project, it is important that the DIER provide a more detailed comparison of the impacts and mitigation associated with extending the top of levee alignment.

Thank you for consideration,
Stephanie Jentsch

15-1

Comment 15-1:

The commenter requests that the Draft EIR provide a more detailed comparison of the impacts and mitigation associated with extending the top of levee alignment.

Response to Comment 15-1:

The commenter is referred above to the response for comment 14-1. With no levee performance issues identified for the remaining trail segments and considering the ARFCD safety issues reiterated above in Comment Letter #3 (from the American River Flood Control District, David Aladjem), the City does not anticipate any additional “levee top” variances from the ARFCD for other segments of the proposed trail project.

The commenter is also referred above to Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**).

Letter #16: Kate Riley

Comment 16-1:

The commenter states that the project discussed in the Draft EIR does not include the segment from Tiscornia Park to the Sacramento Northern Bikeway Trail.

Response to Comment 16-1:

LETTER 16

Via Email

September 16, 2019

Ron Bess, Assistant Planner
City of Sacramento Community Development Department
300 Richards Boulevard Sacramento, CA 95811

RE: Comments on the Draft Environmental Impact Report for the Two Rivers Trail Phase II Project

Dear Mr. Bess;

Thank you for providing the opportunity to comment on the City's Draft Environmental Impact Report for the Two Rivers Trail, Phase II. My mother taught me that if you don't have something nice to say, don't say anything at all. If I were to obey that rule, I'm afraid I would have no comment on this DEIR. The document is flawed from start to finish, and exhibits a remarkable level of internal inconsistency that leads me to believe that the people charged with this project had little experience in completing CEQA documents. Many of my thoughts have been expressed better elsewhere, so I would like to limit this letter to some finer points.

1) The DEIR begins with an incorrect description of the proposed project:

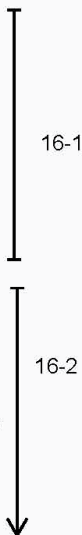
"ES.1. Introduction

The City of Sacramento (City) proposes to construct approximately 3.4 miles of new Class 1 bicycle and pedestrian trail comprising 6 segments (proposed project) along the south bank of the American River that extends from Tiscornia Park at Jibboom Street to the H Street Bridge in Sacramento, California (see Figure ES-1)." (Emphasis added)

The project discussed by this DEIR does not include the segment from Tiscornia Park to the Sacramento Northern Bikeway Trail.

2) The DEIR ignores several controversies in the executive summary discussion of "areas of controversy."

Many of these areas of controversy are noted in other comment letters. They indicate an overarching problem of inconsistency between the proposed project (the "preferred alternative") and a variety of other Planning Documents and Statutory standards. Of particular concern to me is that the City's Bicycle Master Plan (BMP) set environmental equity as one of four goals for the BMP. This project, currently set at \$6 million, uses up an enormous amount of money to build a bike trail that is duplicated right across the River. This area, East Sacramento, is one of the most advantaged areas of the City for bicycle



facilities. How can the Council, in good conscience, support such a duplicative, unnecessary project when there are areas elsewhere that are sorely underserved by bicycle facilities?

↑ cont.
16-2

3) Connectivity: The Continuity of the Two Rivers Trail is a chimera

It appears that the Two Rivers Trail will not provide the continuity and connectivity that is being touted by its proponents. The project description below excludes a section of the south side of the American River.

“Project Location and Background

Two Rivers Trail is a planned Class 1 bicycle and pedestrian trail along the south bank of the American River that extends from Tiscornia Park at Jibboom Street to the H Street Bridge in Sacramento, California (Figure 1-1). Phase I of this trail includes the segment from Tiscornia Park to the intersection of North 12th Street and State Route (SR) 160. *Phase II includes the section from the Sacramento Northern Bikeway Trail at North 18th Street through Sutter’s Landing Regional Park to the H Street bridge.*” (Emphasis added) DEIR, p. 1-1

Also See DEIR: Figure 1-1 on page 1-3, Project Location Map

The current trail ends at North 12th Street. The improvements to the North 16th Street interchange will provide some connectivity for bicyclists, though not on the River.

16-3

Then the trail disappears, and reappears again at the eastern side of the Sacramento Northern Bicycle Trail. So it will never provide the connectivity provided by the Jedidiah Smith Trail right across the river – continuous biking from Folsom to the Sacramento River.

Figure 1-1 shows clearly that the Trail will end at the intersection of 16th Street/Route 160 and then resume at the Sacramento Northern Bikeway Trail. The idea of a continuous trail from the Sacramento River to CSUS and beyond appears to have been abandoned. So the goal of continuous trail on the south side of the American River is no longer a realistic part of this plan and should not be used as criteria for dismissing alternatives.

4) Protected Trees

“In accordance with policies stated in the City’s General Plan, to compensate for the permanent removal of riparian vegetation associated with the trail construction, the City shall purchase offsite credits at a mitigation bank or replant riparian trees and shrubs at a 1:1 ratio (e.g., 1 acre planted for every 1 acre removed).” DEIR, P. 3.2-31 et seq.

16-4

The problem with this strategy is that there is no guarantee or even incentive to replace or restore the lost trees in the area from which they were removed. This is a definite threat to the recreation value and aesthetics of the area.

5) No mention of consulting arborist

In spite of SDP comments on the MND calling for the involvement of a consulting arborist on this project, the DEIR does not specifically call for the involvement of an arborist in any decision or action involving the trail.

Apparently the City Urban Forestry staff will be responsible for monitoring during construction of the trail, although that is not specified. The additional staff costs associated with this responsibility are not estimated.

16-5

6) Invasive Species

“The City will be responsible for planting, replanting, watering, weeding, invasive exotic eradication, and any other practice needed to ensure this goal.” DEIR P. 3.2-32

The Sutter’s Landing project has shown the lasting effects of invasive species in an area that has been disturbed for the construction of a paved trail. This is a pilot program for what will occur if TRT II is built on the toe trail. The incidence of invasive species is so high that a group of citizens organized by the Friends of Sutter’s Landing and Save the American River Association has had to do repeated invasive clean-ups of the area.

16-6

Assigning this responsibility to the City without accounting for additional costs for invasive species control is another example of how this DEIR is engaging in the fantasy that there are no additional operational costs associated with the trail. Further, the current state of Sutter’s Landing Park shows that the City is incapable of serving as steward of that area. Why should the City be allowed to do further damage at Paradise Beach before it has repaired the damage done to Sutter’s Landing?

7) No information on cost of repeated flooding on toe-trail

The problem with this approach is that it does not provide information for the City in terms of the difference in cost between the toe trail alternative and the levee top alternative. It’s not just the additional mitigation costs of the toe trail option; it’s the continuing costs – from periodic inundation of the trail on the toe.

16-7

8) Specious dismissal of Alternatives

The DEIR dismisses all Project Alternatives except the Preferred Alternative (toe trail) based on not meeting project goals.

- Yet the preferred project does not meet the goal of minimal environmental damage.
- Alternatives are dismissed because they don’t provide continuity. Yet the preferred alternative will not provide continuity – in fact, no alternative will provide continuity.
- The Levee top option is dismissed because the Flood District Board doesn’t approve of levee top trails, yet the Board approved a levee top segment in this project. Clearly, the Council could push

16-8

the flood district board on this issue in order to avoid environmental damage and reduce costs for the project.

↑
cont.
16-8

9) City’s Track Record for Phase II of the TRT and the more recent Sutter’s Landing Segment is not worthy.

The City of Sacramento has not restored and maintained the Sutter’s Landing Park and TRT. Before further segments of this trail are built – at any location – the City needs to clean up the mess at Sutter’s Landing and look at the long-term budget consequences of the clean-up and maintenance of that area. When the City took on the Two Rivers Trail project, it became the primary governmental steward of that area – instead of Sacramento County, which administers the rest of the American River Parkway. The City’s stewardship has been sorely lacking. I ask that the City look at its record for the Two Rivers Trail and honestly assess whether it has been an adequate steward of this marvelous resource – the American River Parkway.

16-9

In summary, the City Council should reject this DEIR. Thank you for considering my comments.

Sincerely,

Kate Riley

5601 Monalee Avenue

Sacramento, CA 95819

The intent of the statement is intended to describe the limits of the entire Two Rivers Trail (both Phase I and II).

Comment 16-2:

The commenter states an opinion regarding the overall need for the proposed project compared to other areas of the City, with underserved bicycle facilities.

Response to Comment 16-2:

The comment is not directed at the adequacy of the Draft EIR and is not addressed further.

Comment 16-3:

The commenter indicates that the current plan does not show the Phase I portion of the trail connecting with the proposed project. Therefore, the goal of a continuous trail should not be used as criteria for dismissing alternatives.

Response to Comment 16-3:

As more fully described in Chapter 2 “Project Description” of the Draft EIR, the trail description was divided up into 6 different segments. Trail segments were determined based on existing land use, topographic, and trail design considerations that would be encountered within the American River Parkway. Trail segments 1 and 2 offer unique land use and design challenges resulting from past land fill and disposal activities. Due to the timing of onsite remediation activities and the design costs associated with constructing a trail in this location, the City has indicated that construction of Trail Segments 1 and 2 would be completed at a future date, contingent on the availability of funding and the status of landfill remediation activities (see page 2-7 of the Draft EIR). As more fully described above in Master Response #2 “Biological Resources” (see Section 2.2.1), the existing Mitigation Measure BIO-6 has been modified to ensure additional tree and vegetation evaluations and environmental analysis is considered prior to completing final design and construction of these trail segments.

Final design efforts for Trail Segment 1 will complete the trail connection to the Phase I portion of the Two Rivers Trail. As indicated by the commenter, the 12th and 16th Street roadways along with surrounding land uses provide challenges to a single continuous trail. However, connectivity between Phase I and the proposed project can be achieved with improvements to the existing roadway network.

Comment 16-4:

The commenter indicates that there is no guarantee or even incentive to replace or restore impacts trees from the study area.

Response to Comment 16-4:

The comment regarding onsite mitigation is addressed in Master Response #2 “Biological Resources”, provided above in **Section 2.2.1**.

Comment 16-5:

The commenter indicates that their request for a consulting arborist on this project has been ignored. Commenter assumes that City Urban Forestry staff will be responsible for monitoring during construction and that the additional staff costs associated with this responsibility are not estimated.

Response to Comment 16-5:

It is important to note that any required on-site species or biological resource monitoring (see mitigation measures BIO-2, BIO-7, and BIO-14) must all be completed by a qualified biologist. The estimated costs to implement the required mitigation are included in the overall costs for construction. These costs are not required content of the Draft EIR; however, details on project funding is available on the City's website.

Comment 16-6:

The commenter asserts that the proposed project will allow or encourage the infestation of invasive species, such as star thistle, which competes with native vegetation and wildlife habitat, due to ground disturbing activities resulting from project implementation.

Response to Comment 16-6:

To address impacts to wildlife habitats in the project area, the City will ensure the following mitigation measures are implemented during the construction phase of the proposed project:

Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions

The City shall ensure the construction contractor will implement the following actions before and during construction activities:

All temporarily disturbed areas shall be returned to pre-project conditions within one year following completion of construction/maintenance. These areas shall be properly protected from washout and erosion using appropriate erosion control devices including coir netting, hydroseeding, and revegetation.

Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species

The City shall ensure the following mitigation measures shall be implemented, as appropriate, to avoid the spreading of invasive plant species throughout the project site during construction and maintenance activities, particularly in riparian areas:

- All hay, straw, hay bales, straw bales, seed, mulch, or other material used for erosion control or landscaping on the project site, and all material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
- All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)

Following completion of the construction phase of the project, the City will ensure the trail operator implements the operation and maintenance measures designed to remove invasive species from the

project area. These measures are fully described on page 2-11 of Chapter 2 “Project Description” of the Draft EIR and were fully evaluated as part of the proposed project.

Comment 16-7:

The commenter indicates that no information is available in terms of the difference in cost (both construction and maintenance) between the toe trail alternative and the levee top alternative.

Response to Comment 16-7:

The comment is not directed at the adequacy of the Draft EIR and is not addressed further.

Comment 16-8:

The commenter states that the Draft EIR dismisses all project alternatives except the proposed project based on not meeting the project objectives.

Response to Comment 16-8:

The ability to meet the project objectives is only one factor considered. The commenter is also referred above to Master Response #1 “Alternatives to the Proposed Project” (provided above in **Section 2.2.1**).

Comment 16-9:

The commenter provides an opinion regarding the state of restoration and maintenance activities at Sutter’s Landing Park.

Response to Comment 16-9:

To address the impacts of the proposed project, the City will implement its own mitigation monitoring and reporting plan with the various mitigation measures identified in the Draft EIR and summarized in Table ES-1 of the Draft EIR (see page ES-11). The proposed project will also include various permitting conditions and requirements from the USFWS and CDFW that must be implemented prior to project construction.

Chapter 3. Corrections and Revisions to the Draft EIR

3.1 Introduction

This section presents specific text changes made to the Draft EIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR chapter/section and page number. Text deletions are shown in strikethrough (~~strikethrough~~) and text additions are shown in underline (underline). None of the changes identified in this chapter constitutes significant new information or results in any new significant impacts.

3.2 Corrections and Revisions

Chapter 2. Project Description

The following text was added to **Page 2-11** of the Project Description as Section 2.3.7, “Other Nearby Infrastructure”, as follows:

2.3.7 Other Nearby Infrastructure

The Sacramento Municipal Utility District (SMUD) maintains electrical infrastructure near the project site. Although the proposed project does not involve development of any buildings or facilities that would use electrical power, the City will ensure SMUD has unimpeded access to its facilities during construction of the proposed project and will coordinate with SMUD on any work that occurs near to the following distribution and sub-transmission facilities:

- SMUD has existing 21kV overhead infrastructure along the proposed preferred and alternate path of travel. Proper clearances will need to be maintained around all existing SMUD infrastructure.
- Existing SMUD infrastructure should not conflict with proposed project routing.

Estimated Proposed Facilities:

- SMUD is currently constructing a future substation that would border the South-West corner of the preferred planned construction path.
- The alternate planned construction path would not come into contact with the proposed substation site.

Chapter 3: Section 3.2 Biological Resources

The following text was added to Mitigation Measure BIO-6 on **Pages 3.2-31** and **3.2-32** of the Draft EIR to ensure tree and vegetation impacts are reviewed for Trail Segments 1 and 2:

Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees

The City shall implement the following actions at the completion of construction activities:

In accordance with policies stated in the City's General Plan, to compensate for the permanent removal of riparian vegetation associated with the trail construction, the City shall purchase off-site credits at a mitigation bank or replant riparian trees and shrubs at a 1:1 ratio (e.g., 1 acre planted for every 1 acre removed). The replacement plantings shall consist of a variety of native tree species that occur within the riparian vegetative community along the American River corridor such as live oak, Fremont cottonwood, Oregon ash, boxelder, white alder, arroyo willow, and native shrub species such as narrowleaf willow, California rose, and California blackberry. No long-term management of landscaping or watering beyond that needed to initially establish the plants is anticipated to occur.

If an onsite or offsite City-responsible mitigation site is used, the City shall accomplish riparian habitat compensation by implementing the following: after completion of the trail design, the City shall total the number, type, and size of all trees and shrubs to be removed and prepare a planting plan that identifies the location of the riparian mitigation plantings and the number, type, and size of plants. The planting plan shall also describe the irrigation and maintenance required to establish and monitor the planting area. Mitigation plantings will be completed between October 15 and December 31 of the year immediately following when impacts occur. All mitigation plantings will be monitored for 3 years. The survival goals established by CDFW will be adhered to, and if the goals are not met, then the City will be responsible for installing replacement plantings. Replacement plants shall be monitored with the same survival and growth requirements for 3 years following planting. The City will be responsible for planting, replanting, watering, weeding, invasive exotic eradication, and any other practice needed to ensure this goal. An annual status report on the mitigation will be provided to CDFW by December 31 of each year. The report will include the survival, percent cover, and height of both tree and shrub species. The number by species of plants and trees replaced, and overview of the re-vegetation effort, and the method used to assess these parameters will also be included. Photographs of the mitigation area will also be included. To ensure success of the mitigation plantings, the City shall prepare and implement an adaptive management plan that identifies specific monitoring tasks, success criteria, and reporting requirements.

If mitigation bank credits are purchased, the credits must be purchased at a CDFW-approved site.

During design of Trail Segments 1 and 2, the City shall perform tree and vegetation field surveys and mitigate impacts to riparian trees and plants at a minimum of a 1:1 ratio prior to the commencement of construction of Trail Segments 1 and 2.

Responsibility: City of Sacramento / Construction Contractor

Timing: Before and at the Completion of Construction Activities

Chapter 3: Section 3.4 Geology and Soils

The following text was added to the 3rd paragraph on **Page 3.4-9** from Impact GEO-1 of the Draft EIR to highlight the importance of this geotechnical issue:

Based on an existing regulatory framework that addresses earthquake safety issues and requires adherence to requirements of the CBC and various design standards, seismically induced groundshaking and secondary effects would not be a substantial hazard in the project area. Additionally, this area is not mapped by CGS as lying within a known liquefaction or landslide hazard area (CGS 2019). However, due to the planned location of portions of Segment 1 and 2 on and adjacent to closed landfill and disposal sites, the possibility of ground settlement unrelated to seismic activity has the potential to occur.

The following text was added to the text of Mitigation Measure GEO-1 on **Page 3.4-9** of the Draft EIR:

Mitigation Measure GEO-1: Perform Final Geotechnical Investigation and Implement Report Recommendations

Prior to issuance of a construction contract, in accordance with City requirements (2035 General Plan - Policy EC 1.1.2), the project applicant shall prepare a final geotechnical investigation of the project alignment to determine the potential for ground rupture, earth shaking, and liquefaction due to seismic events, as well as expansive soils problems, and the potential for settlement on former Landfill sites. As required by the City, recommendations identified in the geotechnical report for the proposed project shall be implemented to ensure that the project's design meets Caltrans Class 1 bikeway design criteria and State Water Code Title 23 standards for recreation trails on levees, and 27CCR, section 21190(g) requirements for construction related to CIWMB Post-Closure Land Uses.

Responsibility: City of Sacramento

Timing: Before and During Construction Activities

Chapter 3: Section 3.5 Hazards and Hazardous Materials

The following text was added to Impact HAZ-2 on **Page 3.5-10** if the Draft EIR to highlight the importance of this hazardous materials issue related to harmful trace gases:

Impact HAZ-2: ***Potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment***

Construction activity from the proposed project may expose construction workers to contaminated soil and/or harmful gases during cut and fill activities associated with the proposed project. (Less than Significant With Mitigation)

Portions of the project site (Segments 1 and 2) include lands that were historically used for waste disposal, and the Phase I Environmental Site Assessment prepared for the project indicated the potential presence of contaminated soil and/or the presence of gases resulting from decomposition of buried waste. During cut and fill activities associated with constructing the proposed project,

construction workers could encounter contaminated soil. Additionally, the potential exists for landfill gas migration caused by routine trail construction and maintenance activities. This impact would be **potentially significant**. Implementation of **Mitigation Measures HAZ-1 and HAZ-2** described below would reduce the impacts to **less than significant** by ensuring appropriate closure of potentially contaminated sites prior to construction and implementing safety measures for workers that may encounter onsite hazardous materials during construction-related activities, and monitoring. Therefore, this impact would be **less than significant** with the incorporation of **Mitigation Measures HAZ-1 and HAZ-2**.

The following text was also added to Mitigation Measure HAZ-2 on **Page 3.5-11** of the Draft EIR:

Mitigation Measure HAZ-2: Obtain Site Closure and Follow Post-Closure Requirements for Past Disposal Sites

The City shall implement the following measures for all Segment 2 construction:

- Construction of the trail segment should not commence until this area is properly closed as per the requirements of the City of Sacramento.
- Segment 2 construction and monitoring should be completed under the requirements described in Title 27 of the California Code of Regulations (CCR), Division 2, Subdivision 1, Chapter 3, Subchapter 5, Section 21190 titled “CIWMB-Post-Closure Land Use.”
- Where cut and fill activities occur in Segment 2, proper measures should be taken to mitigate any landfill material or other hazardous material that is encountered.
- Methane monitoring will be conducted during and after construction, in accordance with 27CCR, section 21190 as part of the ongoing monitoring conducted by the City as part of post-closure requirements at nearby closed disposal sites.
 - Work plans will be submitted for Local Enforcement Agency (County) approval on advance of any excavation on landfill/disposal sites, for handling, testing, and proper disposal of any unearthed waste. The City's Contractor must also develop a Health and Safety Plan (HASP) that provides for in-hole landfill gas monitoring during excavation, and other worker safety measures. A methane safety threshold that is appropriate for the working space associated with trail construction, as detailed in final designs, will be established as a trigger for stopping work and evacuating workers to a safe distance.
 - Construction and staging of materials, and trail operation and maintenance activities shall not impede required disposal site closure activities, landfill monitoring and maintenance, or block access to or damage landfill infrastructure such as landfill gas control system and monitoring components. The Contractor shall coordinate with the City and County (local enforcement agency) on all work conducted in the vicinity of former landfill and disposal sites along the proposed trail alignment.
- If fill material/soils will be brought in, these soils must be certified as clean fill.

- The trail will be designed to conform with drainage patterns in the project area and to prevent water collection that could cause seepage of the buried landfill material.

Responsibility: City of Sacramento

Timing: Before and During Construction

Chapter 4: Section 4.4 Alternatives Considered but Not Carried Forward for Further Evaluation

The following text from the title of Section 4.4 on **Page 4-2** of the Draft EIR was removed to clarify that while the project alternatives were not evaluated at a similar level of detail as the proposed project, the environmental impacts of these alternatives were identified and compared as shown in Table 4-1 (see page 4-7) of the Draft EIR:

~~4.4 Alternatives Considered but Not Carried Forward for Further Evaluation~~

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Chapter 4. References and Report Preparers

4.1 References

Executive Summary

American River Flood Control District. 2002 Recreational Trails Policy. Sacramento, CA

Chapter 3. Response to Comments on the Draft EIR

California Department of Transportation. 2018. Highway Design Manual 6th Edition. Sacramento, CA.

United States Army Corps of Engineers, U.S. Bureau of Reclamation, the State of California Central Valley Flood Protection Board, Department of Water Resources, and the Sacramento Area Flood Control Agency. 2017. Folsom Dam Modification Project Water Control Manual Update, Supplemental EA/EIR

4.2 Report Preparers

As required by CEQA, this chapter identifies the preparers of this EIR.

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