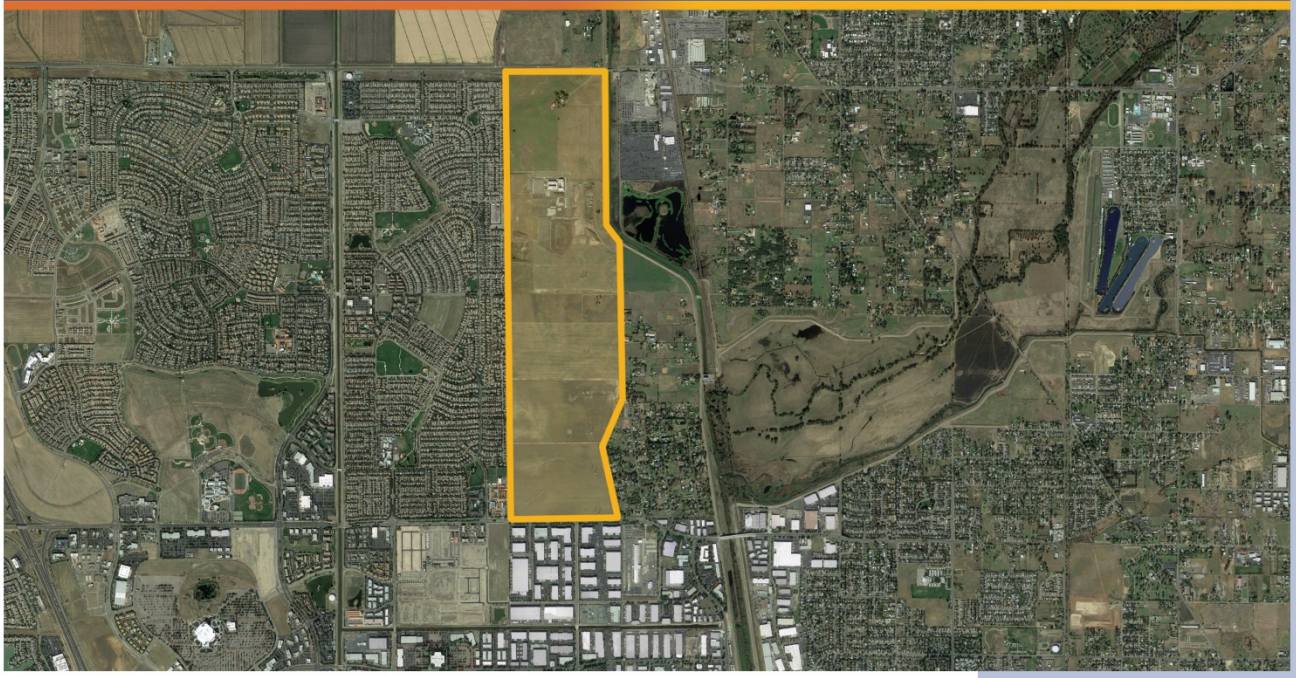
January 2018

Panhandle Annexation and Planned Unit Development Project

Final Environmental Impact Report

P16-013

State Clearinghouse No. 2016042074



City of SACRAMENTO

Sacramento LAFCo

PREPARED FOR:

City of Sacramento and
the Sacramento Local Agency
Formation Commission

Final
Environmental Impact Report

For the

City of Sacramento
Panhandle Annexation and Planned Unit Development Project

PREPARED FOR

City of Sacramento

and

Sacramento Local Agency Formation Commission

PREPARED BY

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January 2018

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1 INTRODUCTION

This document has been prepared under City of Sacramento's (City) direction, as lead agency, in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000-21177) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, Division 6, Chapter 3, Sections 15000-15387) ("CEQA Guidelines"). This document contains responses to comments received on the draft environmental impact report (DEIR or Draft EIR) for the proposed Panhandle Annexation and Planned Unit Development (PUD) (project), as well as revisions to the Draft EIR in response to comments. The Final EIR for the project consists of the Draft EIR and this document. For convenience, this document is referred to as the Final EIR or FEIR. All references to the FEIR are intended to include the Draft EIR, revisions to the Draft EIR, responses to comments, and all supporting documentation.

1.1 PURPOSE AND INTENDED USES OF THIS FEIR

CEQA requires a lead agency that has prepared a Draft EIR to consult with and obtain comments from responsible and trustee agencies that have jurisdiction by law with respect to the project, as well as from other interested parties including the public, and to provide an opportunity to comment on the Draft EIR. The FEIR is the mechanism for responding to these comments. This FEIR has been prepared to respond to comments received on the Draft EIR; to present corrections, revisions, and other clarifications and amplifications to the Draft EIR made in response to these comments and as a result of the minor modifications to the project design; and to provide a Mitigation Monitoring and Reporting Program for the project. The FEIR will be used to inform the City's decision regarding whether to approve the project.

This FEIR will be used by CEQA responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve or permit project elements over which they have jurisdiction. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the project or that have jurisdiction over portions of the project.

The following agencies may serve as responsible and trustee agencies:

- Sacramento Local Agency Formation Commission,
- California Department of Fish and Wildlife,
- State Water Resources Control Board,
- Central Valley Regional Water Quality Control Board,
- The Natomas Basin Conservancy, and
- Sacramento Metropolitan Air Quality Management District.

1.2 PROJECT LOCATION

The City of Sacramento is in Sacramento County in the north-central portion of the central valley of California. The project area is located within the North Natomas Community Plan (NNCP) planning area, which encompasses approximately 7,438 acres in the City and 1,600 acres in unincorporated Sacramento County. The NNCP is bounded by Steelhead Creek (Natomas East Main Drainage Canal [NEMDC]) to the east, Interstate 80 (I-80) to the south, the West Drainage Canal, Fisherman's Lake, and State Route 99/State Route 70 (SR 99/70) to the west, and West Elkhorn Boulevard[1] to the north. Regional access to and from the area is provided by Interstate 5 (I-5), I-80 and SR 99/70, along with numerous existing local roads.

[1] West Elkhorn Boulevard is also referred to as "Elkhorn Boulevard" in some instances in the DEIR.

The project comprises approximately 589.4 acres in the City's Sphere of Influence between West Elkhorn Boulevard on the north and Del Paso Road to the south. The project area is within the 2035 General Plan Update Policy Area.

1.3 OBJECTIVES OF THE PROJECT

The City of Sacramento has identified the following project objectives for the annexation:

- promote a logical and reasonable extension of the City boundaries as this area is immediately adjacent to existing City limits; and
- promote more efficient provision of municipal services for future development in the project area.

The project objectives of the Panhandle PUD are:

- optimize the land use potential of an infill location in the City by providing a mix of residential, park, open space, and school uses;
- build a community that implements the goals and objectives of the General Plan and NNCP;
- create a community with a park system incorporating park facilities with local and regional-connecting open space amenities that are accessible to residents and the public;
- provide a safe and efficient circulation system that interconnects uses, promotes pedestrian circulation, and minimizes impacts to rural uses east of the project area; and
- Create a community that makes efficient use of land while offering residential housing densities that transition from urban densities of the existing North Natomas Community to the west to the existing large-lot and rural densities to the east.

1.4 SUMMARY DESCRIPTION OF THE PROJECT

The project consists of the annexation of 589.4 acres into the City, amendment of the 2035 General Plan, pre-zoning/rezoning of the project area, establishment of the Panhandle Planned Unit Development (PUD), and approval of a tentative master parcel map (a subdivision of the project area with the expectation that the parcels created would be further subdivided into individual lots in the future). Approval of the project would include initial planning-level entitlements that would eventually result in a mixed-use development consisting of residential, elementary school, roadways, and park uses on 465.5 acres north of Del Paso Road.

The remaining 119 acres between the proposed PUD project area and extending north to West Elkhorn Boulevard (referred to as "Krumenacher Ranch") would be designated as Planned Development (PD) and zoned Agriculture (A). It is not included in the Panhandle PUD and no land use entitlements are being sought for this area.

The reader is referred to Chapter 2, "Project Modifications," for a detailed description of modifications to the project design since release of the Draft EIR.

1.5 MAJOR CONCLUSIONS OF THE ENVIRONMENTAL ANALYSIS

The Draft EIR identified the following significant impacts related to the project:

- **Air Quality**: The project could result in the following impacts:
  - Construction-related activities would result in project-generated emissions of ROG, NO_X, PM_{10} and $PM_{2.5}$ from site preparation (e.g., excavation, clearing), off-road equipment, material and equipment delivery trips, and worker commute trips, and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings). Construction activities would result in mass emissions of NO_X that exceed SMAQMD's thresholds of 85 pounds per day (lb/day). Therefore, construction-generated emissions of NO_X could contribute to the existing nonattainment status of the Sacramento Valley Air Basin (SVAB) for ozone. Mitigation has been recommended to reduce this impact to **less than significant**. (Impact 5.2-1)
  - Implementation of the project would result in long-term operational emissions of ROG, NO_X, and PM_{10} that exceed SMAQMD's thresholds of significance (65 lb/day for ROG, 65 lb/day for NO_X, 80 lb/day and 14.6 tons/year for PM_{10}). Therefore, operation-generated emissions could conflict with the air quality planning efforts and contribute substantially to the nonattainment status of Sacramento County with respect to ozone and PM_{10}. Mitigation has been identified that would reduce operational emissions that would involve the implementation of air quality mitigation plan (AQMP). While the AQMP would reduce project air pollutant emissions by 35 percent, remaining emissions would still exceed SMAQMD's thresholds and no additional feasible mitigation is available to further reduce emissions. The impact would be **significant and unavoidable**. (Impact 5.2-2)
  - Operation of the project would result in long-term increases in criteria air pollutants and ozone precursors from stationary, area, and mobile sources (i.e., VMT). Operational emissions would exceed SMAQMD thresholds of significance and therefore result in a cumulatively considerable contribution to regional air quality and may conflict with regional air quality planning efforts to improve air quality. All feasible mitigation has been incorporated into the project as described in the AQMP prepared for the project. However, given that the AQMP would not completely offset project operational air pollutant emissions, this impact is **cumulatively considerable and significant and unavoidable.** (Impact 5.2-7)
- **Biological Resources**: The project could result in the following significant impacts:
  - Several special-status species are associated with vernal pool and annual grassland habitat in the project area. Development of the project area would result in removal of these habitats and, therefore, could result in loss of special-status species if they are present. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.3-2)
  - Implementation of the project would result in fill of wetlands or other waters. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.3-3)
  - Implementation of the project could result in loss of protected tree resources. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.3-4)
- **Archaeological, Historical, and Tribal Cultural Resources**: The project could result in the following significant impacts:
  - Based on the results of the archaeological records search and various pedestrian surveys conducted for the project site, there are no known archaeological sites. However, ground-disturbing activities could result in discovery or damage of as yet undiscovered archaeological resources as defined in

CEQA Guidelines Section 15064.5. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.4-3)

- **Geology, Soils, Mineral Resources, and Paleontology:** The project could result in the following significant impacts:
  - Implementation of the project would occur on soil that is highly expansive with a high expansion potential. Construction of buildings on expansive soils may exert substantial pressures upon foundations, concrete slabs-on-grade, and other structural components, creating a substantial risk to life or property. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.5-2)
  - The project could result in the potential damage or destruction of undiscovered paleontological resources. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.5-4)
- **Greenhouse Gas Emissions and Climate Change:** The project's greenhouse gas construction and operational emissions would have a cumulatively considerable contribution to existing and future emissions and would conflict with state efforts to reduce greenhouse emissions. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.6-1)
- **Hazardous Materials and Hazards**: The Panhandle PUD would include detention facilities and water features at park sites that could attract mosquitoes and other water-borne vectors. Without specific controls in place, these features could create a nuisance or hazardous condition. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.7-3)
- **Hydrology and Water Quality**: The project could result in the following significant impacts:
  - Development of the project may increase storm water runoff rates generated within and downstream of the project when compared with existing conditions. While the project includes necessary drainage improvements to properly handle onsite storm water flows, phased development of the site could potentially result in temporary drainage impacts if the necessary drainage facilities are not in place at the time of site development. Development could also worsen existing drainage and local flooding issues at the intersection of Del Paso Road and Sorento Road. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.8-1)
  - Development of the project would introduce sediments and constituent pollutants typically associated with construction activities and urban development into storm water runoff. These pollutants would have the potential of degrading downstream storm water quality. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.8-2)
  - It is possible that shallow groundwater beneath the proposed onsite detention basins could interact with pollutants associated with urban runoff that would be captured within the detention basins. Pollutants could be released in the underlying groundwater basin and could result in contamination of wells used for consumptive uses. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.8-4)
- **Noise and Vibration:** The project could result in the following significant impacts:
  - Short-term construction-generated noise levels could result in a substantial increase in ambient noise levels at future on-site and existing off-site sensitive land uses that could exceed applicable noise standards. Construction noise occurring during the exempted hours of the day would comply with the City and County of Sacramento noise ordinances, however nighttime construction activity may be required. Nighttime construction activities could exceed the City and County of Sacramento nighttime standards for sensitive receptors. Although noise reduction would be achieved with implementation of mitigation measures recommended, reductions are not expected to be achieved under all

circumstances. No other feasible mitigation is available; therefore, this impact would remain **significant and unavoidable.** (Impact 5.9-1)

- Implementation of the project could expose existing sensitive receptors to substantial increases in transportation noise levels that exceed the City and County of Sacramento noise standards, and result in project-generated transportation noise levels that exceed City and County of Sacramento allowable noise increment standards. Mitigation measures are identified to reduce noise exposure from transportation noise. However, some residences may elect not to participate in the mitigation; therefore, this impact would remain **significant and unavoidable**. (Impact 5.9-2)

- The project proposes a mix of various land uses, including residential, park, and school uses. Traffic and stationary noise sources in the vicinity of the project may expose noise-sensitive uses within the project site to excessive noise levels, resulting in land use conflicts related to noise. Implementation of the project could expose future planned sensitive receptors to transportation and stationary source noise levels that exceed the City of Sacramento noise standards. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.9-4)

- Project construction-noise could result in a cumulatively considerable contribution to significant cumulative noise impacts if it were to occur concurrently with future construction activities located at nearby development. Mitigation measures are identified to reduce project construction noise but are not expected to offset noise impacts. This cumulative impact would be significant, and the project's contribution **would be cumulatively considerable** and **significant and unavoidable**. (Impact 5.9-5)

- Cumulative noise levels could be affected by additional buildout of surrounding land uses and increases in vehicular traffic on affected roadways, resulting in a significant cumulative impact. Cumulative no-project traffic noise levels in conjunction with project-generated traffic could result in additional traffic-related noise on surrounding roadways which could contribute to a cumulative traffic-noise condition. Mitigation measures are identified to reduce noise exposure from transportation noise. However, some residences may elect not to participate in the mitigation. This cumulative impact would be significant, and the project's contribution **would be cumulatively considerable** and **significant and unavoidable**. (Impact 5.9-6)

- **Public Services and Recreation:** The project could result in the following significant impacts:

  - Implementation of the project at build-out would increase the demand for fire protection and emergency medical services that could result in the need for improvements to facilities and equipment. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.10-1)

  - Implementation of the project at build-out would increase the demand for law enforcement services that could result in the need for improvements to facilities and equipment. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.10-2)

- **Transportation and Circulation**: The project could result in the following significant impacts:

  - During construction of the project, construction activities and temporary construction vehicle traffic would increase traffic congestion and disruptions in the area. Depending on the timing and intensity of such activities, this could result in substantial congestion and disruption in excess of City standards. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.11-1)

  - The addition of project-related traffic would increase delay at local intersections. Study intersections would meet level of service standards with the exception of the Sorento Road / Del Paso Road intersection. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.11-2)

- The addition of project-related traffic would increase delay at along study area roadway segments. The increase in delay along multiple roadway segments within the study area would level of service standards for the City and Sacramento County. Mitigation measures are identified to reduce these operation impacts through widening of Elkhorn Boulevard[2] that would mitigate impacts to this roadway to **less than significant**. However, the implementation of neighborhood traffic management plans for local residential roadways would not mitigate these impacts because improvements to widen these roadways are considered infeasible. Thus, this impact is **significant and unavoidable**. (Impact 5.11-3)

- The project would increase the demand for services under project (Impact 5.11-7) and cumulative conditions (Impact 5.11-15). Mitigation has been identified to reduce project and cumulative impacts to **less than significant**.

- The project's incremental increase in traffic to study roadway segments, in combination with traffic from cumulative development, would result in deficient level of service operations. Mitigation measures are identified to reduce these operation impacts through widening of Elkhorn Boulevard that would offset impacts to this roadway to **less than significant**. However, the implementation of neighborhood traffic management plans for local residential roadways would not mitigate these impacts because improvements to widen these roadways are considered infeasible. Thus, this impact is **cumulatively considerable and significant and unavoidable**. (Impact 5.11-11)

- **Urban Design and Visual Resources**: The project could result in the following significant impacts:

  - The visual character surrounding the project area consists of suburban uses that transition to rural residential and agricultural conditions. The project would convert the visual open space character of project area to suburban uses and would further expand suburban development conditions east of existing North Natomas Community that would substantially alter public views. Implementation of mitigation measures for an agricultural buffer along West Elkhorn Boulevard that would also soften the visual impact on public views along this corridor would occur but would not fully mitigate this impact. Impacts related to the modification of the local viewshed through conversion to suburban development are considered **significant and unavoidable**. (Impact 5.12-1)

  - Development of the project area would result in the introduction of buildings and facilities that may create lighting and glare on adjoining areas. Mitigation has been identified to reduce this impact to **less than significant**. (Impact 5.12-2)

  - The project would convert the visual open space character of project area to suburban uses and would further extend suburban development conditions east of existing North Natomas Community. This would contribute to the cumulative conversion of open space and agricultural areas in the Sacramento metropolitan area. Because of the scale and location of the project, there is no feasible mitigation available to offset the aesthetic resource impacts associated with the conversion of open space and agricultural lands to suburban development. The project's contribution to cumulative impacts is considered **cumulatively considerable and significant and unavoidable**. (Impact 5.12-3)

[2] Elkhorn Boulevard is also referred to as "West Elkhorn Boulevard" in other areas of the EIR.

1.6 SUMMARY OF PROJECT ALTERNATIVES

Alternatives evaluated in the DEIR included the following:

- **Alternative 1: No Project – No Development Alternative**, which the project area is not annexed to the City and no changes to Sacramento County General Plan land use designations or zoning would occur.
- **Alternative 2: Reduced Development Footprint Alternative**, under which would modify the project design concentrating the proposed residential development potential south of the East Natomas Education Complex. The Krumenacher Ranch site and certain land areas east of the on-site powerlines would be designated as open space and parks.
- **Alternative 3: Reduced Intensity Alternative,** which would designate the Krumenacher Ranch site as open space and parks and would reduce the residential development potential and would not connect to Sorento Road.

State CEQA Guidelines Section 15126.6 states that "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Here, the No Project Alternative (Alternative 1) is the environmentally superior alternative because all the significant impacts of the project would be avoided. However, the No Project Alternative would not meet any of the project's objectives.

With the Reduced Intensity Alternative (Alternative 3), impacts to agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, noise, public services and recreation, traffic, visual resources, utilities, and energy would be reduced, when compared to the project. Because it would result in less overall environmental impact than the project, the Reduced Intensity Alternative is considered the environmentally superior alternative.

1.7 CEQA PUBLIC REVIEW PROCESS

On June 19, 2017, the DEIR was released for a 45-day public review and comment period that ended on August 3, 2017. The DEIR was submitted to the State Clearinghouse; posted on City's website (http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports); posted with the Sacramento County Clerk Recorder; and made available at the City of Sacramento Community Development Department as well as the downtown Central Library.

As a result of these notification efforts, written comments were received from agencies, organizations, and individuals on the content of the DEIR. Chapter 3, "Responses to Comments," identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute "significant new information" by CEQA standards (State CEQA Guidelines CCR Section 15088.5).

1.8 ORGANIZATION OF THIS FEIR

This FEIR is organized as follows:

Chapter 1, Introduction: This chapter describes the purpose of the FEIR, summarizes the project and the major conclusions of the Draft EIR, provides an overview of the CEQA public review process, and describes the content of the FEIR.

Chapter 2, Project Modifications: Since release of the Draft EIR, the project applicant has made modifications to the proposed land uses and roadway frontage improvements. This chapter evaluates these changes and determines that recirculation of the Draft EIR would not be required using the criteria set forth in CEQA Guidelines Section 15088.5(a).

Chapter 3, Responses to Comments: This chapter contains a list of all parties who submitted comments on the Draft EIR during the public review period, copies of the comment letters received, and responses to the comments. The chapter begins with a set of master responses that were prepared to comprehensively respond to multiple comments that raised similar issues. A reference to the master response is provided, where relevant, in responses to individual comments.

Chapter 4, Revisions to the DEIR: This chapter presents revisions to the Draft EIR text made in response to comments, or to amplify, clarify or make minor modifications or corrections. Changes in the text are signified by ~~strikeouts~~ where text is removed and by <u>underline</u> where text is added.

Chapter 5, Mitigation Monitoring Plan: This chapter presents the Mitigation Monitoring Plan for the proposed ordinance, in accordance with CEQA and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097), which require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment."

Chapter 6, List of Preparers: This chapter identifies the lead agency contacts as well as the preparers of this FEIR.

Chapter 7, References: This chapter identifies the organizations and persons consulted during preparation of this FEIR and the documents used as sources for the analysis.

2 PROJECT MODIFICATIONS

2.1 INTRODUCTION

Since release of the Draft EIR, modifications have been made to the Panhandle Planned Unit Development (PUD). The Suburban Center (SC) shown at the northeast intersection of Del Paso Road and National Drive would be re-designated Suburban Neighborhood (Traditional) (see Exhibit 2-1 through 2-4). Instead of this site allowing for approximately 101,277 square feet of commercial use, it would accommodate 39 additional single-family dwelling units for an assumed total development potential of 2,699 units for the entire project (including future development of the Krumenacher Ranch site). Table 2-1 provides a summary of Panhandle PUD land uses with this modification. The project's frontage improvements with Sorento Road and Del Paso Road have also been modified provide a meandering trail rather than a sidewalk. The revised project would modify the proposed landscaped setback along the west side of Sorento Road from 18.5 feet to 25 feet. All other aspects of the Panhandle PUD would remain as identified in Draft EIR Chapter 3, "Project Description."

Table 2-1 Revised Panhandle PUD Land Use Summary

Land Use Type	Net Acreage	Units	Proposed General Plan Designation	Proposed Pre-Zoning
Single-Family Residential				
Estate	75.7	340	Suburban Neighborhood Low Density (SNLD)	Single Unit Dwelling (R-1-PUD)
Traditional	147.7	869	Suburban Neighborhood Low Density (SNLD)	Single Unit or Duplex Dwelling (R-1A-PUD)
Village	60.5	453	Suburban Neighborhood Low Density (SNLD)	Single Unit or Duplex Dwelling (R-1A-PUD)
Subtotal	*283.9*	*1,662*		
Public/Quasi-Public				
Elementary School	10.0		Suburban Neighborhood Low Density (SNLD)	Single Unit or Duplex Dwelling (R-1A-PUD)
Park/Ninos Parkway	23.5		Parks and Recreation (PR)	Agriculture-Open Space (A-OS-PUD)
Ninos Parkway	24.6		Parks and Recreation (PR)	Agriculture-Open Space (A-OS-PUD)
Detention Basin	13.4		Open Space (OS)	Agriculture-Open Space (A-OS-PUD)
Subtotal	*71.5*			
Planned Development				
Planned Development	119.0		Planned Development (PD)	Agriculture (A)
High School/Middle School	60.4		Suburban Neighborhood Low Density (SNLD)	Single Unit or Duplex Dwelling (R-1A-PUD)
Subtotal	*179.4*			
Roadways				
Major Collector and Residential Streets	54.6			-
TOTAL	**589.4**	**1,662**		

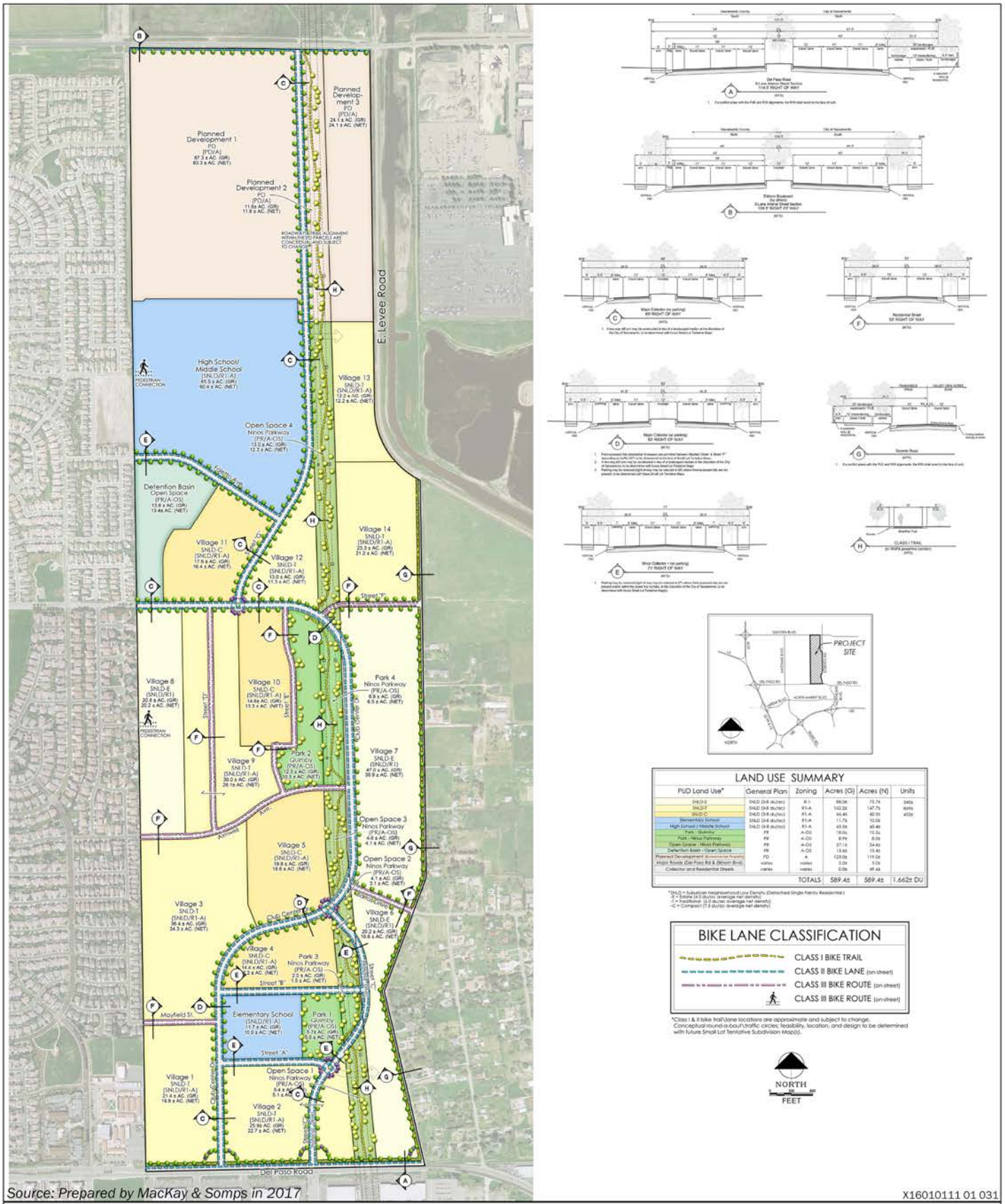


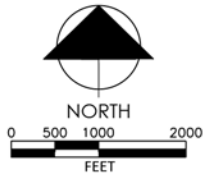
Exhibit 2-1 **Panhandle PUD Illustrative Plan**

Existing Sacramento County General Plan

Proposed City of Sacramento General Plan

LAND USE SUMMARY

General Plan Designation	Existing Acres County	Proposed Acres City	Delta
Agricultural Cropland	589.4±	0	(589.4)
SNLD	0	320.3±	320.3
SNLD (School)	0	77.2±	77.2
PR	0	68.0±	68.0
PD	0	123.9±	123.9
TOTAL	589.4±	589.4±	0



Source: Prepared by MacKay & Somps in 2017

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Exhibit 2-2

General Plan Amendment

ASCENT ENVIRONMENTAL

Existing Sacramento County Zoning

Proposed City of Sacramento Zoning

LAND USE SUMMARY

Zoning Designation	Existing Acres County	Proposed Acres City	Delta
AG 80	589.4±	0	(589.4)
A	0	123.9±	123.9
A-OS	0	68.0±	68.0
R1	0	88.7±	88.7
R1-A	0	231.6±	231.6
R1-A (School)	0	77.2±	77.2
TOTAL	589.4±	589.4±	0

NORTH

0 500 1000 2000

FEET

Source: Prepared by MacKay & Somps in 2017

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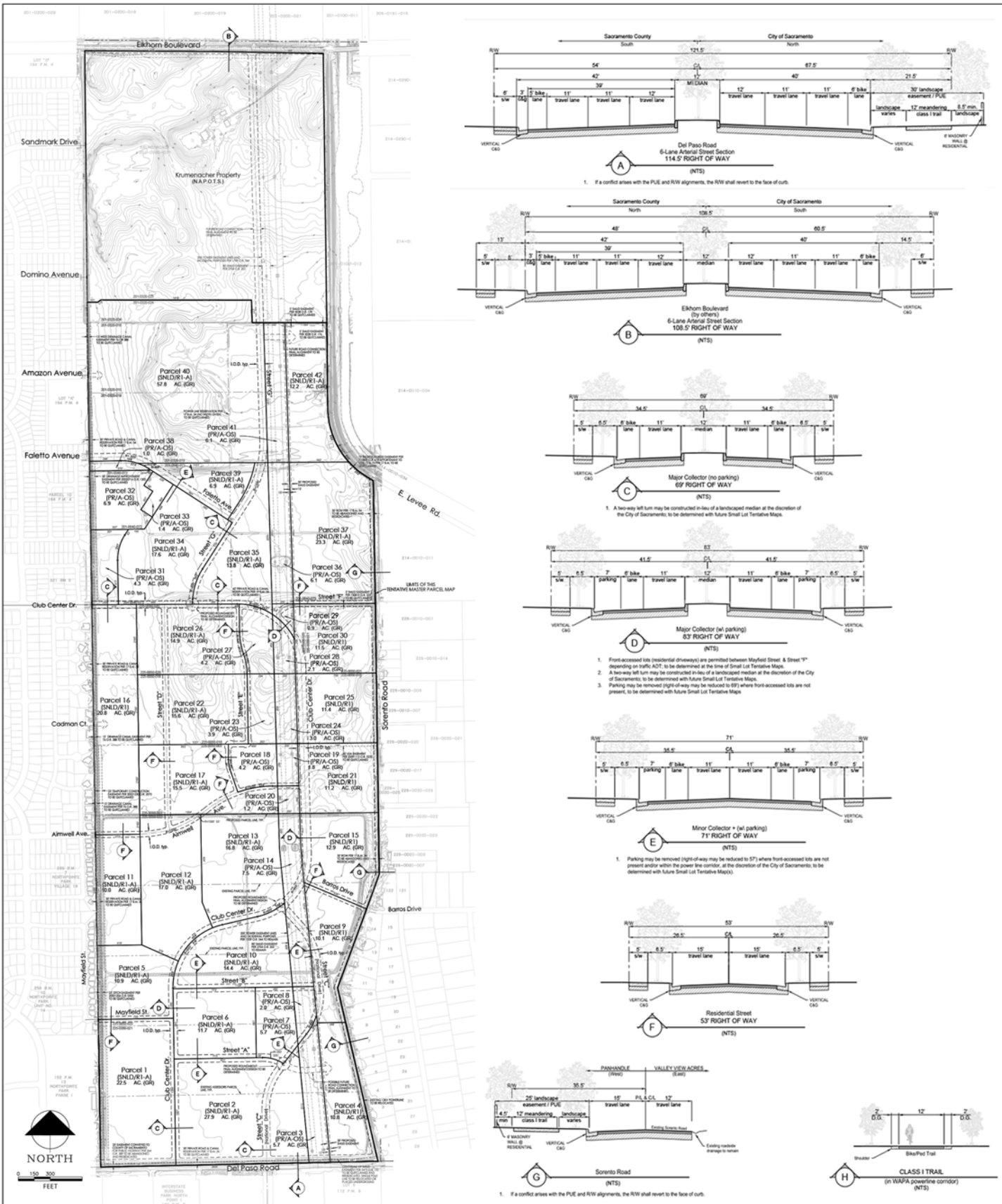
Exhibit 2-3

Prezone-Rezone

ASCENT ENVIRONMENTAL



Source: Prepared by MacKay & Somps in 2017

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Exhibit 2-4 **Tentative Master Parcel Map**

The environmental effects of the proposed modifications (revised project) are described below. Evaluation of the modifications is not significant new information that would require recirculation under CEQA (see State CEQA Guidelines Section 15088.5). This analysis is consistent with the analyses in Chapter 4 and Section 5.1 through 5.15 of the Draft EIR. Since the revised project would not alter the proposed annexation and associated detachment of the site from service districts, the revised project would have the same impact conclusions as the original project that were identified in Chapter 6, "Reorganization." Thus, those impacts are not evaluated below.

Minor revisions to the Draft EIR to reflect the project changes are also provided below. Text deletions are shown in ~~strikethrough~~, and text additions are shown in double underline.

2.2 EVALUATION OF ENVIRONMENTAL EFFECTS

2.2.1 Land Use, Population, and Housing

The proposed modification changing the Suburban Center (SC) to Suburban Neighborhood Low Density (SNLD) would not result in conflicts with existing residential land uses surrounding the project area because the project design would complement existing suburban development to the west and would transition densities to existing rural residential development to the west. The revised project would not result in any conflicts with existing land uses or divide an established community because all development would remain within the project site. Like the original project, it would provide new east-west connectivity between neighborhoods in North Natomas and Valley View Acres. New roadway connections are designed as meandering routes (e.g., curved roadways with one to three turns at intersections to traverse the site) rather than direct connections to discourage "cut-through" vehicle traffic that could utilize these connections as short cuts to other destinations in the area.

Like the original project, the revised project includes "Traditional" lot densities primarily along the western project boundary that are consistent with residential uses and densities in the adjacent North Natomas neighborhoods. Lower density "Estate" lots are proposed primarily in the eastern portion of the PUD that transition project residential densities to complement the rural residential character of the Valley View Acres community to the east of the project, while the denser "Village" residential lots would be centrally located adjacent to key project features (parks, elementary school, and the Ninos Parkway). This neighborhood design would transition densities to match existing development to the west and east of the project area.

The revised project would increase the proposed landscaped setback along the western side of Sorento Road to 25 feet (the original project proposed an 18.5-foot landscaped setback). The revised project would continue to implement City General Plan and North Natomas Community Plan land use policies regarding neighborhood design, transition, and connectivity like the original project design (see analysis in Draft EIR Chapter 4, "Land Use, Population, and Housing,"). The change in land uses would result in 105 additional residents and no commercial employment as compared to the original project design that included the Suburban Center. Overall, the land use, population, and housing impacts of the revised project would be substantially similar to the previous project design (**no impact**), and would not result in any new significant impacts not previously disclosed in the Draft EIR.

2.2.2 Agricultural Resources

DRAFT EIR IMPACT 5.1-1 AND 5.1-3: PROJECT AND CUMULATIVE LOSS OF IMPORTANT FARMLANDS

The revised project would not result in the loss of Important Farmlands (defined by CEQA as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance), because the project area does not contain any

Important Farmlands. The revised project would not result in any new significant agricultural resource impacts not previously disclosed in the Draft EIR. This impact would be **less than significant** for the revised project under existing and cumulative conditions.

DRAFT EIR IMPACT 5.1-2: COMPATIBLITY WITH ADJACENT AGRICULTURAL USES

The revised project would not have significant impacts related to adjacent agricultural uses because the design of the site would transition of housing densities and design features to provide separation between future residential neighborhoods and agricultural uses on rural residential parcels in the Valley View Acres area east of the project. The revised project would increase the proposed landscaped setback along the western side of Sorento Road to 25 feet (the original project proposed an 18.5-foot landscaped setback).

The 119-acre Krumenacher Ranch site portion of the project area is not included in the revised project for urban land use designations and does not include any proposed land use entitlements. There are active rice crop operations approximately 400 feet northwest of the site. Future urban development of this portion of the project area could result in conflicts to agricultural operations to the north. The design of future development on the Krumenacher Ranch would be subject to City agricultural buffering policies, such as North Natomas Community Plan Policy NN.ERC 1.10 which requires an agricultural buffer consisting of a 250-foot-wide strip of land along the south side of West Elkhorn Boulevard. These proposed buffering provisions of the revised project would avoid or substantially lessen potential conflicts with agricultural uses. The revised project would not result in any new significant agricultural resource impacts not previously disclosed in the Draft EIR. This impact would be **less than significant**.

2.2.3 Air Quality

DRAFT EIR IMPACT 5.2-1 AND 5.2-6: PROJECT AND CUMULATIVE CONSTRUCTION AIR QUALITY IMPACTS

Construction-related air quality impacts for the revised project would be similar to the original project because the extent and assumed rate of site development would be the same. Construction activities would generate emissions that exceed Sacramento Metropolitan Air Quality Management District (SMAQMD) thresholds for ozone precursors (see Draft EIR Table 5.2-4). These construction air pollutant emissions could result in a considerable contribution to other construction emissions from future development in the area that would result in a significant cumulative impact. This impact would be **significant** under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.2-1: Construction exhaust and fugitive dust emission controls.

Significance after Mitigation

Proposed dust control measures in Mitigation Measure 5.2-1 would result in a maximum of 75 percent reduction of fugitive particulate PM_{10} dust. Given that the PM_{10} emissions are anticipated to be under the recommended threshold (based on Draft EIR Table 5.2-4), it is not anticipated that with the implementation of the dust control measures the fugitive PM_{10} emissions would exceed the 80 pounds per day threshold, regardless of simultaneous construction phases occurring. Further, inclusion of SMAQMD's dust control measures provided in the above mitigation measure would minimize dust emissions such that the project would not contribute substantially to the nonattainment status of the Sacramento Valley Air Basin (SVAB).

As identified on Draft EIR page 5.2- 16, implementation of exhaust control measures in Mitigation Measure 5.2-1 could reduce oxides of nitrogen (NO_x) emissions from off-road equipment by 20 percent (or higher depending on available technology); however, assuming a 20 percent reduction in NO_x, maximum daily emissions for construction occurring in years 2018 through 2022 would still exceed SMAQMD's

recommended threshold. Thus, the required mitigated fee would be assessed and used to offset these emissions by providing funding for SMAQMD to implement emission reduction projects in the SVAB, such as installing newer engines on off-road equipment or installing Environmental Protection Agency-certified woodstoves in the place of non-certified woodstoves in residential units. Thus, construction-generated NO_X levels would be reduced to a **less-than-significant** level for the revised project. The revised project also would not result in any new significant construction air quality impacts not previously disclosed in the Draft EIR.

DRAFT EIR IMPACT 5.2-2 AND 5.2-7: PROJECT AND CUMUALTIVE OPERATIONAL AIR QUALITY IMPACTS

Like the original project, the revised project's stationary and mobile air pollutant emissions would exceed SMAQMD's thresholds of significance. The revised project would result in a 12 percent reduction daily vehicle trip generation (DKS 2017), which would reduce operational emissions of reactive organic gases (ROG) by 0.6 tons per year and NO_X by 2.3 tons per year as compared to the original project evaluated in the Draft EIR. These project operational emissions would also result in a considerable contribution to cumulative ozone impacts in the SVAB. This impact would be **significant** under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.2-2: Implement provisions of the Air Quality Mitigation Plan to reduce operational emissions.

Significance after Mitigation

The Air Quality Mitigation Plan has been updated to reflect the revised project and is provided in Appendix A of this FEIR. While emissions would be reduced, Draft EIR Impacts 5.2-1 and 5.2-7 (existing and cumulative operational air quality impacts) would remain **significant and unavoidable**, because they would continue to exceed established thresholds.

DRAFT EIR IMPACT 5.2-3 AND 5.2-8: PROJECT AND CUMULATIVE MOBILE SOURCE CO CONCENTRATIONS

Draft EIR Impact 5.2-3 and 5.2-8 identifies that the original project's traffic generation would not exceed SMAQMD's screening criteria for CO emissions. DKS Associates prepared a memorandum evaluating the changes in trip generation that would occur under the project modifications (see Appendix B). The memo provided the trip generation rates and calculated the number of daily and peak trips under the project as described in the Draft EIR and the revised project without the commercial component. The evaluations concluded that the project as modified would result in a 12 percent reduction in daily trips, a 1 percent reduction a.m. peak hour external trips, and a 9 percent reduction in p.m. peak hour external trips. (DKS 2017:3). Thus, the revised project would not result in any new significant CO impacts not previously disclosed in the Draft EIR. This impact would be **less than significant** under existing and cumulative conditions.

DRAFT EIR IMPACT 5.2-4 AND 5.2-9: PROJECT AND CUMULATIVE EXPOSURE TO TOXIC AIR CONTAMINANTS AND DRAFT EIR IMPACT 5.2-5 AND 5.2-10: PROJECT AND CUMULATIVE EXPOSURE TO OBJECTIONABLE ODORS

Potentially significant impacts from operational air quality impacts associated with toxic air contaminants (Draft EIR Impact 5.2-4 and 5.2-9) and odors (Draft EIR Impact 5.2-5 and 5.2-10) identified for the original project would be avoided with the revised project because it would eliminate future commercial uses that were identified as a potential source of these emissions. Thus, Draft EIR Mitigation Measures 5.2-4 and 5.2-5 would no longer be necessary. The following changes are made to the Draft EIR.

The following text changes are made to the discussions of Impact 5.2-4 and 5.2-5 on Draft EIR pages 2-10 and 2-11 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.2-4: Exposure of sensitive receptors to TACs Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions.~~ This impact would be less than significant.	LTS	~~**Mitigation Measure 5.2-4: Incorporation of design features for retail center to address TACs.**~~ ~~To reduce exposure of existing or future receptors to diesel PM exhaust emissions at commercial loading dock, the following design measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~ ~~◢ Proposed commercial land uses that have the potential to emit TACs or host TAC generating activity (e.g., loading docks) shall be located as far away from existing and proposed on-site sensitive receptors as possible such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0.~~ ~~◢ Loading dock design may incorporate the use of buildings or walls to shield commercial activity from nearby residences or other sensitive land uses.~~ ~~◢ Signs shall be posted at all loading docks and truck loading areas which indicate that diesel powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises to reduce idling emissions.~~ ~~◢ Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry-cleaning operations that use perchloroethylene. Dry cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines.~~ None required.	LTS
Impact 5.2-5: Exposure of sensitive receptors to odors The project would introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source. Further, the project would not locate land uses near any existing odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions depending upon the land uses developed.~~ As a result, potential exposure of sensitive receptors to odors would be considered a less than significant impact.	LTS	~~**Mitigation Measure 5.2-5: Incorporation of design features for retail center to address potential odor sources.**~~ ~~The project developer shall implement the following measures to reduce exposure of sensitive receptors to odorous emissions. These measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~ ~~◢ Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, and gasoline stations) shall be located as far away as possible from existing and proposed sensitive receptors or downwind of nearby receptors.~~ ~~◢ If an odor-emitting facility is to occupy space in the retail area, odor control devices shall be installed to reduce the exposure of receptors to objectionable odorous emissions. SMAQMD shall be consulted to determine applicable/feasible control devices to be installed. Use of setbacks, site design considerations, and emission controls are typically sufficient to ensure~~	LTS

		~~that receptors located near retail uses would not be exposed to odorous emissions on a frequent basis.~~ None required.	

The following text changes are made to the discussions of Impact 5.2-9 and 5.2-10 on Draft EIR page 2-12 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.2-9: Exposure of sensitive receptors to TACs Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions. TAC impacts are considered local as pollutant concentration dissipate rapidly from the source. Mitigation is proposed that would reduce the project's contribution to TAC emissions.~~ Therefore, the project's contribution to cumulative TAC exposure impacts would not be cumulatively considerable.	NCC	None required.	NCC
Impact 5.2-10: Exposure of sensitive receptors to odors The project could introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source and would not combine with other odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions but mitigation has been incorporated to offset this impact. Due to the local nature of odor sources and incorporation of mitigation to reduce odors from proposed development, t~~The project's contribution to cumulative odor impacts would not be cumulatively considerable.	NCC	None required.	NCC

The following text changes are made to Draft EIR page 5.2-21:

Impact 5.2-4: Exposure of sensitive receptors to TACs

Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions.~~ This impact would be **less than significant**.

The following text changes are made to Draft EIR pages 5.2-22 through 5.2-24:

Long-Term Operation

The project would consist of residential, public school, and park uses. These land uses are not a source of stationary source of TACs or mobile TACs from diesel PM from regular truck traffic.

~~Operation of the project would result in new sources of TACs associated with new vehicular trips on existing and new roadways as well as new sources of diesel PM associated with commercial delivery trucks occurring within the retail center. New TAC sources could expose existing surrounding land uses and new receptors to TAC emissions.~~ The project would ~~also~~ locate new sensitive land uses in close proximity to existing TAC sources associated with surrounding land uses and roadways.

In accordance with available guidance from SMAQMD and ARB, freeways or urban roadways experiencing 100,000 or more vehicles per day could expose sensitive receptors to adverse health risks. Based on the traffic study conducted, the project would result in a maximum of 27,627 daily trips (i.e., new TAC sources), traveling through 23 different intersections and multiple roadways (See Table 5.11-12 in Section 5.11, "Transportation and Circulation").

Further, existing traffic volumes along nearby roadways range from approximately 340 to 36,000 vehicles per day (DKS 2017). Project-generated traffic would add to the existing traffic volumes of these roads. The largest increase in traffic volume would occur on Del Paso Road, from Gateway Park Boulevard to Black Rock Drive, with an increase of 6,100 to a total traffic volume of 28,500 vehicles per day. The largest traffic volume would occur on Northgate Boulevard, from North Market Boulevard to Interstate 80 (I-80), with 39,700 vehicles per day. These traffic volumes do not exceed SMAQMD's or ARB's guidance of 100,000 vehicles per day, thus new and existing sensitive receptors would not be exposed to increased health risk.

~~In addition to new mobile sources on local roadways, the project would include the development of 9.7 acres of retail and commercial land uses. Commercial and retail land uses may include loading docks for delivery trucks, resulting in diesel PM exhaust emissions from idling trucks that could expose existing or new sensitive receptors to TACs, depending on the location of the new commercial uses and proximity to off-site or new receptors.~~

With regards to the placement of new sensitive receptors near sources of TACs, the project would locate new residences near existing industrial uses such as Wilber-Ellis Co., a fertilizer and agricultural product manufacture located approximately 1,280 feet to the north east of the project area, and Syar Concrete, a ready mix concrete producer located approximately 365 feet to the east of the project area. Emission sources from fertilizer production facilities include fugitive particulate matter associated with rock unloading, handling, mixing, storage, and transfer and exhaust particulate matter emissions from the operation of dyers, coolers, and scrubbers. The facility may also emit hydrogen fluoride, which is identified as a TAC in the CAAA. Concrete manufacturing generates fugitive particulate matter emissions through the transfer of sand, truck loading, mixer loading, vehicle movement, and wind erosion at stockpiles.

Based on a public record search, these facilities currently hold a permit to operate from SMAQMD, which requires bag filters to control particulate matter from equipment operations, limits mass emissions of air pollutants and toxics, and requires operating conditions to prevent any off-site nuisance (i.e., dust or odor emissions). Further, prevailing wind in the project vicinity is from the south and therefore, any emissions that could occur would likely not affect the project area.

In addition to existing industrial land uses, the project area is located approximately 1 mile to the north of I-80. Traffic on I-80 is a primary source of TACs in the project vicinity, with traffic volumes of approximately 135,000 vehicles per day (Caltrans 2014). Guidance from SMAQMD's Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways and ARB's Air Quality and Land Use Handbook recommends that new sensitive receptors should not be placed within 500 feet of freeways or urban streets with traffic volumes that exceed 100,000 vehicles per day (CARB 2005). Although the traffic volumes of I-80 exceed 100,000, the project area is not within 500 feet of I-80, thus new sensitive receptors as a result of the project would not be exposed to excessive health risk from I-80. No other roadways in the project vicinity experience volumes that exceed 100,000 vehicles per day (SMAQMD 2016).

In summary, the project-related construction activities would not expose nearby sensitive receptors to incremental increases in cancer, chronic, and acute risk that exceed applicable thresholds. ~~However, the placement of new sources of diesel PM associated with commercial delivery trucks could expose new or existing sensitive receptors to increased TAC emissions.~~ This impact would be less than significant.

Mitigation Measures

None required.

~~Mitigation Measure 5.2-4: Incorporation of design features for retail center to address TACs.~~

~~To reduce exposure of existing or future receptors to diesel PM exhaust emissions at commercial loading dock, the following design measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~

- ~~Proposed commercial land uses that have the potential to emit TACs or host TAC generating activity (e.g., loading docks) shall be located as far away from existing and proposed on site sensitive receptors as possible such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0.~~

- ~~Loading dock design may incorporate the use of buildings or walls to shield commercial activity from nearby residences or other sensitive land uses.~~

- ~~Signs shall be posted at all loading docks and truck loading areas which indicate that diesel powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises to reduce idling emissions.~~

- ~~Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry cleaning operations that use perchloroethylene. Dry cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines.~~

~~Significance after Mitigation~~

~~Implementation of Mitigation Measure 5.2-4 would ensure that any new sources of TACs associated with the proposed commercial land uses would not expose existing or new sensitive land uses to excessive TAC levels. Thus, the project generated TAC sources would not result in an increased health risk to existing levels in the project area and this impact would be reduced to less than significant.~~

The following text changes are made to Draft EIR page 5.2-24 (Impact 5.2-5):

Impact 5.2-5: Exposure of sensitive receptors to odors

The project would introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source. Further, the project would not locate land uses near any existing odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions depending upon the land uses developed.~~ As a result, potential exposure of sensitive receptors to odors would be considered a less than significant impact.

The following text changes are made to Draft EIR pages 5.2-25 and 5.2-26:

Long-Term Operation

~~Operation of the project would include new commercial land uses which would likely result in diesel-fueled delivery trucks visiting loading docks at these areas; however, these types of sources are not different from those that currently deliver materials to existing land uses in developed urban areas and would be relatively short and infrequent. Facilities developed under the project would be subject to SMAQMD Rule 402 (Nuisance) regarding the control of nuisances, including odors. Receptors located in the general vicinity of such sources may be exposed to odorous emissions. These receptors could include the new residences built around the commercial development, as well as existing residences located adjacent to the project area, within 100 feet.~~

The project is not anticipated to result in the installation of any major odor emission sources that would result in a potentially significant impact to the occupants of the proposed on-site land uses. ~~However, although specific retail uses have not yet been identified, uses considered to be minor sources of odors may be developed. Such sources typically include dry cleaning establishments, restaurants, and gasoline stations.~~

No major existing sources of odors have been identified in the project vicinity. A couple industrial land uses are located in the project vicinity that may result in intermittent emissions of odors, including John Taylor Fertilizer and Syar Concrete, located northeast of the project area along Elkhorn Boulevard. However, based on a review of odor complaints filed within the last 16 years, there has been four odor-related complaints associated with the fertilizer company, which is located approximately 1,200 feet from the project area (Jester, pers. comm., 2017). However, all permits to operate have been cancelled since then so it is likely that fertilizer production at this facility no longer occurs. SMAQMD permitting regulations, as described above, regulates emissions at these facilities and complaints are addressed as deemed necessary by air districts and the City. Based on the limited number of complaints in the past 16 years and the fact that the fertilizer company no longer holds active permits to operate, it is unlikely that these facilities would result in substantial odors in the future.

There are also occasional odors associated with existing agricultural activities in the surrounding area. The reader is referred to Section 5.1, "Agricultural Resources," and Impact 5.1-2 regarding compatibility issues with existing agricultural operations.

As a result, potential exposure of sensitive receptors to odors associated with proposed land uses in the project area and the siting of new sensitive receptors in proximity to existing odor sources would be considered **less than significant**.

Mitigation Measures

None required.

~~Mitigation Measure 5.2-5: Incorporation of design features for retail center to address potential odor sources.~~

~~The project developer shall implement the following measures to reduce exposure of sensitive receptors to odorous emissions. These measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~

- ~~Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, and gasoline stations) shall be located as far away as possible from existing and proposed sensitive receptors or downwind of nearby receptors.~~

- ~~If an odor emitting facility is to occupy space in the retail area, odor control devices shall be installed to reduce the exposure of receptors to objectionable odorous emissions. SMAQMD shall~~

~~be consulted to determine applicable/feasible control devices to be installed. Use of setbacks, site design considerations, and emission controls are typically sufficient to ensure that receptors located near retail uses would not be exposed to odorous emissions on a frequent basis.~~

~~**Significance after Mitigation**~~

~~Through implementation of the above mitigation measure, and given that emissions from such sources would typically be intermittent and would disperse rapidly with increased distance from the source, implementation of the project would not be anticipated to result in a frequent exposure of a substantial number of people to odorous emissions. This impact would be reduced to a **less-than-significant level**.~~

The following text changes are made to Draft EIR page 5.2-28:

Impact 5.2-9: Exposure of sensitive receptors to TACs

Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions. TAC impacts are considered local as pollutant concentration dissipate rapidly from the source. Mitigation is proposed that would reduce the project's contribution to TAC emissions.~~ Therefore, the project's contribution to cumulative TAC exposure impacts **would not be cumulatively considerable**.

As discussed under Impact 5.2-4, the project would not generate significant health risks associated with toxic air contaminants, because it would not expose any single receptor to a level of cancer risk that exceeds an incremental increase of 10 in one million, or to a noncarcinogenic hazard Index of 1. ~~The project may result in some new sources of TACs associated with the commercial land uses. However, TAC sources are considered local as pollutant concentrations dissipate rapidly from the source. Further, Mitigation Measure 5.2-4 would reduce project TACs and protect sensitive receptors. Thus, given that project generated TAC emissions would not be considered substantial, mitigation would reduce project generated TAC sources, and the localized nature of TACs, project generated increases in TAC emissions~~ Thus, the project's contribution to this impact **would not be cumulatively considerable.**

The following text changes are made to Draft EIR page 5.2-29:

Impact 5.2-10: Exposure of sensitive receptors to odors

The project could introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source and would not combine with other odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions but mitigation has been incorporated to offset this impact. Due to the local nature of odor sources and incorporation of mitigation to reduce odors from proposed development, t~~ The project's contribution to cumulative odor impacts **would not be cumulatively considerable**.

As discussed under Impact 5.2-5, the project would generate temporary odors during construction ~~and new odor sources associated with the commercial land uses (e.g., delivery trucks idling at commercial loading zones, odors associated with certain land uses such as dry cleaners)~~. Construction-related odors would be minimal, temporary, and would cease once construction is complete. ~~Incorporation of on-site Mitigation Measure 5.2-5 would reduce odor exposure to new receptors. Because of the localized character of odor related impacts, as well as the site specific design measures in place to reduce odor exposure, t~~ The project's contribution to odor issues **would not be cumulatively considerable**.

2.2.4 Biological Resources

DRAFT EIR IMPACT 5.3-1: LOSS OF ANNUAL GRASSLAND AND AGRICULTURAL LANDS

The Draft EIR identifies that implementation of the original project would result in the loss of approximately 125 acres of annual grassland habitat and 350 acres of agricultural land habitat, which provide habitat for common wildlife species. The loss of annual grassland and other agricultural land would be a less-than-significant impact because these land cover types are regionally common and are abundant in areas north of the site. The revised project impact would be identical to the original project because it would involve the exact same extent of habitat loss. Thus, the revised project would not result in any new significant habitat impacts not previously disclosed in the Draft EIR. This impact would be **less than significant**.

DRAFT EIR IMPACT 5.3-2: IMPACT TO SPECIAL-STATUS SPECIES

The revised project would result in the removal of vernal pool and annual grassland habitat in the project area that may be used by special-status species. The revised project impact would be identical to the original project because it would involve the exact same extent of habitat disturbance. This impact would be **potentially significant**.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.3-2: Implement protection and habitat replacement measures that include compliance with the Natomas Basin Habitat Conservation Plan.

Significance after Mitigation

Implementation of Mitigation Measures 5.3-2 would reduce significant impacts on special-status species to a **less-than-significant** level for the revised project because it would avoid any substantial adverse effects through pre-construction surveys, avoidance of vernal pool habitats, and implementation of measures to reduce take of individual species, through participation in the Natomas Basin Habitat Conservation Plan (NBHCP) and implementation of additional measures to avoid and minimize impacts to special-status species not covered by the NBHCP. The revised project also would not result in any new significant special-status impacts not previously disclosed in the Draft EIR.

DRAFT EIR IMPACT 5.3-3: LOSS OF WETLANDS OR WATERS

The revised project would result in the removal of wetland features in the project area. The revised project impact would be identical to the original project because it would involve the exact same extent of wetland impact. This impact would be **significant**.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.3-3: No net loss of wetlands.

Significance after Mitigation

Implementation of Mitigation Measure 5.3-3 would reduce significant impacts on waters of the United States and waters of the state to a **less-than-significant** level for the revised project because it would ensure no net loss of functions and acreage of wetlands, other waters of the United States, and waters of the state. The revised project also would not result in any new significant wetland impacts not previously disclosed in the Draft EIR.

DRAFT EIR IMPACT 5.3-4: LOSS OF TREES

Like the original project, the revised project could result in the removal of 17 trees that are protected under City of Sacramento Municipal Code Title 12. This impact would be **potentially significant**.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.3-4: Protection and replacement of trees.

Significance after Mitigation
Implementation of Mitigation Measures 5.3-4 would reduce significant impacts protected trees to a **less-than-significant** level for the revised project because impacts to trees to be retained in the project area would be minimized and replacement trees would be planted consistent with City ordinance for the trees to be removed. The revised project also would not result in any new significant tree impacts not previously disclosed in the Draft EIR.

DRAFT EIR IMPACT 5.3-5: CUMULATIVE BIOLOGICAL RESOURCE IMPACTS

As previously described under Draft EIR Impacts 5.3-1 through 5.3-4, the revised project would result in significant impacts to special-status species, wetland resources, and trees. These impacts would be in addition to other development activities in the region that would result in similar impacts. Similar to the original project, the revised project's contribution is cumulatively considerable.

Implementation of Mitigation Measures 5.3-2, 5.3-3, and 5.3-4 would mitigate the revised project's contribution to special-status species, wetland, and tree impacts associated with the project as well as require participation in the NBHCP. Thus, implementation of these mitigation measures would mitigate the revised project's contribution to cumulative biological resource impacts to species covered by the NBHCP to **less than cumulatively considerable**. Resources not considered under the NBHCP will also be mitigated for by implementation of Mitigation Measures 5.3-2, 5.3-3, and 5.3-4, including achieving a no-net-loss of wetlands and compensating for loss of trees protected by City ordinance. Mitigated impacts to resources not covered by the NBHCP would be **less than cumulatively considerable**.

2.2.5 Archaeological, Historical, and Tribal Cultural Resources

DRAFT EIR IMPACT 5.4-1 AND 5.4-6: PROJECT AND CUMULATIVE HISTORIC STRUCTURE IMPACTS

Like the original project, the revised project contains one historic-era site, the Krumenacher Ranch. The historic-era site was evaluated as not eligible for the National Register of Historic Places (NRHP) in 2005, in 2006 as ineligible for both the NRHP and the California Register for Historic Resources (CRHR), and again in 2007 as ineligible for both the NRHP and the CRHR. These evaluations concluded that the site was ineligible for listing because of lack of significance and integrity. In 2008, the Office of Historic Preservation concurred that the Krumenacher Ranch was ineligible for listing on the NRHP. The evaluation of this site for eligibility for the Sacramento Register will conducted at the time a development application is received for this portion of the project area. The revised project does not propose development of the Krumenacher Ranch site and would not establish a land use designation or zoning that would allow for the development of the site that could remove the ranch site. Thus, this impact is **less than significant** under existing and cumulative conditions. The revised project also would not result in any new significant historic structure impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.4-2 AND 5.4-7: PROJECT AND CUMULATIVE IMPACTS ON HISTORIC LANDSCAPES

The Draft EIR identifies that the Krumenacher Ranch was evaluated as not eligible for listing in the NRHP as a historic vernacular landscape. The site does not encompass any character defining features of the Reclamation District 1000 (RD1000) historic landscape. There are no extant features of the landscape on the Krumenacher Ranch that are representative of agricultural activity. The Krumenacher Ranch is also bracketed by modern residential and commercial developments that compromise its integrity of setting, feeling, and association. The Krumenacher Ranch does not appear to meet any of the eligibility criteria for inclusion in the NRHP or the CRHR as a historic landscape. Thus, this impact is **less than significant** under existing and cumulative conditions. The revised project also would not result in any new significant historic landscape impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.4-3 AND 5.4-8: PROJECT AND CUMULATIVE IMPACTS ON ARCHAEOLOGICAL RESOURCES

As discussed in the Draft EIR, portions of the project area have been surveyed over time, resulting in complete coverage of the entire area proposed for development under both the original project and the revised project. There is no evidence of any prehistoric artifacts or any indication that the area ever supported prehistoric occupation or use. Nonetheless, project-related preconstruction or construction-related ground disturbing activities could damage or destroy previously undiscovered archaeological resources. This project-level impact also would result in a considerable contribution to the cumulative loss of these resources in the region. This would be a **potentially significant** impact under project and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project. The reader is referred to Chapter 4, "Revisions to the Draft EIR," for City staff initiated changes to the mitigation measures listed below.

Mitigation Measure 5.4-3a: Develop and implement a Worker Environmental Awareness Program.

Mitigation Measure 5.4-3b: Stop work in the event of an archaeological discovery or Tribal Cultural Resource discovery: non-sensitive areas of the project site.

Mitigation Measure 5.4-3c: Stop work in the event of an archaeological or Tribal Cultural Resource discovery: Environmentally sensitive areas of the project site.

Significance after Mitigation

Implementation of Mitigation Measures 5.4-3a, 5.4-3b, and 5.4-3c would reduce potentially significant impacts to known and currently undiscovered archaeological resources and tribal cultural resources because actions would be taken to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, this impact would be reduced to a **less-than-significant** level for the revised project under existing and cumulative conditions. The revised project also would not result in any new archaeological resource impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.4-4 AND 5.4-9: PROJECT AND CUMULATIVE IMPACTS ON HUMAN REMAINS

Based on documentary research, no evidence suggests that any prehistoric or historic-era marked or un-marked human interments are present within the project area. The location of grave sites and Native American remains can occur outside of dedicated cemeteries or burial sites. If human remains are discovered during any construction activities, potentially damaging ground-disturbing activities in the area of the remains shall be halted immediately, and the project developer shall notify the Sacramento County coroner and the

Native American Heritage Commission (NAHC) immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the NAHC to be Native American, the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. Following the coroner's findings, the archaeologist, and the NAHC-designated most likely descendant (MLD) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting upon notification of a discovery of Native American human remains are identified in California Public Resources Code Section 5097.94.

Compliance with California Health and Safety Code Sections 7050.5 and 7052 and California Public Resources Code Section 5097 would provide an opportunity to avoid or minimize the disturbance of human remains, and to appropriately treat any remains that are discovered. Thus, this impact is **less than significant** under existing and cumulative conditions. The revised project also would not result in any new significant human remain impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.4-5: IMPACTS TO TRIBAL CULTURAL RESOURCES

No unique archaeological remains have been identified in the project area. For these reasons, no part of the project site meets any of the Public Resources Code (PRC) 5024.1(c) criteria to be considered a tribal cultural resource. Therefore, the revised project would have **no impact** to tribal cultural resources as defined in PRC Section 21074. The revised project also would not result in any new significant tribal cultural resource impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

2.2.6 Geology, Soils, Mineral Resources, and Paleontology

DRAFT EIR IMPACT 5.5-1: EXPOSURE TO SEISMIC HAZARDS

Structures developed under the revised project must be designed to meet the California Building Code (CBC) to withstand groundshaking during earthquakes (California Code of Regulation, Title 24). Requirements would include earthquake resistant design and materials that meet or exceed the current seismic engineering standards of the Seismic Zone 3 improvements. These design requirements would lower the risk of loss, injury, or death related to a seismic event to the maximum extent practicable and consistent with State and local City building code requirements. Thus, this impact would be **less than significant.** The revised project also would not result in any new significant seismic impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.5-2: EXPOSURE TO EXPANSIVE SOIL HAZARDS

According to laboratory testing in geotechnical engineering reports prepared for the site, soil existing in the project area have medium to high expansive soil potential. These soils are expected to experience substantial volume changes with increasing or decreasing soil moisture content, and are considered capable of exerting substantial expansion pressures upon foundations and concrete slabs-on-grade, particularly exterior flatwork such as sidewalks, patios, and driveways. California Building Code includes provisions to address expansive soils, but site-specific design considerations are needed. Thus, this impact would be **potentially significant**.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.5-2: Implement recommendations of geotechnical engineering reports.

Significance after Mitigation

Implementation of Mitigation Measures 5.5-2 would reduce potential hazards associated with expansive soils to a **less-than-significant** level for the revised project because it would ensure that proper grading and construction measures are taken to avoid damage to building foundations, streets, sidewalks. The revised project also would not result in any new significant expansive soil impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.5-3: POTENTIAL TO CAUSE THE LOSS OF TOP SOIL AND SOIL EROSION

Construction activities for the revised project would require excavation and grading that has the potential to result in top soil loss and soil erosion by exposing bare and loosened soil to wind and rain. It would be required to comply with General Permit for Discharges of Storm Water Associated with Construction Activity requirements. These requirements include the development of a storm water pollution prevention plan (SWPPP) that includes erosion control best management practices (BMPs) designed to prevent erosion from occurring on the project site. BMPs include such steps a maintaining existing vegetation, apply soil stabilizers, and covering of soil stockpiles. Further, the revised project would also be required to comply with the City's Grading Ordinance. Compliance with the City of Sacramento's Grading Ordinance, Chapter 15.88 of the Sacramento Code, requires that prior to the commencement of grading an Erosion and Sediment Control Plan be prepared. An erosion control professional, landscape architect, or civil engineer specializing in erosion control must prepare the Erosion and Sediment Control Plan and during the installation of erosion and sediment control measures (e.g., silt fencing, waddles, and revegetation) be on the project area to supervise implementation of the installation and maintenance of such facilities throughout the site clearing, grading, and construction periods to ensure erosion control. Thus, this impact would be **less than significant**. The revised project also would not result in any new significant soil erosion impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.5-4 AND 5.5-6: PROJECT AND CUMULATIVE IMPACTS ASSOCIATED WITH THE DAMAGE OR DESTRUCTION OF UNDISCOVERED PALEONTOLOGICAL RESOURCES

Based on a review of known disturbances in the project vicinity, there appears to be a very low potential to uncover paleontological resources during project construction. However, there is a possibility of unanticipated and accidental paleontological discoveries during ground-disturbing activities. Unanticipated and accidental paleontological discoveries during revised project implementation could affect significant paleontological resources. This project-level impact could also result in considerable contributions to cumulative loss of these resources in the region. Therefore, this impact would be **potentially significant** under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.5-4: Protection of discovered paleontological resources.

Significance after Mitigation

Implementation of Mitigation Measures 5.5-4 would reduce potential loss of paleontological resources from site development under the revised project to a **less-than-significant** level under existing and cumulative conditions because it would ensure that discovered resources are evaluated and protected. The revised project also would not result in any new significant paleontological resource impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.5-5: CUMULATIVE IMPACTS TO GEOLOGY AND SOILS

Impacts associated with geology and soils are based on existing site-specific conditions that are situated within the subsurface materials that underlay the project area. These inherent conditions are an end-result of natural historical events that have played out through vast periods of geologic time. Geology and soil related impacts are generally site specific and are determined by a particular site's soil characteristics,

topography, and proposed land uses. Further, cumulative projects would be constructed in accordance with the most recent version of the CBC construction and seismic safety requirements and recommendations contained in project-specific geotechnical reports.

Lands within Sacramento County are susceptible to groundshaking and expansion, thus, placement of development on the project site and vicinity could result in the exposure of people and structures to unstable geologic units. If these areas become unstable, geologic hazards such as unstable soils, expansive soils, or collapse could result. However, with incorporation of Mitigation Measure 5.5-2, site-specific seismic requirements for expansive soils would be implemented to ensure that proper grading and construction measures are implemented to avoid damage to building foundations, streets, and sidewalks. Further, the revised project would be required to comply with established requirements of the City, as well as the CBC standards as they pertain to protection against known geologic hazards and potential geologic and soil related impacts. Thus, because site-specific impacts would be reduced to a less-than-significant level, the revised project **would not have a considerable contribution** such that a new significant cumulative impact would occur.

2.2.7 Greenhouse Gas Emissions and Climate Change

DRAFT EIR IMPACT 5.6-1: PROJECT GENERATED GREENHOUSE GAS EMISSIONS

Table 5.6-3 of the Draft EIR presented the estimated project-generated greenhouse gas (GHG) emissions for construction and operation (Draft EIR Impact 5.6-1). Operational emissions were further separated by category (e.g., energy, mobile, water). The calculation of mobile-source GHG emissions is based in part on the number of vehicle miles traveled (VMT). In a memo evaluating potential impacts of the revised project on traffic, it was calculated that the proposed modifications in the project design would result in an increase in VMT (DKS 2017:8). This increase in VMT would result in total operational GHG emissions to increase to 28,408 metric tons per year (an increase of 1,029 metric tons per year as compared to the original project). Thus, the revised project's contribution to this significant cumulative impact would be **cumulatively considerable.**

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.6-1a: On-site GHG reduction measures.

Mitigation Measure 5.6-1b: Purchase carbon offsets.

Significance after Mitigation

Implementation of identified actions in Mitigation Measures 5.6-1a and 5.2-2 would reduce GHG emissions. Regardless of the implementation of Mitigation Measure 5.6-1a and 5.2-2, the revised project would still result in GHG emissions that would be considered cumulatively considerable.

Further mitigation of the impact through Implementation of Mitigation Measure 5.6-1b would require the purchase of off-site carbon credits to reduce the remaining operational GHG emissions. This additional mitigation would offset remaining project GHG emissions, such that the revised project would not conflict with City of Sacramento's climate planning efforts, ARB's proposed 2017 Scoping Plan Update, or established state GHG reduction targets. Thus, the revised project's contribution to cumulative GHG emission increase impacts **would not be cumulatively considerable**. Thus, the proposed modification would not result in any new or substantially more severe impacts not previously disclosed in the Draft EIR.

The following changes are made to Impact 5.6-1 and Mitigation Measure 5.6-1a to eliminate reference to the on-site commercial site.

The following text edits are made to Mitigation Measure 5.6-1a on Draft EIR page 2-36 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.6-1: Project-generated greenhouse gas emissions The project is estimated to generate 5,530 $MTCO_2e$ from construction activities and ~~27,379~~ 28,408 $MTCO_2e$ operational-related emissions at project buildout in 2036. Total project emissions would be ~~27,600~~ 28,629 $MTCO_2e$/year in 2036 with combined amortized construction emissions. This level of GHG emissions has the potential to result in a considerable contribution to cumulative emissions related to global climate change and conflict with State GHG reduction targets established for 2030 and 2050. This cumulative impact would be significant and the project's contribution would be cumulatively considerable.	CC	**On-site GHG emission reduction measures** **Mitigation Measure 5.6-1a** The project developer shall incorporate the following mitigation measures into the project to reduce operational emissions of GHGs to the extent feasible. Transportation ◢ Include adequate electric wiring and infrastructure in all single-family residential units (shown in building plans) to support a 240-volt electric vehicle charger in the garage or off-street parking area to allow for the future installation of electric vehicle chargers. This connection shall be separate from the connection provided to power an electric clothes dryer. ◢ Include electric vehicle charging stations, similar or better than Level 2, in parking areas as part of site design submittals for development of the ~~designated suburban center and~~ elementary school. Building Energy ◢ Achieve as many residential and non-residential zero net energy buildings as feasible, which shall be implemented in the following way: ◤ Prior to the issuance of building permits for residential, ~~commercial,~~ and private recreation centers, the project developer or its designee shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to the City of Sacramento for review and approval. The ZNE Report shall demonstrate that development within the Panhandle PUD project area subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings. ◢ Where ZNE is deemed infeasible, building energy may also be reduced in the following ways: ◤ Reduce building energy-related GHG emissions through the use of on-site renewable energy (e.g., solar photovoltaic panels) where technologically feasible and at a minimum of 15 percent of the project's total energy demand. Building design, landscape plans, and solar installation shall take into account solar orientation, and building roof size to maximize solar exposure. ◤ Provide incentives to future residents to purchase Energy Star™ appliances (including clothes washers, dish washers, fans, and refrigerators).	NCC

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		◤ Install high efficiency lighting (i.e., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications. ◤ Provide electrical outlets on the exterior of project buildings to allow sufficient powering of electric landscaping equipment. ◤ Install low-flow kitchen faucets that comply with CALGreen residential voluntary measures (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi). ◤ Install low-flow bathroom faucets that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi) ◤ Install low-flow toilets that exceed the CALGreen residential mandatory requirements (maximum flush volume less not to exceed 1.28 gallons per flush) ◤ Install low-flow showerheads that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 2 gallons per minute at 80 psi) ◤ Reduce turf area and use water-efficient irrigation systems (i.e., smart sprinkler meters) and landscaping techniques/design.	

The following text changes are made to Impact 5.6-1 on Draft EIR page 5.6-11:

Impact 5.6-1: Project-generated greenhouse gas emissions

The project is estimated to generate 5,530 $MTCO_2e$ from construction activities and ~~27,379~~ 28,408 $MTCO_2e$ operational-related emissions at project buildout in 2036. Total project emissions would be ~~27,600~~ 28,629 $MTCO_2e$/year in 2036 with combined amortized construction emissions. This level of GHG emissions has the potential to result in a considerable contribution to cumulative emissions related to global climate change and conflict with State GHG reduction targets established for 2030 and 2050. This cumulative impact would be significant and the project's contribution would be **cumulatively considerable**.

The following text changes are made to Mitigation Measure 5.6-1a on Draft EIR page 5.6-12:

Mitigation Measure 5.6-1a

The project developer shall incorporate the following mitigation measures into the project to reduce operational emissions of GHGs to the extent feasible.

Transportation

- Include adequate electric wiring and infrastructure in all single-family residential units (shown in building plans) to support a 240-volt electric vehicle charger in the garage or off-street parking area to allow for the future installation of electric vehicle chargers. This connection shall be separate from the connection provided to power an electric clothes dryer.

- Include electric vehicle charging stations, similar or better than Level 2, in parking areas as part of site design submittals for development of the ~~designated suburban center and~~ elementary school.

Building Energy

- Achieve as many residential and non-residential zero net energy buildings as feasible, which shall be implemented in the following way:
  - Prior to the issuance of building permits for residential~~, commercial,~~ and private recreation centers, the project developer or its designee shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to the City of Sacramento for review and approval. The ZNE Report shall demonstrate that development within the Panhandle PUD project area subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings.
- Where ZNE is deemed infeasible, building energy may also be reduced in the following ways:
- Reduce building energy-related GHG emissions through the use of on-site renewable energy (e.g., solar photovoltaic panels) where technologically feasible and at a minimum of 15 percent of the project's total energy demand. Building design, landscape plans, and solar installation shall take into account solar orientation, and building roof size to maximize solar exposure.
- Provide incentives to future residents to purchase Energy Star™ appliances (including clothes washers, dish washers, fans, and refrigerators).
- Install high efficiency lighting (i.e., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications.
- Provide electrical outlets on the exterior of project buildings to allow sufficient powering of electric landscaping equipment.
- Install low-flow kitchen faucets that comply with CALGreen residential voluntary measures (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi).
- Install low-flow bathroom faucets that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi)
- Install low-flow toilets that exceed the CALGreen residential mandatory requirements (maximum flush volume less not to exceed 1.28 gallons per flush)
- Install low-flow showerheads that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 2 gallons per minute at 80 psi)
- Reduce turf area and use water-efficient irrigation systems (i.e., smart sprinkler meters) and landscaping techniques/design.

DRAFT EIR IMPACT 5.6-2: IMPACTS OF CLIMATE CHANGE ON THE PROJECT

Based on currently-available data, the project is not located within an area projected to experience a substantial increase in wildland fire risk or flooding as a result of climate changes in the future. Further, water supply for the revised project would be adequate. The revised project would be able to deal with extreme heat effects through energy-efficient buildings and planting shade trees. Anticipated changes in future climate patterns are not anticipated to have any substantial effects on the revised project. This impact would be **less than significant.** The revised project also would not result in any new significant climate change impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

2.2.8 Hazards and Hazardous Materials

DRAFT EIR IMPACT 5.7-1: SIGNIFICANT HAZARDS FROM TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS

The revised project would include activities that use hazardous materials in both the construction and operational phases of the development. Because the hazardous materials use during the construction and operation of the revised project must comply with federal, state, and local regulations regarding the handling and transportation of such materials, this impact would be **less than significant**. The revised project also would not result in any new significant hazard impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project and would use similar hazardous materials.

DRAFT EIR IMPACT 5.7-2: ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS

Existing structures on the site (Krumenacher Ranch) are believed to contain hazardous materials, including asbestos, lead, and heavy metals – primarily because many of the existing structures were constructed when the use of these materials was not heavily restricted. Demolition of structures could result in inadvertent release or improper disposal of debris containing potentially hazardous materials; however, federal, state, and local regulations have been developed to address potential impacts related to the handling and disposal of hazardous materials during demolition. Potential impacts would be minimized through adherence to regulatory standards that prescribe specific methods of material characterization and handling. Implementation of the existing federal, State, and local regulations identified above would reduce the potential for accidental hazardous material releases for the revised project such that this impact would be **less than significant**. The revised project also would not result in any new significant hazard impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.7-3: HAZARDS ASSOCIATED WITH MOSQUITOES

Like the original project, the revised project includes an on-site detention basin. The detention basin (if not properly designed and operated) could attract mosquitoes that could expose project residents to several diseases of concern including West Nile virus, malaria, and dengue. The Sacramento-Yolo Mosquito and Vector Control District requests projects with water features incorporate best management practices or other preventative biological measures to reduce mosquito populations, production rates, or the timing of mosquito hatching. This impact would be **potentially significant**.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.7-3: Develop and implement a Vector Control Plan.

Significance after Mitigation

Implementation of the above mitigation measure would reduce potential public health risks consistent with Sacramento-Yolo Mosquito and Vector Control District guidelines. Thus, this impact would be reduced to a **less-than-significant** level.

DRAFT EIR IMPACT 5.7-4: HAZARDS ASSOCIATED WITH ELECTROMAGNETIC FIELDS

Like the original project, the revised project would place residential and public school facilities near two sets of steel lattice towers supporting double-circuit 230 kilovolt (kV) lines owned by the Western Area Power Administration (WAPA) and a 115-kV line owned by the Sacramento Municipal Utility District (SMUD). The primary concern associated with transmission lines are possible adverse health effects because of exposure to electromagnetic fields (EMFs) from overhead power lines. Reports by the National Research Council/National Academy of Sciences, American Medical Association, American Cancer Society, National

Institute of Environmental Health Sciences, World Health Organization – International Agency for Research on Cancer, and the California EMF Program conclude that insufficient scientific evidence exists to warrant the adoption of specific health-based EMF mitigation measures (see Draft EIR page 5.7-3). The medical and scientific communities generally agree that the available research evidence has not demonstrated that EMF creates a health risk. This impact is considered **less than significant**. The revised project also would not result in any new significant EMF hazard impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.7-5: INTERFERE WITH AN ADOPTED EMEGENCY RESPONSE OR EVACUATION PLAN

During construction, it may be necessary to restrict travel on roadways with and adjacent to the project area to facilitate construction activities such as demolition, material hauling, construction, staging, and modifications to existing infrastructure. Such restrictions could include lane closures, lane narrowing, and detours, which would be temporary but could continue for extended periods of time. Lane restrictions, closures, and/or detours could cause an increase in traffic volumes on adjacent roadways. In the event of an emergency, emergency response access or response times could be adversely affected. To minimize interference with emergency response and evacuation, the City requires all development projects to prepare Traffic Management Plans for construction activities, as required by Sections 12.20.020 and 12.20.030 of the Sacramento City Code. Compliance would minimize the potential for construction impacts to interfere with emergency response.

The revised project would provide new east-west roadway connections (Faletto Avenue, Club Center Drive, Street "F," Barros Drive, Aimwell Avenue, and Mayfield Avenue). These roadway connections would provide for improved emergency access connection in the project area and would not interfere with emergency response. The revised project would not modify the existing roadway network such that emergency access along existing roadways would be impaired and would not be anticipated to physically interfere with adopted emergency response plans or procedures. Thus, this impact would be **less than significant**. The revised project also would not result in any new significant emergency response or evacuation impacts not previously disclosed in the Draft EIR because it would have the same development footprint and new roadway connections as the original project.

DRAFT EIR IMPACT 5.7-6: EXPOSURE TO WILDLAND FIRE HAZARDS

Development of the project area would convert the project area from grassland and agricultural conditions to urban uses that would remove on-site wildland fire hazard. Like the original project, the revised project would also improve roadway access and extend water supply infrastructure that would improve fire protection services in the area. Thus, this impact is considered **less than significant**. The revised project also would not result in any new significant emergency response or evacuation impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.7-7: CUMULATIVE HAZARD IMPACTS

As identified under Draft Impacts 5.7.1 through 5.7.6, the revised project's public health hazard impacts related to the use, handling, and transportation of hazardous materials and potential exposure to EMFs or mosquito-borne diseases, are associated with site-specific issues that are not connected to cumulative conditions in the region. On a cumulative basis, hazardous impacts would be less-than-significant.

There is no existing significant adverse cumulative condition relating to hazards and hazardous materials in the vicinity of the site and, alone, the incremental impacts of the revised project would not cause a significant adverse cumulative impact. Further, construction activities associated with the revised project would not substantially increase the hazard potential in the study area, and operation of the revised project would not cause a significant adverse cumulative impact. Mitigation is recommended to address the revised project's site-specific potential mosquito and vector control impacts to a less-than-significant level. As a result, the

revised project **would not have a considerable contribution** such that a new significant cumulative public health hazard impacts would occur.

2.2.9 Hydrology and Water Quality

DRAFT EIR IMPACT 5.8-1 AND 5.8-6: PROJECT AND CUMULATIVE FLOODING IMPACTS

The primary drainage improvement for the revised project would consist of an on-site stormwater detention basin on the west side of the project area. The detention basin would provide storage to allow outflows to be metered at a reduced rate to discharge to existing twin 60-inch pipes that drain runoff from the site to the canal that runs parallel to Truxel Road, with no offsite improvements required. The detention basin would be sized to contain the 100-year, 10-day runoff volume assuming a maximum pumping rate of 0.10 cubic feet/acre for the project area as well as for the on-site East Natomas Education Complex. Water quality control features would also be incorporated in the basin design.

Like the original project, implementation of the detention basin would accommodate and offset increased drainage flows from revised project at buildout. However, phased development of the site could potentially result in temporary drainage impacts if the necessary drainage facilities are not in place at the time of site development. Development could also worsen existing drainage and local flooding issues at the intersection of Del Paso Road and Sorento Road. This project-level impact could also result in a considerable contribution to cumulative drainage impacts from future development in the area. This would be a **potentially significant** impact under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.8-1: Demonstrate compliance with Drainage Report.

Significance after Mitigation

Implementation of onsite drainage improvements as described in the Drainage System Modeling Report for the Natomas Panhandle and implementation of Mitigation Measure 5.8.1 would ensure drainage impacts are adequately address and mitigate this impact to **less than significant** for the revised project under existing and cumulative conditions. The revised project also would not result in any new significant drainage impacts not previously disclosed in the Draft EIR because it would have the same development footprint and extent of impervious surfaces as the original project.

DRAFT EIR IMPACT 5.8-2 AND 5.8-5: PROJECT AND CUMULATIVE WATER QUALITY IMPACTS

New development within the project area would increase local runoff production, and could introduce constituents into storm water that are typically associated with urban runoff. These constituents include sediments, heavy metals (such as lead, zinc, and copper), petroleum hydrocarbons, pesticides, and fertilizers. This project-level impact could also result in a considerable contribution to cumulative water quality impacts from existing and planned development in the area. Therefore, this would be a **potentially significant** impact under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.8-2: Design drainage facilities to include water quality control features.

Significance after Mitigation

Implementation of the above mitigation measure would ensure compliance with City water quality requirements, consistency with the City's NPDES permit associated with stormwater quality control, and mitigation of potential operational-related water quality impacts to a **less-than-significant** level for the revised project under existing and cumulative conditions. The revised project also would not result in any new

significant water quality impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.8-3 PROJECT FLOOD RISK

The northern portion of the project area is located adjacent to the North Natomas Levee that is associated with the North East Main Drainage Canal (NEMDC). This levee is planned for improvement associated with the Sacramento Area Flood Control Agency (SAFCA) Natomas Levee Improvement Project (NLIP), Phase 4b Landside Improvements Project (Phase 4b Project), which was evaluated in the Phase 4b EIS/EIR (State Clearinghouse No. 2009112025). Remaining improvements to complete the entire NLIP are in process and planned to be completed by the year 2025. Like the original project, the revised project would not significantly impact the North Natomas Levee or exacerbate flooding conditions in the project area. This impact would be **less than significant**.

DRAFT EIR IMPACT 5.8-4 AND 5.8-5: PROJECT AND CUMULATIVE GROUNDWATER QUALITY IMPACTS

Like the original project, the revised project would include a stormwater detention basin on the west side of the project area. The detention basin would provide storage to allow metered release to existing drainage infrastructure and would include features for water quality control consistent with City requirements. Groundwater levels in the project area occur at 4 to 17 feet below the ground surface. Cosumnes silt loam is mapped in the area of the proposed detention basin site. Although these soils have slow infiltration rates, the depth to groundwater in the project area is relatively shallow and there is potential for surface water held in the detention basin to come into contact with the groundwater table. This may be of concern because stormwater runoff can collect common urban pollutants, such oils, and herbicides. This project-level impact could result in a considerable contribution to cumulative groundwater quality impacts from existing contamination as well as from future development. This impact would be **potentially significant** under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.8-4: Evaluate depth to groundwater and incorporate appropriate features into detention basin design.

Significance after Mitigation

Implementation of the above mitigation measure would ensure that groundwater quality is protected and would mitigate the impact to **less than significant** for the revised project under existing and cumulative conditions.

2.2.10 Noise and Vibration

DRAFT EIR IMPACT 5.9-1 AND 5.9-5: PROJECT AND CUMULATIVE CONSTRUCTION NOISE IMPACTS

Like the original project, construction of the revised project would result in construction noise that is generally short-term and temporary in nature. Proposed construction activities would result in noise from heavy-duty construction equipment (measured from the property line of the site). Construction noise in any one particular area would be temporary and would include noise from activities such as excavation, site preparation, truck hauling of material, pouring of concrete, and use of power hand tools. Pile driving or rock blasting is not anticipated to occur as part of construction. Construction noise typically occurs intermittently and varies depending on the nature of the construction activities being performed. Noise is generated by construction equipment, including excavation equipment, material handlers, and portable generators. These construction activities could occur at the same time as other development in the area that could further contribute to significant cumulative construction noise impacts.

Applying the City of Sacramento Code, *Section 8.68.080 Exemptions* for construction, noise is exempt during the timeframes of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and 9:00 a.m. through 6:00 p.m. on Sunday. However, nighttime construction activities are not exempt and would be subject to the City and County nighttime noise standards. As a result, noise-generating construction activities would be considered to have a **significant** impact under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.9-1a: Implement construction-noise reduction measures.

Mitigation Measure 5.9-1b: Implement construction-noise reduction measures during noise-sensitive time periods.

Significance after Mitigation

Implementation of mitigation measures 5.9-1a and 5.9-1b would provide substantial reductions in day and nighttime construction noise levels by ensuring proper equipment use; locating equipment away from sensitive land uses; and requiring the use of enclosures, shields, and noise curtains. However, construction activities could occur immediately adjacent to existing residential uses to the west and east of the project area (within 50 feet), as well as on-site residences that are constructed and inhabited before other portions of the revised project are complete. Although, noise reduction would be achieved with implementation of mitigation measures 5.9-1a and 5.9-1b, reductions of up to 38 dBA would be required during some of the more intensive nighttime construction (e.g., during the most intense construction periods, and during roadway construction and improvement projects), to comply with the City and County nighttime standards of 50 L_{eq} and 70 L_{max}. Reductions of this magnitude are not expected to be achieved under all circumstances with implementation of mitigation measures 5.9-1a and 5.9-1b to offset construction noise. No other feasible mitigation is available; therefore, this impact would remain **significant and unavoidable** under existing and cumulative conditions for the revised project. The revised project also would not result in any new significant construction noise impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.9-2 AND 5.9-6: PROJECT AND CUMULATIVE TRAFFIC NOISE

As shown in Draft EIR Table 5.9-14 and 5.9-16, project-generated traffic would result in significant project traffic noise impacts along Sorento Road (Del Paso Road to East Levee Road), Del Paso Road (Natomas Drive to Northgate Boulevard), Del Paso Road (Gateway Park Boulevard to Black Rock Drive), and cumulatively considerable traffic noise impacts to Sorento Road (Del Paso Road to East Levee Road). The revised project would result in a 12 percent reduction in daily vehicle trip generation as compared to the original project (DKS 2017). However, this reduction in traffic volumes would not avoid significant traffic noise impacts to Sorento Road and Del Paso Road under existing and cumulative conditions. Thus, the traffic noise impact would be **significant** for the revised project under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.9-2: Reduce noise exposure to existing sensitive receptors from project-generated traffic.

Significance after Mitigation

As recommended by Mitigation Measure 5.9-2, the construction of a sound barrier that is just tall enough to break the line of sight between vehicles traveling on a roadway and ground level receptors results in at least 5 dBA of noise reduction and can achieve an approximate 1 dBA additional reduction for each 2 feet of height above where the sound barrier breaks the line of sight (with a maximum theoretical total reduction of 20 dBA). Thus, construction of the sound barrier as detailed in Mitigation Measure 5.9-2 would ensure that the exterior incremental noise increases along Del Paso Road from Sorento Road to Carey Road as a result of revised project-generated traffic noise would not exceed the City of Sacramento allowable noise increment

standard (1 dBA). Additionally, Mitigation Measure 5.9-2 includes the provision of landscaping and a barrier design consistent with the character of the surrounding area to avoid aesthetic impacts for views along the roadway segments to which it applies.

The implementation of Mitigation Measure 5.9-2 would reduce noise levels at the sensitive receptors adjacent to, and east of Sorento Road between Del Paso Road and East Levee Road. However, it cannot be ensured that Mitigation Measure 5.9-2 would reduce the incremental noise increase to below the City of Sacramento allowable noise increment standard (8 dBA) as it would require noise barriers within the front yards of residences that may elect not to participate in the mitigation.

Additionally, exterior noise levels at existing noise-sensitive residences along the roadway segment of Del Paso Road from Gateway Park Boulevard to Black Rock Drive, along which sounds barriers already exist, could only be remediated by relocating roadways, providing additional buffer zones, etc., but in the case of the revised project, this would not be feasible. Thus, as a result of the revised project, existing sensitive land uses (i.e., residences located along Del Paso Road from Gateway Park Boulevard to Black Rock Drive, and along Sorento Road from Del Paso Road to East Levee Road) could be exposed to exterior noise levels that exceed applicable City of Sacramento noise standards. This impact would remain **significant and unavoidable** under existing and cumulative conditions for the revised project.

DRAFT EIR IMPACT 5.9-3: PROJECT STATIONARY NOISE IMPACTS FROM NEW COMMERCIAL LAND USES

The Draft EIR identified a less than significant project impact associated with the new commercial uses generating noise that could impact existing noise-sensitive receptors in the project area. This impact would be avoided under the revised project.

The following text change is made to the Draft EIR to eliminate this impact.

Impact 5.9-3 is deleted on Draft EIR page 2-46 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
~~**Impact 5.9-3: Exposure of existing sensitive receptors to new or additional operational project-generated stationary noise sources**~~ ~~The project would result in the development of commercial land uses in proximity to existing sensitive receptors. Noise sources generally associated with commercial/retail land uses include vehicular and human activity in parking lots, and loading dock and delivery activities. Based the modeled reference noise levels, no existing residential off-site receptors would experience commercial-related noise levels that exceed the City and County's daytime and nighttime Leq or maximum intermittent noise (Lmax) levels standards. This impact would be less than significant.~~	~~LTS~~	~~None required.~~	~~LTS~~

Impact 5.9-3 is deleted on Draft EIR page 5.9-25:

~~Impact 5.9-3: Exposure of existing sensitive receptors to new or additional operational project-generated stationary noise sources~~

~~The project would result in the development of commercial land uses in proximity to existing sensitive receptors. Noise sources generally associated with commercial/retail land uses include~~

~~vehicular and human activity in parking lots, and loading dock and delivery activities. Based the modeled reference noise levels, no existing residential off site receptors would experience commercial-related noise levels that exceed the City and County's daytime and nighttime L_{eq} or maximum intermittent noise (L_{max}) levels standards. This impact would be **less than significant**.~~

~~This impact assesses the long term exposure of existing sensitive receptors to increased operational source noise levels from proposed land use development.~~

~~The project includes development of commercial land uses in the Suburban Center site. This commercial site would be located along the southern boundary of the project area, adjacent to Del Paso Road, as shown in Exhibit 3-4. However, the specific types of commercial uses to be developed are yet been determined. Noise generated at commercial land uses can vary substantially and can include occasional parking lot–related noise (e.g., opening and closing of vehicle doors, people talking) and loading dock operations (e.g., use of forklifts, hydraulic lifts). Noise commonly associated with commercial land uses, such as loading dock activities, including idling trucks, vehicle backup alarms, decompression of truck brakes, forklifts, and material loading and unloading activities can generate noise levels of approximately 71 L_{eq} and 86 L_{max} at a distance of 50 feet. Based on these reference noise levels, the City and County's daytime L_{eq} exterior noise standards (55 L_{eq}) for residential receptors could be exceeded within approximately 200 feet from the loading dock and the nighttime L_{eq} noise standards (50 L_{eq}) could be exceeded within approximately 325 feet from of a loading dock. Additionally, the City and County's daytime L_{max} noise standards (75 L_{max}) could be exceeded within approximately 130 feet from the acoustic center of the loading dock and the nighttime L_{max} noise standards (70 L_{max}) would be exceeded within approximately 205 feet from the acoustic center of a loading dock~~

~~The nearest off-site noise-sensitive land uses near proposed on-site commercial land uses would include the residential dwellings located east of the project site along Sorento Road and north of Del Paso Road (Valley View Acres), and Natomas Charter School, located adjacent to and west of the project site. Proposed commercial land uses would be located in excess of approximately 1,500 feet from the Natomas Charter School and would be shielded by intervening proposed residential land uses. Proposed commercial development would be located over 600 feet from the nearest existing off-site residential land uses (Valley View Acres). The project design also includes the provision of a landscaped wall and 18.5-foot landscaping setback from the west side of Sorento Road.~~

~~Based on the reference noise levels identified above, no existing residential off site receptors would experience commercial-related noise levels that exceed the City and County's daytime and nighttime L_{eq} noise standards. Maximum intermittent noise levels at these same receptors would be approximately 60 L_{max}, or less. This would be a **less than significant** impact.~~

~~Mitigation Measures~~

~~No mitigation is required.~~

DRAFT EIR IMPACT 5.9-4 AND 5.9-7: PROJECT AND CUMULATIVE NOISE COMPATIBILITY OF PROPOSED LAND USES

The Draft EIR identified that predicted traffic noise levels at proposed residential, commercial, and potential park uses located near Del Paso Road and Elkhorn Boulevard could exceed the City's exterior noise standards. Additionally, the noise generated by the proposed commercial land uses could result in the City's noise standards being exceeded because of the new stationary-source generated noise level on the project site.

The revised project would avoid commercial noise compatibility impacts with the elimination of the Suburban Center. This change in use would not result in an increase in the noise levels beyond what was anticipated for the Suburban Center, and operational noise levels of additional single-family residences would likely be

less than those of commercial operations. However, the revised project would still result in potential existing and cumulative noise impacts from the exposure to traffic noise. Thus, this impact would be **significant** under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project. Mitigation Measure 5.9-4b is no longer necessary with the elimination of the Suburban Center.

Mitigation Measure 5.9-4: Reduce transportation noise exposure to sensitive receptors.

Significance after Mitigation

Implementation of Mitigation Measure 5.9-4 would substantially reduce predicted noise levels at proposed land uses consistent with City noise standards under existing and cumulative conditions. With incorporation of available mitigation measures, such as noise barriers and landscaped berms predicted traffic noise levels at on-site residential land uses would not be anticipated to exceed the City noise standards. As a result, this impact would be reduced to a **less-than-significant** level under existing and cumulative conditions

The following text change is made to the Draft EIR to eliminate Mitigation Measure 5.9-4b.

The following text edits are made to Impact 5.9-4 and elimination of Mitigation Measure 5.9-4b on Draft EIR page 2-47 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.9-4: Compatibility of Proposed Land Uses with Projected Levels of Noise Exposure The project proposes a mix of various land uses, including residential, ~~commercial,~~ park, and school uses. Traffic and stationary noise sources in the vicinity of the project may expose noise-sensitive uses within the project site to excessive noise levels, resulting in land use conflicts related to noise. Implementation of the project could expose future planned sensitive receptors to transportation and stationary source noise levels that exceed the City of Sacramento noise standards. Therefore, this impact would be significant.	S	**Mitigation Measure 5.9-4a: Reduce transportation noise exposure to sensitive receptors** For new sensitive receptors developed as part of the project and that would be located within 282 feet of the centerline of Del Paso Road, within 278 feet of the centerline of Del Paso Road, within 80 feet of the centerline of Club Center Drive, or within 90 feet of the centerline of Street "G" (i.e., the distance from the centerline that is estimated, based on the noise modelling, to result in exceedance of the City of Sacramento exterior noise compatibility standard of 60 CNEL for low density residential), any or all of the following design criteria shall be adhered to: ◢ Where feasible, locate new sensitive receptors such that the outdoor activity area (e.g., balcony or porch) is on the opposite side of the structure from major roadways such that the structure itself would provide a barrier between transportation noise and the outdoor activity areas. ◢ Locate new sensitive receptors with other buildings/structures between the sensitive land use and nearby major roadways. ◢ If new sensitive receptors cannot be oriented or shielded by other structures, then design and building materials shall be chosen such that, at a minimum, 25 dBA of exterior-to-interior noise attenuation would be achieved, so that interior noise levels comply with the City of Sacramento interior noise standard of 45 Ldn. ◢ Setback sensitive receptors from major roadways at a distance that will not result in the exceedance of the City of Sacramento exterior noise compatibility	LTS

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		standard of 60 CNEL for low-density residential land uses. If, and only if, implementation of the above measures do not reduce transportation-related noise levels to comply with the City of Sacramento exterior noise compatibility standard of 60 CNEL for low density residential, then as part of improvement plans for land uses along Del Paso Road, Elkhorn Boulevard, National Drive and Club Center Drive, landscaped noise barriers that demonstrate compliance with City noise standards (interior and exterior) shall be implemented. The project developer will be required to demonstrate compliance with this mitigation measure and whether noise barriers are ultimately required. ~~**Mitigation Measure 5.9-4b: Reduce noise exposure to existing sensitive receptors from proposed stationary noise sources**~~ ~~The project developer shall implement the following measures to reduce the effect of noise levels generated by on site stationary noise sources:~~ ◢ ~~Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., exterior daytime [7:00 a.m. to 10:00 p.m.] standards of 55 Leq/ 75 Lmax and the exterior nighttime [10:00 p.m. to 7:00 a.m.] standards of 50 Leq / 70 Lmax; or interior noise standards of 45 Ldn) at any planned sensitive receptor. At the time of approval of special permits and/or development plan review, the project developer shall provide to the City a specialized noise study to evaluate specific design and ensure compliance with City of Sacramento noise standards. Reduction of loading dock noise can be achieved by locating loading docks as far away as feasible from noise sensitive land uses, constructing noise barriers between loading docks and noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise sensitive land uses. Final design, location, and orientation shall be dictated by findings in the noise study, if applicable.~~	

The following text changes are made to Draft EIR page 5.9-26:

Impact 5.9-4: Compatibility of Proposed Land Uses with Projected Levels of Noise Exposure

The project proposes a mix of various land uses, including residential, ~~commercial,~~ park, and school uses. Traffic and stationary noise sources in the vicinity of the project may expose noise-sensitive uses within the project site to excessive noise levels, resulting in land use conflicts related to noise. Implementation of the project could expose future planned sensitive receptors to transportation and stationary source noise levels that exceed the City of Sacramento noise standards. Therefore, this impact would be **significant**.

The following text changes are made to Draft EIR page 5.9-27:

~~Proposed Commercial Land Uses~~

~~On-site commercial uses would be located directly adjacent to residential uses proposed within the project area. The operational noise levels associated with the proposed commercial land uses could potentially exceed the City's maximum allowable exterior noise standards at future on-site noise-sensitive receptors, particularly those residences proposed for construction adjacent to and surrounding the proposed commercial land uses, and the proposed nearby elementary school. In addition, increases in single-event noise levels, such as backup alarms from material delivery trucks, occurring during evening and nighttime hours could result in increased levels of disturbance and sleep disruption to occupants of nearby residential dwellings.~~

~~Thus, considering the close proximity to existing sensitive receptors (e.g., single family residences surrounding the project area), it is possible that new proposed commercial loading docks or new parking lots could exceed the City of Sacramento's hourly daytime and nighttime allowable noise levels.~~

The following text changes are made to Draft EIR page 5.9-28:

Summary

Predicted traffic noise levels at proposed residential, ~~commercial,~~ and potential park uses located near Del Paso Road and Elkhorn Boulevard could exceed the City's exterior noise standards. ~~Additionally, the noise generated by the proposed commercial land uses could result in the City's noise standards being exceeded because of the new stationary source generated noise level on the project site.~~

Therefore, because of potential exposure to traffic noise ~~and new on-site stationary noise sources~~, land use compatibility as it related to noise would be **significant**.

Mitigation Measure 5.9-4~~a~~: Reduce transportation noise exposure to sensitive receptors

The following text changes are made to Draft EIR page 5.9-29:

~~Mitigation Measure 5.9-4b: Reduce noise exposure to existing sensitive receptors from proposed stationary noise sources.~~

~~The project developer shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources:~~

- ~~Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., exterior daytime [7:00 a.m. to 10:00 p.m.] standards of 55 L_{eq}/ 75 L_{max} and the exterior nighttime [10:00 p.m. to 7:00 a.m.] standards of 50 L_{eq} / 70 $L_{max,}$ or interior noise standards of 45 L_{dn}) at any planned sensitive receptor. At the time of approval of special permits and/or development plan review, the project developer shall provide to the City a specialized noise study to evaluate specific design and ensure compliance with City of Sacramento noise standards. Reduction of loading dock noise can be achieved by locating loading docks as far away as feasible from noise sensitive land uses, constructing noise barriers between loading docks and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise sensitive land uses. Final design, location, and orientation shall be dictated by findings in the noise study, if applicable.~~

~~Significance after Mitigation~~

~~Implementation of Mitigation Measure 5.9-4b would require that all stationary noise sources are oriented, located, and designed in such a way that reduces noise exposure to ensure that stationary noise sources would comply with City of Sacramento noise standards for sensitive receptors.~~

Implementation of Mitigation Measure 5.9-4 ~~mitigation measures 5.9-4a and 5.9-4b~~ would substantially reduce predicted noise levels at proposed land uses consistent with City noise standards. With incorporation of available mitigation measures, such as noise barriers, landscaped berms, building orientation and noise insulation building measures, predicted traffic noise levels at on-site residential land uses would not be anticipated to exceed the City noise standards. As a result, this impact would be reduced to a **less-than-significant** level.

The following text change is made to Draft EIR page 5.9-33:

Impact 5.9-7: Cumulative Operational Noise

Operation of the proposed development would not result in noise levels that exceed applicable noise compatibility standards. Therefore, the project **would not result in a considerable contribution** such that a new significant operational noise impact would occur.

As described in Section 5.9.7 *Impacts and Mitigation Measures* above, operational noise levels associated with operation of the project would not result in noise levels that exceed applicable exterior or interior noise compatibility standards at off-site receptors. ~~Further, as noted in Section 5.9.7, with mitigation, the on-site residential receptors would not be subject to substantial operational noise from the commercial land use activities.~~ Therefore, the project **would not result in a considerable contribution** such that a new significant operational noise impact would occur.

2.2.11 Public Services and Recreation

DRAFT EIR IMPACT 5.10-1: INCREASED DEMAND FOR FIRE PROTECTION AND EMERGENCY SERVICES

Like the original project, the revised project would contribute to the need for facility improvements and equipment needs that would be addressed through its payment of impact fees and funding through the Panhandle PUD Public Facilities Financing Plan (once adopted). Thus, this impact is **potentially significant** for the revised project.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.10-1a: Payment of fees.

Mitigation Measure 5.10-1b: Panhandle PUD Public Finance Plan

Significance after Mitigation

Implementation of Mitigation Measures 5.10-1a and 5.10-1b would reduce significant impacts on City fire protection services to a **less-than-significant** level for the revised project because the payment of development fees and the provisions of the Public Facilities Finance Plan would ensure the revised project will contribute to the necessary funding for necessary fire and medical emergency facilities and equipment for the North Natomas Community Plan area. The revised project also would not result in any new significant fire protection impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.10-2: INCREASED DEMAND FOR POLICE PROTECTION SERVICES

The revised project would result in the development of up to 2,699 new residential units and the addition of approximately 7,287 residents (2,699 units x 2.7 persons per household = 7,287). Based on the City's standard of 1.6 sworn officers per 1,000 residents and 1.0 civilian support staff for every 1.6 sworn officers (North Natomas Policy PHS 1.2), the revised project would result in the demand for as many as 12 additional

sworn officers (one additional officer beyond the original project) and 7 civilian support staff at build-out. The proposed new elementary school would also generate further demand for both sworn officers and civilian support staff.

The 2035 General Plan identifies several new police stations and associated facilities as subsequent projects. These facilities would accommodate up to 600 new sworn officers and support staff. Potential impacts associated with construction of these facilities were programmatically evaluated in the City of Sacramento 2035 General Plan Master EIR. The planned North Natomas Police Station envisioned for the Town Center along Del Paso Road would provide law enforcement services near the project area. The revised project would not trigger the need for the station to be built at the same time as project development, but would be required to assist in its funding through the Panhandle PUD Public Facilities Financing Plan.

New law enforcement personnel would be addressed through the project property taxes and funding allocations through the City's budget and general fund. Future development of the Krumenacher Ranch will be required to establish its own financing program for funding of law enforcement facility needs and/or amend the Panhandle PUD Public Facilities Financing Plan.

Thus, this impact would be **potentially significant** for the revised project.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.10-1a: Payment of fees.

Mitigation Measure 5.10-1b: Panhandle PUD Public Finance Plan

Significance after Mitigation

Implementation of Mitigation Measures 5.10-1a and 5.10-1b would reduce significant impacts on law enforcement services to a **less-than-significant** level because the payment of development fees and the provisions of the Public Facilities Finance Plan would ensure the revised project will contribute to the North Natomas Police Station. The revised project also would not result in any new significant law enforcement impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project and a similar extent of residential development.

DRAFT EIR IMPACT 5.10-3: EXPANDED NEED FOR PUBLIC SCHOOLS

Similar to the original project, the revised project would contribute new school-age children to the Twin Rivers Unified School District (TRUSD) and Robla School District (RSD). The revised project would generate up to a total of 693 students (18 additional students above the original project's student generation). Should the Krumenacher Ranch site develop into residential uses, it could generate a student demand of up to 353 elementary students, 93 middle school students, and 162 high school students.

As shown in Draft EIR Table 5.10-2, TRUSD anticipates having a substantial number of open seats within its schools through 2023. In addition, the revised project includes two school sites for the future development of an elementary school and co-located junior high/high schools to serve project residents and the surrounding area.

The East Natomas Education Complex has been approved by the TRUSD and is partially constructed. The junior high school is planned to serve approximately 1,000 students and the high school is planned to serve 1,800 students. The schools will be completed and opened as growth occurs and there is demand for additional school capacity.

The revised project would generate approximately 396 elementary school students (8 additional students above the original project's student generation). The capacity of the future on-site elementary school has not yet been established, but is estimated that it could accommodate approximately 500 students. Elementary school students residing in the southern portion of the revised project could attend schools within the

TRUSD or RCD. In addition, the TRUSD routinely adjusts attendance boundaries to balance school capacity with student enrollment. Thus, if the revised project exceeds the capacity of the planned school, students may attend an existing school in the surrounding area such as Regency Park Elementary. This existing elementary school is located less than one half mile west of the project area and currently had approximately 148 open seats in 2015. Thus, the TRUSD is anticipated to have sufficient capacity to serve the proposed development and no new or expanded school sites would be required beyond those proposed within the project site.

Government Code Section 65995 establishes the dollar amount school districts may impose on new development; however, this may not be sufficient to fund all required facilities. Funding from state grants is possible but other sources would most likely still be required. Sources include but are not limited to Proposition 51 funds, increased developer and local tax fees, and the local general obligation bond funds. New public school facilities must undergo site-specific CEQA and California Board of Education evaluation prior to construction to identify and lessen environmental related impacts.

California Government Code Sections 65995 (h) and 65996 (b) require full and complete school facilities mitigation. Section 65995(h) states that the payment or satisfaction of a fee, charge, or other requirement levied or imposed pursuant to Section 17620 of the Education Code is deemed to be full and complete mitigation of the impacts for the planning, use, development, or the provision of adequate school facilities and Section 65996 (b) states that the provisions of the Government Code provide full and complete school facilities mitigation. Therefore, the revised project's public school facility impacts would be **less than significant**.

DRAFT EIR IMPACT 5.10-4: DEMAND FOR PARK AND RECREATION FACILITIES

Based on City and North Natomas Community Plan (NNCP) requirements (City Code Title 17, Chapter 17.512), the revised project's parkland dedication requirement would be 15.8 acres using the City's acreage factor of 0.0095 for single-family dwelling units (0.40-acre increase in park demand as compared to the original project). Based on the City's goal for the provision of trails and parkways (0.5 miles of trail per 1,000 residents), the revised project would also be required to provide approximately 3.6 miles of linear trail.

Like the original project, the revised project proposes 56.5 net acres of parks and open space uses consisting of park facilities (15.6 net acres), open space parkway (27.5 net acres) and detention areas (13.4 net acres). The Ninos Parkway would be situated in the eastern part of the Panhandle PUD and would provide active and passive recreation opportunities and a trail system. Future development of the Krumenacher Ranch site will be required to demonstrate compliance with City park dedication requirements and is anticipated to complete the northern extent of the Ninos Parkway.

The revised project would also be required to pay in-lieu fees as necessary to ensure compliance with the City's parkland requirements and to ensure that adequate parkland is provided to project residents. Therefore, the revised project would not result in substantial deterioration or other physical impacts to existing recreation facilities. The environmental effects of the development of the on-site park and recreational facilities has been addressed in the technical sections of the Draft EIR. This impact would be **less than significant**.

DRAFT EIR IMPACT 5.10-5: INCREASED DEMAND FOR LIBRARY SERVICES

Like the original project, the revised project would be served primarily by the North Natomas Library and secondarily by the South Natomas library. Together, these libraries can accommodate the population in the project area. Thus, development of the project area as proposed would not, in and of itself, trigger the need for new or expanded library facilities in addition to the existing North and South Natomas libraries.

In June 2016, City of Sacramento voters approved to extend Measure X, an initiative to continue a parcel tax providing the library with approximately $5 million annually, for an additional ten years. Measure X levies a flat tax of $31.53 per household annually. The residential units in the Panhandle PUD would be subject to, and comply with, Measure X. In addition, the revised project would be required to pay development fees through

the finance plan that would support the funding of public services needed to serve all development within the project area. The fee program would be structured to ensure that basic facilities are in place when needed for development, including library services. The need for expansion of library services and facilities is discussed in the Sacramento Public Library's Facilities Master Plan and is based on SACOG population projections. Because the project would not result in the need to construct any new, unplanned library facilities, and the applicant would pay into a fee program that would contribute to the continued funding of the North and South Natomas libraries, the revised project would result in a **less-than-significant** impact to library services.

DRAFT EIR IMPACT 5.10-6: CUMULATIVE PUBLIC SERVICE AND RECREATION IMPACTS

As identified under Draft EIR Impacts 5.10-1, 5.10-2, 5.10-3, and 5.10-4, the revised project would contribute to the cumulative need for fire protection, emergency medical services, police protection services, parks, and library services.

However, the implementation of Mitigation Measures 5.10-1a and 5.10-1b would require that the revised project develop financing mechanisms to ensure that public facility needs for the project and its fair-share of public facilities to service the North Natomas Community Plan area are addressed. In addition, the revised project would provide park facilities and providing funding through fees and taxes that would address its demand for park facilities and libraries. Future development of the Krumenacher Ranch will be required to establish its own financing program for funding of public facility needs and/or amend the Panhandle PUD Public Facilities Financing Plan. Thus, the revised project **would not have a considerable contribution** to significant cumulative impacts to public services.

2.2.12 Transportation and Circulation

DRAFT EIR IMPACT 5.11-1 AND 5.11-9: PROJECT AND CUMULATIVE CONSTRUCTION-RELATED IMPACTS

Like the original project, construction for the revised project may include disruptions to the transportation network near the project area, including the possibility of temporary lane closures, street closures, sidewalk closures, and bikeway closures. Pedestrian and bicycle access may be disrupted. Additionally, heavy vehicles, equipment, and trucks would access the site and may need to be staged for construction. These activities could result in degraded roadway operating conditions along Del Paso Road, Sorento Road, Elkhorn Boulevard, Club Center Drive, Mayfield Street, Aimwell Avenue, and Faletto Avenue. This construction traffic may also occur at the same time as other development construction traffic in the area and could result in a considerable contribution to cumulative traffic impacts. Therefore, the impacts are considered **significant** under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.11-1: Implement construction traffic management plan.

Significance after Mitigation

With implementation of Mitigation Measure 5.11-1, appropriate signage and access would be provided so as to maintain the flow of traffic in the vicinity of the project area and avoid truck traffic from utilizing local residential roadways. As a result, this impact would be reduced to a **less-than-significant** level for the revised project under existing and cumulative conditions. The revised project also would not result in any new significant construction noise impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.11-2 AND 5.11-10: PROJECT AND CUMULATIVE INTERSECTION OPERATION IMPACTS

As shown in Draft EIR Table 5.11-14 and 5.11-21, the addition of project generated traffic would generally increase traffic volumes and average delay at the intersection of Sorento Road / Del Paso Road under existing and cumulative conditions that would experience a degradation of service from an acceptable LOS (LOS A) to an unacceptable LOS (LOS F) in the a.m. and p.m. peak hours. DKS Associates prepared a memorandum evaluating the changes in trip generation and VMT that would occur under the project modifications (see Appendix B). The memo provided the trip generation rates and calculated the number of daily and peak trips under the project as described in the Draft EIR and the revised project without the commercial component. The evaluations concluded that the project as modified would result in a 12 percent reduction in total daily trips, a 1 percent reduction a.m. peak hour external trips, and a 9 percent reduction in p.m. peak hour external trips. (DKS 2017:3). This would not substantially alter the traffic operational and level of service impact determinations of the Draft EIR. Thus, the revised project would have a **significant** impact on intersection operating conditions under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.11-2: Intersection improvements.

Significance after Mitigation

As shown in Table 5.11-15 and Table 5.11-25, Mitigation Measure 5.11-2 would reduce the traffic delay at the intersection of Sorento Road / Del Paso Road resulting in an acceptable level of service in the a.m. peak hour (LOS B) and in the p.m. peak hour (LOS A) under existing and cumulative conditions, Therefore, this impact would be reduced to a **less-than-significant** level for the revised project.

DRAFT EIR IMPACT 5.11-3 AND 5.11-11: PROJECT AND CUMULATIVE ROADWAY SEGMENT OPERATION IMPACTS

As summarized in Draft Table 5.11-16 and 5.11-22, the addition of project traffic would generally increase daily traffic volumes on study area roadway segments. The project would increase daily traffic volumes and degrade operating conditions to unacceptable levels along the following roadway segments under existing and cumulative conditions:

- Elkhorn Boulevard – SR 99 to Marysville Boulevard (existing conditions)
- Elkhorn Boulevard – Sageview Drive to East Levee Road (cumulative conditions)
- Regency Park Circle – North of Club Center Drive (existing and cumulative conditions)
- Danbrook Drive – South of Club Center Drive (existing and cumulative conditions)
- Sorento Road – North of Del Paso Road (existing and cumulative conditions)
- Barros Drive – Sorento Road to Club Center Drive (existing and cumulative conditions
- Mayfield Street – West of Club Center Drive (cumulative conditions)

As discussed above, DKS Associates prepared a memorandum evaluating the changes in trip generation and VMT that would occur under the project modifications (see Appendix B). The evaluations concluded that the project as modified would result in a 12 percent reduction in total daily trips, a 1 percent reduction a.m. peak hour external trips, and a 9 percent reduction in p.m. peak hour external trips. (DKS 2017:3). This would not substantially alter the traffic operational and level of service impact determinations of the Draft EIR. Therefore, the revised project would have a **significant** impact on operating conditions of roadway segments within the study area under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.11-3a: Roadway segment improvements.

Mitigation Measure 5.11-3b: Development of a neighborhood traffic management plan.

Mitigation Measure 5.11-11: Cumulative roadway segment improvements to Elkhorn Boulevard.

Significance after Mitigation

Elkhorn Boulevard

As shown in Draft EIR Table 5.11-17 and 5.11-26, with the implementation of Mitigation Measure 5.11-3 and 5.11-11 would offset the impact of revised project generated traffic along Elkhorn Boulevard in the study area to an acceptable LOS and would decrease the volume-to-capacity ratio. Implementation of Mitigation Measure 5.11-3 and 5.11-11 would offset the revised project's contribution to this cumulative impact by improving Elkhorn Boulevard's LOS operation and result in a **less than significant** impact under existing and cumulative conditions.

Regency Park Circle, Danbrook Drive, Sorento Road, Barros Drive, and Mayfield Street

There are no feasible mitigation available to offset the level of service impacts to Regency Park Circle, Danbrook Drive, Sorento Road, Barros Drive, and Mayfield Street. The revised project's contribution to existing and cumulative impacts related to deficient operation of these roadways is considered **significant and unavoidable.**

DRAFT EIR IMPACT 5.11-4 AND 5.11-12: PROJECT AND CUMULATIVE FREEWAY OPERATION IMPACTS

Draft EIR Tables 5.11-16, 5.11-17, 5.11-23, 5,11-24 identify project traffic impacts to freeway facilities under existing and cumulative conditions. As identified in Draft EIR Impact 5.11-4 (existing plus project conditions), the I-80 improvements (including HOV lanes) that were under construction as of the date of the Notice of Preparation are now complete and have improved to levels better than those shown in Table 5.11-16, and would operate at acceptable levels in the existing plus project scenario. Draft EIR Impact 5.11-12 identifies that the project's traffic contribution would not trigger any additional deficient level of service operations or substantially worsen traffic operations for freeway facilities under cumulative conditions

The DKS Associates memorandum concluded that the project as modified would result in a 12 percent reduction in total daily trips, a 1 percent reduction a.m. peak hour external trips, and a 9 percent reduction in p.m. peak hour external trips. (DKS 2017:3). This would not substantially alter the traffic operational and level of service impact determinations of the Draft EIR. Thus, the revised project's impact to freeway facilities would be **less than significant** under existing and cumulative conditions.

DRAFT EIR IMPACT 5.11-5 AND 5.11-13: PROJECT AND CUMULATIVE IMPACTS TO BICYCLE FACILITIES

Like the original project, the revised project would not remove any existing bicycle facilities. The revised project would establish on-street bike facility connections that would connect with on-street bike facilities on Del Paso Road, Mayfield Street, Aimwell Avenue, Club Center Drive, Faletto Avenue, and Sorento Road. In addition, the revised project would establish a new off-street bike/pedestrian facility associated with the Ninos Parkway. These proposed bike facilities are consistent with the alignments set forth in the City's Bicycle Master Plan and would offset revised project's increased demand for bicycle facilities. Thus, the revised project would improve bicycle facilities in the North Natomas Community Plan area. The impact would be **less than significant** for the revised project under existing and cumulative conditions.

DRAFT EIR IMPACT 5.11-6 AND 5.11-14: PROJECT AND CUMULATIVE IMPACTS TO PEDESTRIAN FACILITIES

Like the original project, the revised project includes the construction of new pedestrian facilities along City streets per City standards. Consistent with the City's Pedestrian Master Plan, the revised project would establish a new off-street bike/pedestrian facility associated with the Ninos Parkway. Sidewalks and off-street paths would provide pedestrian access throughout the project, and the proposed pedestrian facilities would connect to the existing pedestrian facilities abutting the site. Thus, the revised project is not anticipated to adversely affect existing or planned pedestrian facilities. The impact would be **less than significant** for the revised project under existing and cumulative conditions.

DRAFT EIR IMPACT 5.11-7 AND 5.11-15: PROJECT AND CUMULATIVE IMPACTS TO TRANSIT SERVICES

Transit service to the project area currently consists of bus service on RT Route 13 that travels along North Market Boulevard approximately 0.65 miles south of the site and the North Natomas Transportation Management Association's Flyer Shuttle. The *Sacramento Regional Transit Short Range Transit Plan* does identify the future potential for "Hi Bus Service" (enhanced bus service) along Elkhorn Boulevard as part of its Transit Action Plan. Like the original project, the revised project design would not conflict with the potential for future transit services along Elkhorn Boulevard, Del Paso Road, or its internal roadway system. The revised project also would not obstruct bicycle and pedestrian users from accessing transit stops in the area. However, no direct access to transit would be made available to the site. Future development in the area would further increase the demand for transit services in addition to the revised project's transit demands. Thus, the revised project would result in a **significant** impact for transit service provision under existing and cumulative conditions.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.11-7: Transit service improvements.

Significance after Mitigation

Mitigation Measure 5.11-7 would result in the provision of feasible transit information and services to project residents consistent with General Plan Policy M 3.1.12. This mitigation would offset the impact of the revised project on the demand for transit to a **less-than-significant** level under existing and cumulative conditions

DRAFT EIR IMPACT 5.11-8 AND 5.11-16: PROJECT AND CUMULATIVE IMPACTS EMERGENCY ACCESS AND HAZARDOUS DESIGN FEATURES

Like the original project, the revised project would provide new east-west roadway connections (Faletto Avenue, Club Center Drive, Street "F," Barros Drive, Aimwell Avenue, and Mayfield Avenue). These roadway connections would provide for improved emergency access connection in the project area and would not interfere with emergency response under existing and cumulative conditions. The revised project would not modify the existing roadway network such that emergency access along existing roadways would be impaired.

The revised project would be designed to meet all the design and safety standards established by the City, and would provide adequate site distances and access for vehicles entering and leaving the site. Therefore, the revised project would have a **less-than-significant** impact on emergency response and safety associated with design features under existing and cumulative conditions.

2.2.13 Urban Design and Visual Resources

DRAFT EIR IMPACT 5.12-1: DEGRADATION OF VISUAL CHARACTER

Like the original project, implementation of the revised project would alter the existing visual landscape characteristics of the project area from open space/grazing and grasslands to suburban uses (buildings, dense development, parks, and new roadway facilities). This would expand existing on-site development conditions associated with the East Natomas Education Complex buildings. This would substantially alter public views of the site from West Elkhorn Boulevard, local roadways to the west (e.g., Faletto Avenue, Club Center Drive, Aimwell Avenue, and Mayfield Street), Del Paso Road, Sorento Road, and East Levee Road.

Because of the scale and location of the revised project, there is no feasible mitigation available to address aesthetic resource impacts associated with the conversion of open space and agricultural land to suburban development. Although design, architectural, development, and landscaping standards are included to ensure that suburban development on the project site remains within certain aesthetic guidelines and consistent with applicable General Plan policies, there is no mechanism to allow implementation of the project while avoiding the conversion of the local viewshed from open space and agricultural uses to suburban development. Impacts related to the degradation of the local viewshed through conversion to suburban development are considered **significant and unavoidable** for the revised project. The revised project also would not result in any new significant visual character impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.12-2: DAY-TIME GLARE AND NIGHTTIME LIGHTING

The Draft EIR identified that the original project would create light and glare sources currently not present in the project area that could affect adjoining residential uses as well as travelers on Del Paso Road and West Elkhorn Boulevard. Potential sources of light and glare would include building features, streetlights within the project, parking lot lighting, and lights associated with residential, commercial, park uses, and park related sports facilities. These impacts would also occur for the revised project. However, the revised project would eliminate the Suburban Center and the associated lighting and glare sources from commercial uses. This impact would be **significant** for the revised project.

The following mitigation, recommended for the project, would be required for the revised project:

Mitigation Measure 5.12-2: Light fixture design.

Significance after Mitigation

Implementation of the above mitigation measure would require that sport facility lighting be designed in minimize its operation and avoid lighting and glare impacts. Compliance with Mitigation Measure 5.12-2 in combination with the outdoor lighting restrictions for parking areas provided in Section 17.608.040 of the City Planning and Development Code (avoidance of spillover lighting) would ensure that this impact is mitigated to a **less-than-significant** level for the revised project.

The following text changes are made to Mitigation Measure 5.12-2 associated the revised project to eliminate reference to commercial uses.

The following text changes are made on Draft EIR page 2-54 (Table 2-1) to Mitigation Measure 5.12-2:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.12-2: Day-time glare and nighttime lighting Development of the project area would result in the introduction of buildings and facilities that may create lighting and glare on adjoining areas. This impact would be significant.	S	**Mitigation Measure 5.12-2: Light fixture design** Outdoor lighting for ~~commercial uses and~~ community parks/sports facilities shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the improvement plans. Light fixtures for sports fields that are planned to be lighted shall be directed away from residential areas and roadways to reduce light spillover and glare. Light fixtures shall be designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles. These lighting requirements will be included in the Panhandle PUD Guidelines.	LTS

The following text changes are made on Draft EIR page 5.12-14 to Mitigation Measure 5.12-2:

Mitigation Measure 5.12-2: Light fixture design

Outdoor lighting for ~~commercial uses and~~ community parks/sports facilities shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the improvement plans. Light fixtures for sports fields that are planned to be lighted shall be directed away from residential areas and roadways to reduce light spillover and glare. Light fixtures shall be designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles. These lighting requirements will be included in the Panhandle PUD Guidelines.

DRAFT EIR IMPACT 5.12-3: CUMULATIVE VISUAL RESOURCE IMPACTS

Like the original project, implementation of the revised project would alter the existing visual landscape characteristics of the project area's 489 acres from open space/grazing and grasslands to suburban uses (buildings, dense development, parks, and new roadway facilities). This would substantially alter public views of the site from public roadways. This would contribute to the regional loss of approximately 24,153 acres of open space and agricultural lands as a result of development in the City of Sacramento, Sacramento County, Sutter County, Placer County, and the City of Roseville (based on the development projects identified in Table 5-2). Cumulatively, the loss of open space as a visual aesthetic feature would be a significant impact.

While revised project design features would address visual character and density transition between the suburban residential areas to the west and the rural residential areas to the east, the revised project would ultimately result in the conversion of open space land and further contribute to regional losses of this visual resource Thus, the revised project's contribution to this impact would be **cumulatively considerable**.

Because of the scale and location of the revised project, there is no feasible mitigation available to offset the aesthetic resource impacts associated with the conversion of open space and agricultural lands to suburban development. The revised project's contribution to cumulative impacts related to the regional loss of the open space and agricultural lands is considered **cumulatively considerable and significant and unavoidable**. The revised project also would not result in any new cumulative visual resource impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

2.2.14 Utilities

DRAFT EIR IMPACT 5.13-1: WASTWATER AND WATER SUPPLY FACILITY IMPACTS

The Draft EIR identifies that the Revised Preliminary Water Study Evaluation for the Panhandle Development confirmed that the development of the original project can be adequately served through connections with existing water distribution facilities in the project area which are located along Faletto Avenue, Club Center Drive, Aimwell Avenue, Mayfield Street, and Del Paso Road. Adequate distribution capacity exists and no off-site water distribution improvements would be required to serve build-out of the project area. The project modification of eliminating the Suburban Center and replacing it with 39 single-family dwelling units would result in a net decrease in total project annual water demands by 0.69 acre-feet per year (afy). This reduction in water demand would not require any modification to proposed water distribution connections and facilities for the revised project.

The Sanitary Sewer Study Level Three for the Natomas Panhandle identified that project can be served with the existing gravity sewer connections (Sandmark Drive, Domino Avenue, Amazon Avenue, Faletto Avenue, Club Center Drive, Aimwell Avenue, Mayfield Street, and Del Paso Road). The Sanitary Sewer Study identifies that there is adequate wastewater capacity in existing collector and trunk pipelines stubbed at the project and no downstream improvements are required as there is adequate capacity (including the Upper Northwest Interceptor). The project modification of eliminating the Suburban Center and replacing it with 39 single-family dwelling units would result in the same wastewater generation flow based on the flow factors cited in the Sanitary Sewer Study Level Three for the Natomas Panhandle.

All on-site facilities have been evaluated throughout the resource chapters of the Draft EIR. As a result, the revised project would have **less-than-significant** wastewater and water supply facility impacts.

DRAFT EIR IMPACT 5.13-2 AND 5.13-5: PROJECT AND CUMULATIVE WATER SUPPLY IMPACTS

Draft EIR Table 5.13-7 indicated a water demand of 1,622.60 afy for 2,660 dwelling units under the original project. Based on these calculations, each dwelling unit demands 0.61 afy. The addition of 39 new dwelling units would increase the water demand by 23.79 afy. As shown in Draft EIR Table 5.13-7, the Suburban Center was anticipated to have a water demand of 24.48 afy. The proposed modification to eliminate the Suburban Center and replace the land use with 39 additional dwelling units would result in a net decrease in water demand of 0.69 afy.

The City's projected available water supplies would be 294,419 afy by the year 2030 and through 2040 for normal, dry, and multiple-dry water year conditions (see Draft EIR Table 5.13-4), while Thus, the total water demand for the City with the revised project would be approximately 222,556 acre-feet by the year 2040. The City's contract with the US Bureau of Reclamation, in conjunction with the City's water rights, provides the City with a reliable and secure surface water supply source. Thus, adequate water would be available to serve cumulative retail and wholesale water demands. This includes compliance with Sustainable Groundwater Authority's Groundwater Management Plan for the North Basin. Because the revised project and cumulative development would be within the City's water supplies and the City would continue to improve its water distribution infrastructure, this impact would be **less than significant** under existing and cumulative conditions.

DRAFT EIR IMPACT 5.13-3 AND 5.13-6: PROJECT AND CUMULATIVE WASTEWATER SERVICE DEMAND IMPACTS

The Sanitary Sewer Study Level Three for the Natomas Panhandle identifies that the project average dry weather flow is 0.891 million gallons per day (mgd) and peak wet weather flow of 2.24 mgd. The revised project would have the same wastewater flows as the original project based on the flow factors cited in the Sanitary Sewer Study Level Three for the Natomas Panhandle.

Sacramento Regional Wastewater Treatment Plant (SRWWTP) is permitted to treat an average dry weather flow (ADWF) of 181 mgd. The facility's 2014 ADWF was approximately 106 mgd. The 181 mgd permitted capacity has been in effect since 1990. Water conservation and a reduction in water use has reversed the growth in wastewater capacity use. The District expects per capita consumption to fall 25 percent over the next 20 years through the ongoing installation and use of water meters as well as compliance with water conservation measures. As such, substantial additional water conservation is expected throughout the District's service area, putting off the expectation that the existing 181 mgd ADWF capacity will be exhausted at least year 2050. The revised project would not exceed capacity of the SRWWTP or trigger improvements to the SRWWTP that could result in environmental impacts. Thus, this impact would be **less than significant** under existing and cumulative conditions.

DRAFT EIR IMPACT 5.13-4 AND 5.13-7: PROJECT AND CUMULATIVE SOLID WASTE SERVICE IMPACTS

As identified under Draft EIR Impact 5.13-4, the Kiefer, Forward, L and D, and Yolo County Central landfills have 143.03 million cubic yards of remaining capacity to accommodate solid waste that can accommodate the original project under existing conditions. The Kiefer and Yolo County Central landfills are anticipated to have sufficient capacity to meet future solid waste disposal demands through the year 2035 (Kiefer) and 2081 (Yolo County Central). The project would also be subject to source reduction measures such as City Planning and Development Code Section 17.616.030 that specifies recycling volume requirements for new development. There is adequate permitted landfill capacity available to accommodate the project and future growth into the foreseeable future. Table 5.13-8 of the Draft EIR indicated the estimated solid waste disposal for buildout of the original project. Based on an assumption of 5.8 pounds per day per person, the 7,182 new residents of the revised project would generate 20.83 tons per day of solid waste. Assuming 2.7 new residents per dwelling unit, the proposed modification would add 105 additional residents. Multiplying the number of new residents by 5.8 pounds per day would yield 614.8 pounds per day (0.31 tons) of additional solid waste. As shown in Draft EIR Table 5.13-8, the Suburban Center of the original project was estimated to result in 1.26 tons per day of solid waste. Thus, the revised project would have a 0.95 ton per day net decrease in solid waste generation as compared to the original project.

Thus, solid waste impacts for the revised project would be **less than significant** under existing and cumulative conditions.

2.2.15 Energy

DRAFT EIR IMPACT 5.14-1: WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY

Construction Energy Use

Like the original project, energy would be required to construct the revised project, operate, and maintain construction equipment, and produce and transport construction materials. The one-time energy expenditure required to construct the physical buildings and infrastructure associated with the project would be nonrecoverable. Most energy consumption would result from operation of construction equipment and vehicle trips associated with commutes by construction workers and haul trucks supplying materials. An estimated 69,919,636 gallons of gasoline and 3,505,615 gallons of diesel would be consumed to enable project construction. This same extent of construction energy use is also expected for the revised project. The energy needs for revised project construction would be temporary and is not anticipated to require additional capacity or increase peak or base period demands for electricity or other forms of energy. Construction equipment use and associated energy consumption would be typical of that associated with construction of new residential and commercial projects in a suburban setting.

Operational Energy Use

Operation of the revised project would be typical of residential and educational requiring electricity and natural gas for lighting, space and water heating, appliances, and landscape maintenance activities. Indirect energy use would include wastewater treatment and solid waste removal. The revised project would increase electricity and natural gas consumption in the region relative to existing conditions and would construct new utility connections to existing electrical and natural gas facilities.

The revised project would meet the California Code of Regulations Title 24 standards for energy efficiency that are in effect at the time of construction that will continue to require improved building energy efficiency. The revised project would likely subject to 2016 Title 24 requirements and future 2020 Title 24 requirements. As required by the City of Sacramento Planning and Development Code, the residential component must generate at least 15 percent of the project's energy demand through on-site renewable systems (e.g., photovoltaic systems). Implementation of Draft EIR Mitigation Measure 5.6-1a would further improve the revised project's energy efficiency through measures such as increased use of on-site renewable energy, efficient lighting, energy efficient plumbing fixtures, and/or consideration of zero net energy development (if feasible). A combination of feasible measures would reduce wasteful energy consumption for buildings and improve energy efficiency of the project.

Transportation Energy Use

Fuel consumption associated with vehicle trips generated by the project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. The regional estimated annual vehicle miles traveled (VMT) (51,919,790 miles) is based on the regional average for 2036 as reported in the Sacramento Area Council of Government's 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (2016). The original project would generate a daily VMT of 142,246 would consume 349,820 gallons of diesel per year and 1,166,783 gallons of gasoline per year. The DKS memo evaluating the vehicle trips and VMT effects of the proposed modifications noted that the elimination of the Suburban Center and addition of 39 additional dwelling units would increase VMT by approximately 7 percent over the original project (DKS 2017:8).

State and federal regulations regarding standards for vehicles in California are designed to reduce wasteful, unnecessary, and inefficient use of energy for transportation. The revised project involves the implementation of bicycle and pedestrian facilities, traffic calming measures, and a trip reduction program which reduces annual vehicle miles traveled and encourages a mode shift. Draft EIR Mitigation Measure 5.6-1a would provide for adequate electric wiring and infrastructure in all single-family residential units to support a 240-volt electric vehicle charger.

At least 15 percent of the revised project's energy demand would be generated through on-site renewable systems and the project's buildings would meet the Title 24 building efficiency standards in effect at the time of construction. These actions would reduce building energy consumption and would reduce per capita energy use compared to other similar projects.

Through the revised project's design to incorporate bicycle and pedestrian facilities and the implementation of increased transit availability, the revised project would not result in a wasteful or inefficient use of transportation-related energy.

The revised project's energy consumption through construction, building operation, or transportation would not be considered wasteful, inefficient, or unnecessary. This impact would be **less than significant.**

DRAFT EIR IMPACT 5.14-2: DEMAND FOR ENERGY SERVICES AND FACILITIES

There are existing electrical and natural gas infrastructure facilities along Elkhorn Boulevard, Del Paso Road, Aimwell Avenue, Club Center Drive, Sorento Drive, and Sandmark Drive that are available for connection. It is not anticipated that additional off-site extension of facilities or improvements would be required to serve the revised project. SMUD services are funded by developers who pay design and construction costs based on

SMUD's existing rates, rules, and regulations. The revised project's impact to energy services and facilities would be **less-than-significant** because there are adequate facilities adjacent to the project area to supply energy to the project. The revised project also would not result in any new significant energy service impacts not previously disclosed in the Draft EIR because it would have the same development footprint as the original project.

DRAFT EIR IMPACT 5.14-3: CUMULATIVE DEMAND FOR ENERGY SERVICES

Like the original project, the revised project would not trigger the need for new electrical or natural gas facilities because adequate facilities exist adjacent to the site. The revised project would further reduce its energy demand through compliance with the California Code of Regulations Title 24 standards for energy efficiency that are in effect at the time of construction. As required by the City of Sacramento Planning and Development Code, the revised project's residential component must generate at least 15 percent of the project's energy demand through on-site renewable systems (e.g., photovoltaic systems).

Implementation of Draft EIR Mitigation Measure 5.6-1a would further improve the energy efficiency of the project through increase use of on-site renewable energy, efficient lighting, energy efficient plumbing fixtures, and/or consideration of zero net energy development (if feasible). The combination of these measures would improve the energy efficiency of the revised project and reduce its contribution to the cumulative demand for energy from buildings.

The revised project transportation system design would reduce its contribution to cumulative transportation energy use through new on-street and off-street bicycle facilities that would interconnection with bicycle facilities in the North Natomas Community Plan area. This would reduce project VMT and associated fuel usage. Mitigation Measure 5.6-1a would reduce fuel usage by providing for infrastructure for electric vehicle charging at residences.

Therefore, the revised project's contribution to cumulative energy demand impacts **would not be cumulatively considerable**.

3 RESPONSES TO COMMENTS

This chapter contains comment letters received during the public review period for the Draft EIR, which concluded on August 3, 2017. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared addressing comments on environmental issues raised in comments on the Draft EIR.

3.1 LIST OF COMMENTERS ON THE DRAFT EIR

Table 3-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

Table 3-1 List of Commenters

Letter No.	Commenter	Date
	STATE AGENCIES (S)	
S1	State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan, Director	August 3, 2017
S2	Department of California Highway Patrol A.T. Williams, Captain, Commander North Sacramento Area	July 20, 2017
	LOCAL AGENCIES (L)	
L1	Sacramento Metropolitan Air Quality Management District JJ Hurley, Associate Air Quality Planner/Analyst	July 27, 2017
L2	Rio Linda Elverta Recreation and Park District Derek Cole, Cota Cole & Huber LLP	July 28, 2017
L3	Sacramento Municipal Utility District (SMUD) Angela McIntire, Regional & Government Affairs	August 3, 2017
	ORGANIZATIONS (O)	
01	Friends of the Swainson's Hawk and Habitat 2020 James Pachl, Judith Lamare, Sean Wirth, and Robert Burness	August 2, 2017
02	North Natomas Community Coalition (NNCC) Chris Paros, NNCC President	July 13, 2017
03	Valley View Acres Community Association Dolores Santos	July 28, 2017
04	Valley View Acres Neighbors Working Together and North Natomas Community Association Board David Lichman, Leader	August 3, 2017
	INDIVIDUALS (I)	
I1	Brigit Barnes, Brigit S. Barnes & Associates, Inc.	June 14, 2017

3.2 COMMENTS AND RESPONSES

The written individual comments received on the Draft EIR and the responses to those comments are provided below. The comment letters are reproduced in their entirety and are followed by the response(s). Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter.

3.3 STATE AGENCIES

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

Edmund G. Brown Jr.
Governor

Letter S1

Ken Alex
Director

August 3, 2017

Dana Mahaffey
City of Sacramento
300 Richards Blvd, third floor
Sacramento, CA 95811

Subject: Panhandle Annexation and Planned Unit Development
SCH#: 2016042074

Dear Dana Mahaffey:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 2, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

S1-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH#	**2016042074**
Project Title	Panhandle Annexation and Planned Unit Development
Lead Agency	Sacramento, City of
Type	**EIR** Draft EIR
Description	Proposed annexation to the city of Sacramento and the development of a planned unit development.

Lead Agency Contact

Name	Dana Mahaffey		
Agency	City of Sacramento		
Phone	(916) 808-2762	**Fax**	
email			
Address	300 Richards Blvd, third floor		
City	Sacramento	**State** CA	**Zip** 95811

Project Location

County	Sacramento			
City	Sacramento			
Region				
Lat / Long	38° 40' 17.41" N / -121° 29' 16.5" W			
Cross Streets	Del Paso Rd and National Dr			
Parcel No.				
Township	**Range**	**Section**	**Base**	

Proximity to:

Highways	
Airports	
Railways	UPRR
Waterways	Steelhead Creek
Schools	
Land Use	ag/ag cropland/ag 80 acres

Project Issues	Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Noise; Public Services; Schools/Universities; Sewer Capacity; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Cumulative Effects; Aesthetic/Visual; Landuse; Minerals; Population/Housing Balance; Recreation/Parks; Soil Erosion/Compaction/Grading
Reviewing Agencies	Resources Agency; Central Valley Flood Protection Board; Department of Conservation; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 S; Office of Emergency Services, California; Department of Housing and Community Development; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Regional Water Quality Control Bd., Region 5 (Sacramento); State Water Resources Control Board, Division of Drinking Water, District 9

Date Received 06/19/2017 **Start of Review** 06/19/2017 **End of Review** 08/02/2017

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

Letter S1	State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit Scott Morgan, Director 8/3/2017

S1-1 This comment includes a comment letter from the Department of California Highway Patrol and identifies that the City of Sacramento has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA. This comment is acknowledged and responses to comments provided by the Department of California Highway Patrol are provided in Response to Comment S2-1.

CLEAR
9-2-17
E

State of California—Transportation Agency EDMUND G. BROWN Jr., Gove

Letter S2

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
North Sacramento Area
5109 Tyler Street
P.O. Box 41098
Sacramento, CA 95841-0098
(916) 348-2300
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

Governor's Office of Planning & Research
JUL 25 2017
STATE CLEARINGHOUSE

July 20, 2017

File No.: 250.13670.13951.Admin.Environmental Impact Reviews

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

The Department has received the Notice of Completion regarding the proposed Panhandle Annexation project, SCH #2016042074. Although the project is in the City of Sacramento's authority, feeder streets for new motorists from the approximately 3,075 new dwellings and 24.3 acres of new commercial use will have an impact on Interstate 80, Interstate 5, and State Route 99, under the jurisdiction of the California Highway Patrol (CHP). The increase in motorists on these roadways will have an impact to the infrastructure of nearby roadways, traffic operations, as well as emergency service response times. Additionally, another topic to be aware of is pedestrian and bicyclist safety, with the increase in both passenger vehicle and commercial vehicle traffic. Furthermore, the increase in traffic will cause changes in traffic congestion patterns which could result in extended emergency response times and additional enforcement demands on freeways (on and off ramps). Therefore, this project could impact the CHP North Sacramento Area traffic operations. S2-1

The Department realizes the importance of development. With its responsibility to provide safety, service and security to California's motoring public, the Department reviewed this project as requested. The review identified potential impacts to the motorists of the Sacramento area, pedestrian and bicyclist safety, traffic operations, and emergency responses. Should you have any further questions regarding these issues, please contact myself or Lieutenant Ken Roberts at (916) 348-2300.

Sincerely,

A. T. WILLIAMS, Captain
Commander
North Sacramento Area

Safety, Service, and Security ***An Internationally Accredited Agency***

Letter S2	Department of California Highway Patrol A.T. Williams, Captain, Commander North Sacramento Area 7/20/2017

S2-1 This comment expresses concerns that the project could affect nearby roadways, traffic operations, and emergency service response times. The comment also expresses concerns with pedestrian and bicycle safety.

Potential project effects on freeway operations are analyzed in the Draft EIR (see Impact 5.11-4, pages 5.11-49 to 5.11-51). While implementation of the project could contribute substantial traffic volumes to the identified deficient freeway segment of eastbound Interstate 80 (I-80) from Truxel Road to Northgate Boulevard, recently completed high occupancy vehicle (HOV) lanes and other improvements to I-80 would improve operations and avoid significant operational impacts. Further, as discussed in Impact 5.11-12 (see Draft EIR pages 5.11-71 to 5.11-72), the project's incremental increase in traffic to freeway segments in combination with traffic from cumulative development, would not result in deficient level of service operations. These impacts were determined to be less than significant.

In addition, as indicated in the discussions of Impacts 5.11-5 and 5.11-6 on page 5.11-51 and Impacts 5.11-13 and 5.11-14 on page 5.11-72 of the Draft EIR, the project would provide adequate on-site bicycle and pedestrian facilities, and the project would not remove or interfere with any existing or planned bicycle or pedestrian facility in the area. The project would improve connections to the existing bicycle and pedestrian facilities surrounding the project area. These impacts were also determined to be less than significant.

As identified in Chapter 2, "Project Modifications," changes to the project design (elimination of the commercial site) would not alter the Draft EIR traffic impact conclusions.

3.4 LOCAL AGENCIES

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

Letter L1

Alberto A[illegible] S.E.
AIR POLLUTIO[illegible]CER

7/27/2017

SENT VIA EMAIL

Dana Mahaffey, Associate Planner
Environmental Planning Services, Community Development Department
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Subject: Draft EIR for the Panhandle Annexation and Planned Unit Development Project (P16-013)

Dear Ms. Mahaffey,

The Sacramento Metropolitan Air Quality Management District (District) thanks you for the opportunity to comment on the Draft Environmental Impact Report for the *Panhandle Annexation and Planned Unit Development Project (Panhandle EIR)*. District comments follow:

Air Quality Mitigation Plan:

The District has reviewed Appendix D, the Draft Air Quality Mitigation Plan (AQMP). District staff have determined that the proposed mitigation, if implemented, will achieve a 35% reduction in the emission of criterial pollutants when compared to an unmitigated emissions scenario. L1-1

Measure 6.4.6 of the AQMP describes an offsite mitigation program that would direct a one-time fee to the District's woodstove and fireplace replacement program. The District anticipates the payment of the fee in advance of occupancy of any portion of PUD. L1-2

Chapter 5.2 Air Quality

Mitigation Measure 5.2-1 includes a description of Enhanced Exhaust Control Practices on page 5.2-15. This description references the SMAQMD off-site mitigation program. Please update this reference to include the current cost to reduce one ton of NOx, which is $30,000.00 per ton of emissions. L1-3

Thank you for the opportunity to comment on this project. Please contact me (916) 874-2694 or jhurley@airquality.org with any questions.

Sincerely,

-JJ Hurley

Joseph James Hurley
Associate Air Quality Planner/Analyst
Land Use & CEQA section
Communication, Land Use & Mobile Sources Division
Sacramento Metropolitan Air Quality Management District
777 12th Street, 3rd Floor
Sacramento, CA 95814
jhurley@airquality.org
916.874.2694

Letter L1	Sacramento Metropolitan Air Quality Management District (SMAQMD) JJ Hurley, Associate Air Quality Planner/Analyst 7/27/2017

L1-1 This comment identifies that implementation of the draft Air Quality Mitigation Plan (contained in Draft EIR Appendix D) would reduce project ozone precursor emissions by 35 percent as compared to unmitigated emissions. Chapter 2, "Project Modifications," changes to the project design (elimination of the commercial site) would reduce operational emissions of reactive organic gases (ROG) by 0.6 tons per year and oxides of nitrogen (NO_x) by 2.3 tons per year as compared to the original project evaluated in the Draft EIR. The Air Quality Mitigation Plan has been updated to reflect the modifications to the project and is provided in Appendix A of this FEIR.

L1-2 This comment states that payment of fees for the off-site mitigation fee program identified in the draft Air Quality Mitigation Plan should be paid prior to occupancy of any portion of the project. The off-site mitigation fee program is associated with reducing ozone precursors and particulate matter emissions through the funding of the replacement of wood-burning devices in the region. Draft EIR Mitigation Measure 5.2-2 requires that the final Panhandle PUD master parcel map include this measure and would be paid as the site develops.

L1-3 This comment requests that Mitigation Measure 5.2-1 be amended to include an update to the SMAQMD's off-site mitigation fee associated with the Enhanced Exhaust Control Practices to $30,000 per ton of emissions.

The 4th bullet under the subheading "Enhanced Exhaust Control Practices" on pages 2-8 (Table 2-1) and 5.2-15 has been revised as follows:

> If modeled construction-generated emissions of NO_X are not reduced to a level below SMAQMD's thresholds of significance by the application of Enhanced Exhaust Control Practices, then the project developer must pay a mitigation fee into SMAQMD's off-site mitigation program. By paying the appropriate off-site mitigation fee, construction-generated emissions of NO_X are reduced to a less-than-significant level. The fee calculation to offset daily NO_X emissions is based on the SMAQMD-determined cost to reduce one ton of NO_X (currently ~~$18,260~~ $30,000 per ton but subject to change in future years).

COTA COLE & HUBER LLP
ATTORNEYS

Dennis M. Cota | Elizabeth L. Martyn | David G. Ritchie
Derek P. Cole | Karen A. Feld | Matth
Scott E. Huber | Sean D. De Burgh | Samar
Daniel S. Roberts | Ronald J. Scholar | Elizab
Carolyn J. Frank | William R. Galstan | Anita

Letter L2

Derek P. Cole
dcole@cotalawfirm.com

REPLY TO:
☑ ROSEVILLE ☐ MONTEREY
☐ ONTARIO

July 28, 2017

VIA EMAIL(dmahaffey@cityofsacramento.org)

Dana Mahaffey, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, California 95811

Re: Draft Environmental Impact Report: Panhandle Annexation and Planned Unit Development Project (P16-013)

Dear Ms. Mahaffey:

My law firm serves as legal counsel to the Rio Linda Elverta Recreation and Park District ("District"). This letter is intended to provide the District's initial comments regarding this project's Draft Environmental Impact Report ("DEIR").

Our office provided comments to the City regarding the project's Panhandle Annexation Administrative Draft Plan for Services on June 30, 2017 (a copy of which is attached). The same general points we raised in that letter apply to the DEIR. Effectively, the project proposes to leave an unincorporated island, the "Pan" area, within city limits. The DEIR correctly notes that the "Pan" was initially considered to be part of the project, but has been omitted from consideration. This is presumably because the developer of the project will only be building in the "Handle" area of the originally formulated project. But once the Pan is annexed, it would only be logical for LAFCO to complete the originally envisioned project by shortly thereafter annexing the Handle into city limits. As our June 30 letter notes, such an action would be consistent with LAFCO policies and traditional principles concerning annexation, which strongly discourage creating pockets of unincorporated areas within city limits. L2-1

Because it is reasonably foreseeable that the annexation of the Handle will lead to the annexation of the Pan, the City has effectively segmented the project contrary to well established California Environmental Quality Act ("CEQA") requirements. The DEIR makes no effort to explain why the Pan would not be annexed once annexation of the Handle is completed. And more significantly, the DEIR makes no effort to identify the potential impacts that could result from such piecemeal annexation or to propose mitigation to reduce the level of such impacts to a less than significant level. L2-2

{DPC/00052869. }

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Roseville, CA 95661
Tel 916-780-9009
Fax 916-780-9050

3401 Centrelake Drive, Suite 670
Ontario, CA 91761
Tel 909-230-4209
Fax 909-937-2034

200 Sky Park Drive
Monterey, CA 93940
Tel 831-275-1870
Fax 916-780-9050

These omissions render the DEIR's discussion in Section 5.10-4 regarding park and recreation impacts woefully deficient. That section examines only the impacts on park and recreation facilities that would be located *within* Sacramento city limits. This section and other portions of the DEIR do not examine the impact on parks and recreational facilities *outside* those limits, such as those the District maintains. These omissions are significant because the present development in the Pan serves as a substantial revenue base for the District. If this area were also detached from District territory, the District would lose a significant funding source for all of the parks and facilities it must maintain. This, in turn, could reasonably lead to a diminishment in the levels of service the District is able to provide or potentially to the closure of some of its parks or facilities. L2-3

Because there is no justifiable basis for the DEIR's failure to consider the impacts associated with the reasonably foreseeable annexation of the Pan, the DEIR must be recirculated. At a minimum, the recirculated DEIR must: (1) assume that the Pan will be annexed within a reasonable time of the Handle's annexation; (2) consider the potential impacts to parks and recreational facilities that will result to areas outside of Sacramento city limits because of the reasonably foreseeable annexation of the Pan; and (3) proposed mitigation measures that would render insignificant the impacts to such park and recreational resources. L2-4

The District appreciates this opportunity to provide comments regarding the DEIR. Please do not hesitate to contact me should you have any questions.

Sincerely,

/S/

Derek P. Cole
COTA COLE & HUBER LLP

{DPC/00052869. }

Letter L2	Rio Linda Elverta Recreation and Park District Derek Cole, Cota Cole & Huber LLP 7/28/2017

L2-1 This comment notes that the project involves annexation of the "Handle" portion of the site and that would leave the "Pan" portion of the site as an unincorporated island. The "Pan" portion was originally proposed for annexation with the "Handle" as part of the previous project consideration in 2007. The comment further suggests that the "Pan" would likely be annexed to the City by subsequent actions by Sacramento Local Agency Formation Commission (LAFCo). The project applicant and the City are not proposing annexation of the "Pan" currently and there are no development or property owner requests in the "Pan" area to be annexed in the City. See Response to Comment L2-2 on whether annexation of the "Pan" is reasonably foreseeable.

L2-2 This comment argues that the annexation of the "Pan" is reasonably foreseeable and that the Draft EIR failed to address this future component of the project counter to requirements of CEQA. The referenced June 30, 2017 letter is provided in Appendix C and does not address environmental issues that are subject to CEQA. A project description must include reasonably foreseeable future expansion or other activities that are part of the project. (*Laurel Heights Improvement Ass'n* v. *Regents of Univ. of Cal.* (1988) 47 Cal.3d 376; 14 Cal Code Regs Section 15126.) In the *Laurel Heights* case, the California Supreme court set forth the standards for determining whether reasonably foreseeable future activities must be included in an EIR project description and for determining whether the impacts of those activities must be analyzed in the EIR: An EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. (Laurel Heights, *supra*, 47 Cal.App.3d 376, 396.) This is intended to ensure that the project EIR covers the impacts of the entire development that will ultimately result from project approval. It implements CEQA's prohibition against dividing a single large project into a series of smaller projects, resulting in "piecemeal" environmental review that fails to consider the impacts of the whole action. (See *Banning Ranch Conservancy*, *supra*, 211 Cal.App.4th at 1222; *Planning & Conserv. League* v. *Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 235.)

Possible future expansion or other action related to a project that is not a reasonably foreseeable consequence of the project need not be included in an EIR's project description. (See, e.g., *Paulek* v. *Department of Water Resources* (2014) 231 Cal.App.4th 35, 46; *Banning Ranch Conservancy* v. *City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1224; *Communities for a Better Env't* v. *City of Richmond* (2010) 184 Cal.App.4th 70; *Save Round Valley Alliance* v. *County of Inyo* (2007) 157 Cal.App.4th 1437.) The project description, which includes the annexation of the "Handle," does not analyze the annexation of the "Pan" as a consequence of the approval of the project because annexation of the Pan is speculative and uncertain. No updated planning or rezoning of the Pan is needed for the development of the Handle. No infrastructure of the Pan is needed for the development of the Handle. The annexation of the Handle does not require subsequent annexation of the Pan, nor does the Pan offer any necessary elements of the Handle development. Consequently, the Pan can operate and function as a separate and distinct land use, with independent utility. There are no current plans to annex the Pan.

Further, as identified in the April 6, 2010 City of Sacramento Staff Report for the Panhandle Tax-Exchange Agreement, annexation of the "Pan" to the City is not feasible for the following reasons:

- The Rio Linda Elverta Recreation and Park District (District) obtains over 25 percent of its total tax revenues from the "Pan," yet has no service costs in the area as no park facilities or residents are in the "Pan." Annexation of this area could cause a significant revenue reduction with no attendant cost savings.
- Sacramento County would lose approximately $3 million per year in sales tax from annexation of the "Pan."
- The City identified deferred maintenance for the "Pan" related to roadways, storm drainage facilities, water distribution system that would cost approximately $10.6 million. These improvement costs could be applied to property owners in the "Pan."
- Property owners in the "Pan" have expressed their opposition to any future annexation. (City of Sacramento 2010)

The City of Sacramento has confirmed these feasibility determinations related to the potential annexation of the "Pan" in its September 9, 2016 correspondence to Sacramento LAFCo (Gillespie 2016). For the foregoing reasons, the City has determined that annexation of the Pan is not a reasonably foreseeable future action. Therefore, the City has not segmented or piecemealed the project.

L2-3 The comment asserts that the Draft EIR impact analysis for park and recreation is deficient as it fails to consider the potential economic impacts to the District's ability to maintain its facilities should the "Pan" be annexed. As noted in Response to Comment L2-2, the "Pan" is not proposed for annexation and the City does not consider the annexation of this area as a feasible or reasonably foreseeable action. Therefore, any deterioration of facilities or loss of revenues that could result from annexation of the "Pan" portion of the site would not occur. Further, Draft EIR page 6-16 identifies that the detachment of the project area would result in a reduction in the District's service area by only 2.5 percent. Further, there are no on-site park facilities maintained by the District and because there are no residents or businesses within the site generating tax revenues for the District, a significant economic loss would not occur. The Panhandle Tax Exchange Agreement would provide the District funding commensurate with undeveloped land as part of the detachment. The detachment of the project area from the District would not alter park demands for park facilities or result in the loss of park facilities.

The Panhandle Planned Unit Development (PUD) includes 61.5 net acres of parks and open space uses consisting of park facilities (23.5 net acres), open space parkway (24.6 net acres) and detention areas (13.4 net acres) that would meet its park and recreation needs. The Ninos Parkway would be situated in the eastern part of the PUD and would provide active and passive recreation opportunities and a trail system. Future development of the Krumenacher Ranch site will be required to demonstrate compliance with City park dedication requirements and is anticipated to complete the northern extent of the Ninos Parkway. Infrastructure for these park facilities would be financed through developer sources, impact fees, or Mello-Roos bonds. Maintenance of these facilities would be funded entirely by a combination of the City's Citywide Landscape and Lighting Assessment District, homeowner association dues, and a maintenance Mello-Roos district specifically created for Park maintenance in the Panhandle and supported by the residents and businesses.

L2-4 The comment states that the Draft EIR needs to be recirculated to address the impacts of the foreseeable annexation of the "Pan." For the reasons provided in Response to Comments

L2-2 and L2-3, the Draft EIR analysis is adequate and the commenter offers no evidence supporting recirculation of the Draft EIR. Recirculation is required when significant new information is added to the EIR after public release of a draft EIR as provided in State CEQA Guidelines Section 15088.5. Since the project does not propose annexation of the "Pan" now or as a future action, recirculation of the Draft EIR is not required.

Powering forward. Togeth

Letter L3

SMUD™

Sent Via E-Mail

August 3, 2017

Dana Mahaffey, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
dmahaffey@cityofsacramento.org

Subject: Environmental Impact Report (EIR), Panhandle Annexation and Planned Unit Development Project

Dear Ms. Mahaffey:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Environmental Impact Report (EIR) for the Panhandle Annexation and Planned Unit Development Project (Project). 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 EIR for the Panhandle Annexation and Planned Unit Development Project 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/customer-service/support-and-services/design-construction-services.htm
  - https://www.smud.org/en/do-business-with-smud/real-estate-services/transmission-right-of-way.htm
- Utility line routing
- Off-site improvements
- Electrical load needs/requirements
- Energy Efficiency

L3-1

Based on our review of the EIR and our understanding of the proposed Project, SMUD offers the following clarification and input for your consideration:

- **EIR Energy, page 3-14 and Physical Setting, page 5.14-15.** The EIR states "no off-site extension of facilities or improvements would be required." SMUD

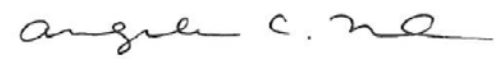
anticipates off-site improvements will be necessary to tie in to existing facilities, and will likely include trenching in West Elkhorn Boulevard and possible improvements to distribution lines along the eastern side of the Project site. L3-1 cont.

- **EIR Appendix B, The Panhandle Planned Unit Development Guidelines, page 17.** The guidelines state "According to SMUD, their preferred alignment for the new powerline is within the existing WAPA corridor, however other alignment options are being evaluated by SMUD including along a location the west side of Sorento Road. The timing for installation of the proposed 69kV powerline is also being analyzed and installation may occur after the Panhandle Project is developed." SMUD is proposing improvements to its electric system that would consist of a new double circuit 69-kilovolt aboveground powerline adjacent to the existing 200-foot powerline easement that traverses the Project area. Additionally, SMUD would like to clarify that it has not yet been determined when the construction of the 69kV line will be built in relation the Panhandle development. L3-2

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. L3-3

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 EIR. If you have any questions regarding this letter, please contact Ammon Rice, SMUD Environmental Specialist at (916) 732-7466.

Sincerely,



Angela C. McIntire
Regional & Local Government Affairs
Sacramento Municipal Utility District
6301 S Street, Mail Stop A313
Sacramento, CA 95817
angela.mcintire@smud.org

Cc: Jose Bodipo-Memba, SMUD
Pat Durham, SMUD
Joe Schofield, SMUD
Ammon Rice, SMUD

Letter L3	Sacramento Municipal Utility District (SMUD) Angela McIntire, Regional & Local Government Affairs 8/3/2017

L3-1 This comment states that the Draft EIR should address impacts related to electrical infrastructure and energy efficiency. SMUD suggests that the project may require off-site improvements along the east side of the project. It appears the comment confuses SMUD project improvements with the improvements related to the planned 69 kilovolt (kV) infrastructure. The Draft EIR on page 3-14 explains that electrical and natural gas facilities would be extended from existing infrastructure along Del Paso Road, Aimwell Avenue, Club Center Drive, and Sandmark Drive. No off-site improvements for electrical or natural gas service would be required for the project. SMUD is proposing improvements to its electric system that would consist of a new double circuit 69 kV aboveground powerline adjacent to the existing 200-foot powerline easement within the project site. This new powerline is not a direct component of the project and is being evaluated separately by SMUD. However, it would provide electrical capacity and reliability to the area. This description is based on input from SMUD prior to release of the Draft EIR (Ferrera 2017). Draft EIR Impact 5.14-1 addresses energy efficiency impacts of the project, while Draft EIR Impact 5.15-2 addresses electrical infrastructure impacts.

L3-2 This comment references information provided in the Panhandle Planned Unit Development Guidelines regarding the planned 69kV improvements and clarification of its ultimate location. While it is acknowledged that the final design and location of 69kV has not been determined, it is currently anticipated that this facility would be placed adjacent to the 200-foot powerline easement within the project because of local opposition to the placement of the 69kV along the west side of Sorrento Road.

L3-3 The comment requests that SMUD be involved in service provision. The City and applicant will coordinate with SMUD regarding the extension of electrical service to the site.

3.5 ORGANIZATION LETTERS

Letter 01

Habitat 2020 is a coalition that works to protect the lands, waters, wildlife and native plants in the Sacramento region. Members of Habitat 2020 include the Sacramento Audubon Society, California Native Plant Society, Friends of Swainson's Hawk, Save the American River Association, Save Our Sandhill Cranes, Sierra Club Mother Lode chapter – Sacramento group, Friends of Stone Lakes National Wildlife Refuge and the Sacramento Area Creeks Council. It is the Habitat Committee for ECOS.

ECOS PO Box 1526 Sacramento CA 95812 916 444 0022

Friends of the Swainson's Hawk, 8867 Bluff Lane, Fair Oaks, CA 95628 www.swainsonshawk.org 916 769 2857

August 2, 2017

Dana Mahaffey, Associate Planner
City of Sacramento
Environmental Planning Services
300 Richards Blvd, 3rd Floor
City of Sacramento 95811 via email: dmahaffey@cityofsacramento.org

Comments of the Friends of the Swainson's Hawk and **Habitat 2020** on the Draft Environmental Impact Report for the Panhandle Annexation and Planned Unit Development (P16-013)

Dear Ms. Mahaffey:

Following are the comments of the Friends of the Swainson's Hawk and Habitat 2020 on the DEIR for the Panhandle Annexation and PUD. Please send all notices of hearings and availability of documents to:

Friends of the Swainson's Hawk,
8867 Bluff Lane, Fair Oaks, CA 95628 Email: swainsonshawk@sbcglobal.net

Habitat 2020
ECOS PO Box 1526 Sacramento CA 95812 Email: habitat@ecosacramento.net

1. The DEIR violates CEQA for failure to require developers' full compliance with the 2003 Natomas Basin Habitat Conservation Plan ("NBHCP") as a mitigation for loss of 465.5 acres of wildlife habitat in the Natomas Basin. 01-1

The DEIR acknowledges that the project site is within the City's Permit Area of the 2003 Natomas Basin Habitat Conservation Plan ("NBHCP"), which requires that a developer provide to the Natomas Basin Conservancy ½ acre of habitat mitigation land located in Natomas Basin, plus a fee for operation, maintenance, and endowment, for each acre to be developed, prior to issuance of grading permits to the developer.

However the Mitigation Measures for the project do not require Panhandle developers to comply with the habitat mitigation requirements of the NBHCP. A legally binding agreement required by the federal and State Endangered Species Acts and signed by the City, Sutter County, USFWS, and CDFW cannot casually be ignored by the City or the developer. We refer you to the 2003 Natomas Basin Habitat Conservation Plan Implementation Agreement at http://www.natomasbasin.org/helpful-documents/2003-nbhcp-related-documents/. This is a fifty year binding contract by the City with USFWS and CDFW which covers the Panhandle property and is necessary for City's and developers' compliance with the Federal and State Endangered Species Acts.

Will the City of Sacramento require the Panhandle developers to comply with the NBHCP's requirement that a developer provide to the Natomas Basin Conservancy one-half acre of habitat mitigation land located in Natomas Basin, plus a fee for operation, maintenance, and endowment, for each acre to be developed, prior to issuance of grading or grubbing by the developer?

O1-1 cont.

If not, why not?

2. The DEIR fails to comply with CEQA for failure to describe how the developers of 465.5 acres will mitigate for the habitat loss as specified in the mitigation requirements of the 2003 NBHCP.

The DEIR states that the project area is within the City's Permit Area of the 2003 NBHCP, but fails to fully and accurately describe the habitat mitigation requirements of the NBHCP. The DEIR, pg. 5.3.-17, states that the mitigation requirements include payment of HCP fees or dedication of land at a ratio of 0.5 to 1. The EIR should more explicitly state that the project is subject to all the requirements of the NBHCP and specifically refer to the number of acres of land to be developed and mitigated under the NBHCP.

O1-2

This project is not eligible for fee payment in lieu of land dedication which is restricted to projects of less than 50 acres.

Very generally, the NBHCP requires the preservation and enhancement of habitat land within Natomas Basin suitable for Giant Garter Snake or Swainson's Hawk foraging habitat at the ratio of 0.5 acres preserved for each acre developed within the Permit Areas of City, Sutter County, and MetroAirPark, plus a one-time monetary payment in an

amount sufficient to perpetually fund administration, operations, maintenance, and endowment associated with the mitigation property. Land dedication requires the prior approval of the Natomas Basin Conservancy. O1-2 cont.

The DEIR should contain the following information: During 2017, for projects of 50 acres or less, the one-time mitigation fee is $31,600 to provide for land acquisition, operations, maintenance, administration, and endowment, paid to the Natomas Basin Conservancy prior to issuance of permits for grading and grubbing. During 2017, for development projects exceeding 50 acres, which describes the Panhandle project, a developer must acquire, and transfer to the Natomas Basin Conservancy, mitigation land within Natomas Basin, approved by the Conservancy, at the ratio of one-half acre of mitigation land for each acre developed, plus a one-time fee of $20,356 for administration, operation, maintenance, endowment, etc., for each acre developed. Developers should review the Natomas Basin Conservancy website and consult with the Conservancy at the onset of the development planning process. The fees are set by the City Council and Sutter County Board of Supervisors, and reviewed and adjusted annually based upon actual and projected costs. O1-3

3. The DEIR violates CEQA by failing to disclose flood risk from levee failure: The DEIR has a section titled "Impact 5.8-3: Flood Risk from Levee Failure", which discloses only the fact that the project may conflict with planned levee improvements along the NEMDC (North East Main Drainage Canal, also known as Steelhead Creek).

The project will attract people to live in homes in the project area but the DEIR fails to disclose that the project area lacks even 100-year flood protection from potential failure of the levees of the American River, Sacramento Rivers, or the NEMDC. The NEMDC receives water from creeks east of the project area and drains that water southward to the American River, and also receives backflow from the American River during high water conditions. There is presently a levee improvement project that would provide 200-year flood protection from failure of the levees of the Sacramento and American Rivers, the Cross-Canal and the NEMDC, but that project is only half-completed and is awaiting further funding and engineering. Projected completion deadlines have been missed, there have been major cost overruns, and it is not known when the project will actually be completed or will ultimately cost. O1-4

The EIR should disclose that homes built in the project and humans who live in those homes, will be at risk for flooding from failure or overtopping of the levees of the Sacramento River, American River, or NEMDC during a high water event on these waterways having a 1/100 chance of occurring each year ("100-year flood).

This risk will remain a significant impact until the levee project is completed and the Basin provided with flood protection at the 200-year level, as required by California law, at an unknown future date.

3

Please state the anticipated depth, at the lowest elevation of the project site, of a 100-year flood occurring from failure or overtopping of the perimeter levees of the Natomas Basin.

O1-4 cont.

On what date are improvements adequate to provide 200-year flood protection from perimeter levee failure or overtopping for the Basin anticipated to be completed?

Sincerely,

James P. Pachl
Friends of the Swainson's Hawk

Judith L. Lamare
Friends of the Swainson's Hawk

Sean Wirth
Co-Chair, Habitat 2020

Robert Burness
Co-Chair, Habitat 2020

Letter 01	Friends of the Swainson's Hawk and Habitat 2020 James Pachl, Judith Lamare, Sean Wirth, and Robert Burness 8/2/2017

01-1 This comment asserts that the Draft EIR violates CEQA for failure to require the project to fully comply with the Natomas Basin Habitat Conservation Plan (NBHCP). Draft EIR page 5.3-17 explains that the NBHCP provides that upon annexation, the project area automatically will be included within the 8,050-acre City of Sacramento Permit Area and covered by the NBHCP. The NBHCP states as follows:

> The Panhandle has always been included in the North Natomas Community Plan, and is included in the Authorized Development area of the City; however, the City's incidental take permits would not apply to the Panhandle area until and unless it is annexed to the City.

Consequently, the Panhandle PUD is subject to the avoidance, minimization, mitigation and conservation measures set forth in the NBHCP and the incident take permits upon annexation. In addition, Mitigation Measure 5.3-2 includes specific measures from the NBHCP. Therefore, if annexation of the site and the project is approved, the project would be required to comply mitigation that is directly reflective of requirements outlined in the NBHCB and would thereby fully comply with the NBHCP. The comment's assertion that the project would violate CEQA is unfounded.

01-2 The comment states that the Draft EIR fails to describe how the applicant would address habitat loss consistent with the NBHCP. As identified in Response to Comment 01-1, the Draft EIR explains that the project (upon annexation) would be subject to the NBHCP and mitigation that is directly reflective of NBHCP requirements is recommended in the DEIR. This would include land dedication requirements (dedication ratio of 0.5 to 1). The Panhandle PUD would develop 470.4 acres that would be mitigated under the NBHCP. The project applicant has not yet identified how the Panhandle PUD would comply with the required land dedication, nor would they be required to do so at this stage of project development. The land dedication would be required prior to any physical disturbance of the property in consultation with the City and the Natomas Basin Conservancy (i.e., Small Lot Tentative Subdivision Map approvals). It is acknowledged that the Panhandle PUD would be subject to the NBHCP fee (currently $20,350 for projects that include land dedication) (City of Sacramento 2017a).

The remaining 119 acres of the project area between the proposed PUD and extending north to West Elkhorn Boulevard (referred to herein as "Krumenacher Ranch") would be designated as Planned Development (PD) and zoned Agriculture (A). It is not included in the Panhandle PUD and no land use entitlements are currently being sought for this area. Should this area be developed in the future it would also be subject to compliance with the NBHCP. This portion of the project would also be subject to the NBHCP fee.

01-3 This comment states that the Draft EIR should contain additional information regarding the implementation of the NBHCP. The following edits are made to the Draft EIR.

The following text revisions are made above the "City of Sacramento 2035 General Plan" on page 5.3-17:

> Consequently, the Panhandle PUD would be subject to the avoidance, minimization, mitigation and conservation measures set forth in the NBHCP and the ITPs upon annexation.

The NBHCP mitigation requirements include:

- Payment of HCP fees or dedication of land at a ratio of 0.5 to 1.
- Reconnaissance-level surveys to determine what habitats are present on a proposed development site. (Reconnaissance surveys are submitted with the developer's application.)
- Pre-construction surveys for potential special status species not less than 30 days or more than 6 months prior to construction activities.
- Species-specific mitigation, as required, per USFWS and CDFW protocol.

The project is over 50 acres in size and would be required to dedicate land within the Natomas Basin as part of its compliance with the NBHCP. The project would also be required to pay a one-time HCP fee (currently $20,350 for project that include land dedication). The land dedication would be required prior to any physical disturbance of the property, which would likely be tied to City approval of Small Lot Tentative Subdivision Maps.

01-4 The comment asserts that the Draft EIR fails to disclose the flood risk from levee failure from the lack of levee improvements. The comment requests that the EIR disclose that project is at risk for flooding from the Sacramento River, American River, and the North East Main Drainage Canal (NEMDC) due to levee failure, identify the anticipated depth of project flooding, and when the levee improvements for 200-year flood protection are anticipated to be completed.

Section 5.8, "Hydrology and Water Quality," of the Draft EIR does disclose that the Natomas Basin (which includes the project) is designated within the 100-year flood hazard zone (AE Zone) as a result of the U.S. Army Corps of Engineers (Corps) decertifying the levee system in 2008 (see Draft EIR page 5.8-2). The Sacramento Area Flood Control Agency (SAFCA), California Department of Water Resources, and the Corps have been implementing the Natomas Levee Improvement Program (NLIP) to upgrade the levee system protecting the Natomas Basin that will ultimately provide 200-year flood protection. Following 18 miles of levee improvements by SAFCA and the California Department of Water Resources that began in 2007 and the congressional authorization in June 2014, the Natomas Basin, as of June 2015, is now mapped as Zone A99 (see Draft EIR page 5.8-2). The A99 Zone means that enough progress had been made on the flood protection system at the time of the most recent map update to determine that the area will have protection from the 100-year flood when construction is complete. The City of Sacramento amended Chapter 15.104 of the Sacramento City Code relating to floodplain management regulations for the portion of the Natomas Basin within the city under a Zone A99 flood designation. The ordinance limits new residential growth by calendar year for the Natomas Basin to minimize public health and safety hazards from flooding while remaining levee improvements are completed. Property owners in the project would need to maintain flood insurance until 100-year protection is achieved and FEMA changes the basin's designation on the FIRM from Zone A99 to Zone X.

The remaining improvements under the NLIP are in process and planned to be completed by the year 2025 (SAFCA 2017a), which is prior to the anticipated build out of the project. Evidence of progress in the completion of the NLIP consist of the recent and anticipated activities:

- Construction contract award for levee improvements along the Garden Highway (NLIP Reach I) was awarded on July 24, 2017;

- Anticipated construction contract award for levee improvements along the NEMDC (NLIP Reach H) is anticipated to occur in September 2017; and

- Anticipated construction contracts for drainage canal and related improvements for the Natomas Cross Canal (NLIP Reach D) are planned to be awarded in February 2018. (SAFCA 2017b and c).

Thus, progress continues to be made on the completion of the remaining NLIP improvements to attain 200-year flood protection.

The Natomas Basin Local Assessment District (North Area Local Project Assessment District No. 2 [NALP AD No. 2]) provides a local funding source for the NLIP. The purpose of the assessment is to fund engineering design, construction, right of way acquisition and utility relocation of the North Area Local Project. NALP AD No. 2 improvements include primarily levee strengthening projects along the Sacramento and American Rivers for flood protections to the Natomas Basin and portions of Rio Linda, and North Sacramento along the lower Arcade and Dry watersheds. Funding is also expected from the federal government to complete the NLIP. Federal funding for improvements under the NLIP for the federal fiscal year 2017 was $52.65 million. As of the end of July 2017, the U.S. House of Representatives Appropriations Committee passed a minibus appropriations bill that included the Energy and Water Development appropriations for the federal fiscal year 2018. This appropriation currently identifies $20.55 million in funding for the NILP and matches the President's budget request. Thus, commitments to the funding for the eventual completion of the NILP have been made and are anticipated to continue in the future.

The City has prepared detailed maps showing flooding impacts for multiple hypothetical levee failures under the 200-year flood event (City of Sacramento 2017b). These maps identify depth of flooding, length of time that flood depths reach one-foot, and the length of time evacuation routes are passable. In response to the comment request, following is a summary of the potential extent of a flooding for the project area based on where the levee failure would occur. It is important to note that the potential for this flooding is an existing environmental condition that the project is not required to address as an impact under CEQA. In *California Building Industry Association v Bay Area Air Quality Management District* (2015), the California Supreme Court concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents.

Natomas Cross Canal: River Mile 1.35

- Maximum flood depth of project: 18 feet or greater
- Length of time till project would have a flood depth of one-foot: 24 hours
- Length of time that evacuation routes are passable: 16 hours (West Elkhorn Boulevard) to one day (Del Paso Road)

Sacramento River: River Mile 77.584

- Maximum flood depth of project: 12 to 15 feet
- Length of time till project would have a flood depth of one-foot: 32 hours
- Length of time that evacuation routes are passable: one to three days (West Elkhorn Boulevard and Del Paso Road)

Sacramento River: River Mile 74.00

- Maximum flood depth of project: 12 to 15 feet
- Length of time till project would have a flood depth of one-foot: 48 to 96 hours
- Length of time that evacuation routes are passable: two to six days (West Elkhorn Boulevard and Del Paso Road)

Sacramento River: River Mile 66.924

- Maximum flood depth of project: 18 feet or greater
- Length of time till project would have a flood depth of one-foot: 48 to 144 hours
- Length of time that evacuation routes are passable: two to three days (West Elkhorn Boulevard and Del Paso Road)

Sacramento River: River Mile 64.104

- Maximum flood depth of project: 8 to 12 feet
- Length of time till project would have a flood depth of one-foot: 32 hours
- Length of time that evacuation routes are passable: one to six days (Del Paso Road) and six days (West Elkhorn Boulevard)

NEMDC: River Mile 0.415

- Maximum flood depth of project: 8 to 12 feet
- Length of time till project would have a flood depth of one-foot: 24 hours
- Length of time that evacuation routes are passable: 16 hours (Del Paso Road) and three days (West Elkhorn Boulevard)

NEMDC: River Mile 4.617

- Maximum flood depth of project: 4 to 5 feet
- Length of time till project would have a flood depth of one-foot: 2 hours
- Length of time that evacuation routes are passable: 2 hours (Del Paso Road) and no issues with West Elkhorn Boulevard

Letter
O2

Date: July 13, 2017

To: Dana Mahaffey, Associate Planner
Environmental Planning Services
City of Sacramento Community Development Department

Subject: Comments on Panhandle Project Draft EIR (P16-013)

I am writing this letter on behalf of the North Natomas Community Coalition (NNCC). We are a community-based group consisting of residents from many HOAs and Community Associations in the North Natomas Area. Our goal is to analyze any new projects in our area and determine how they may or may not benefit our area.

At our July 12, 2017 meeting, we discussed the above-mentioned project. We are generally supportive of the locating of the Panhandle project as proposed. However, we urge the applicant to consider coordinating with the City and the NNTMA (North Natomas Transportation Management Association) to provide bike and pedestrian connectivity via a new trail connection to Del Paso Road from the southern end of Sorento Road, east toward Sotnip Road, then connecting to the Ueda bike trail at East Levee Road. This trail connector is safer for cyclists as it bypasses the busy Northgate Blvd intersection.

Bike and pedestrian connectivity within projects is important, but safe connectivity to the community-wide bike trail system and amenities is important too. We urge the project applicants to consider assisting in this effort.

O2-1

Thank you for the opportunity to comment.

Sincerely,

Chris Paros

Chris Paros
NNCC President

Letter 02	North Natomas Community Coalition Chris Paros, NNCC President 7/31/2017

02-1 This comment states that a new trail connection to Del Paso Road from the southern end of Sorento Road is safer for cyclists than trail connections that cross Northgate Boulevard. The comment urges the applicant to coordinate with the City of Sacramento and the North Natomas Transportation Management Association. As identified in Chapter 2, "Project Modifications," the revised project design includes a meandering trail along Del Paso Road and the west side of Sorento Road.

Valley View Acres Community Association

Letter O3

July 28, 2017

City of Sacramento
Community Development Department
Environmental Planning Services
300 Richards Blvd. 3rd Floor
Sacramento, CA 95811
Dana Mahaffey, Associate Planner

Comments pertaining to the EIR for the Panhandle Annexation and Planned Unit Development Project (P16-013)

Dear Ms. Mahaffey:

The Valley View Acres Community Association respectfully submits the following comments regarding the Panhandle Annexation and Planned Unit Development Project (P16-013):

- Page 1-7, Table 1-1 Summary of Comments Summary-

Summary of issue: North Natomas Community Coalition comment: "Address impacts for future powerline use"

Location where it is addressed in the EIR: Chapter 3, "project description" identifies future SMUD powerline improvements in the project area, which are anticipated to be tortured along Sorento Road. O3-1

This is not spelled out as such in Chapter 3 3-14. Please clarify the future placement of the SMUD 69KV powerlines.

The VVACA strongly opposes placement of these powerlines along Sorento Road. If we are mistaken in our understanding that the 69kV corridor is being proposed along the WAPA power line corridor and in fact is being proposed for Sorento Road, the DEIR fails to adequately analyze the potential impacts to existing residents on Sorento Road, including, but not limited to visual impacts. Further analysis is need and a recirculation is requested.

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- Page 5.8-15 Impact 5.8-4 groundwater Quality Page 5.8-15

Adjacent properties in Valley View acres rely on groundwater wells for domestic consumption. Suggest that a baseline for water quality be set before the project commences and subsistent water testing occur on a regular basis to ensure water quality for domestic wells. O3-2

- Page 5.13-11 Impact 5.13-1 Wastewater and water supply facility impacts.

VVACA would like to see both water and sewer connection placed on Sorento Road for future connection by VVA residents. VVA is on domestic well and septic systems, we have no fire hydrants our neighborhood and there have been issues with septic system failures in our community. Aligning water and sewer mains within Sorento would allow folks on Sorento to connect, should the choose to O3-3

do so, and it would provide a vital sewer and water access for the rest of the neighborhood at no cost to existing neighbors, should expansion so such utilities prove desirable in the future. O3-3 cont.

- Page 5.10-1 Page 5.10-11 5.10.1 Environmental Setting- Fire Protection and emergency services

City of Sacramento 2035 General Plan:

PHS 2.2.4 Water supply for fire suppression. The city shall ensure that adequate water supplies are available for fire-suppression throughout the city, and shall require development to construct all necessary fire suppression infrastructure and equipment. O3-4

Valley View Acres has just one fire hydrant – located at the western intersection of Kenmar and Sotnip. Hydrants are needed at least along Sorento Road to enhance fire life safety for existing City residents in VVA.

- Page 5.8-1 5.8 Hydrology and Water Quality

Further impacts on existing drainage issues on southeastern corner of project area (Del Paso Road/Sorento Road) O3-5

VVACA request further analysis of the impact increased drainage to this intersection. This area has experienced flooding many times over the years, new development would put additional strain on this infrastructure. We are concerned that the increase in runoff from development of the Panhandle will adversely affect our existing drainage system by either increasing the level of flood waters or the duration of flood waters in our neighborhood.

- Page 5.11-44 Mitigation measure 5.11-2: Intersection improvements Table 5.11-15

The delays caused by traffic queuing up on Sorento may increase traffic on other Valley View Acre streets, ie. Carey, and Kenmar roads. EIR needs to address and analyze the traffic impact on these alternative streets that access Del Paso Road. We are very concerned that the traffic analysis does adequately address the potential for vehicle traffic from the Panhandle to use internal VVA streets because of delays caused at Sorento and Del Paso. When Sorento was a main north south thoroughfare, there were significant volumes of cut through traffic on Carey and Kenmar. We are very concerned that the current access. Without any sort of traffic calming measures to disincentivize use by future Panhandle residents, this continues to be a serious concern for our community. O3-6

- Page 3.-12 Pedestrian and Bicycle Improvements Exhibit 3-4
-

VVACA is was under the impression from previous meeting there would be a Class I bike trail along Sorento Road. We would like further clarification of what the Panhandle is proposing along Sorento Road. O3-7

- Page 5.1-8 Impact 5.1-2 Compatibility with adjacent agricultural uses

"Landscaped wall and 18.5' landscaping setback from the west side of Sorento Road
Need to understand if homes will front onto Sorento as it will impact traffic on Sorento. If all homes back on or side on with a wall the setback needs to be at least 30'. Placement of the wall would encourage illegal dumping, loitering and the isolation would attract unsavory activity and further O3-8

impact the desirability of our neighborhood. We are opposed to any layout and orientation that turns its back on our community. O3-8 cont.

- Land Use and Zoning Sections 4.4.2 and 4.4.3

In order to reduce conflicts in adjacent land uses in Valley View Acres, lots adjacent to Sorento Road should, to the degree reasonably possible, be wider and shallower and mirror existing property lines when the Panhandle lots front onto Sorento Road. O3-9

Thank you for the opportunity to comment on this project. We look forward to the responses. This letter is submitted on behalf of the Valley View Acres Community Association – Panhandle Subcommittee.

Sincerely,

Dolores Santos

Dolores Santos
721 Barros Drive
Sacramento, CA 95835
916-718-8005

Letter 03	Valley View Acres Community Association Dolores Santos 7/31/2017

03-1 This comment states that the Valley View Acres Community Association (VVACA) opposes location of a 69-kV power line along Sorento Road. As indicated on page 3-14 of Chapter 3, "Project Description," and referenced throughout the Draft EIR, SMUD is proposing the addition of a 69-kV power line adjacent to its existing 115 kV line within the established 200-foot-wide power line easement that also includes the 230 kV WAPA transmission lines. This alignment traverses the site from north to south and is not adjacent to Sorento Road.

However, Table 1-1 incorrectly indicates that the 69-kV line is anticipated to be located along Sorento Road in the 5th comment attributed to the North Natomas Community Coalition. On page 1-7, the text in the 9th row of the right column in Table 1-1 is corrected to read:

> Chapter 3, "Project Description," identifies future SMUD powerline improvements in the project area, which are anticipated to be routed ~~along Sorento Road~~ within the existing 200-foot-wide easement adjacent to the existing power infrastructure.

03-2 This comment suggests that groundwater is tested before project implementation and on a regular basis during project operation to detect any changes in the quality of the groundwater in domestic wells on adjacent properties. The project would include a stormwater detention basin on the west side of the project area north of Club Center Drive. The surface water collected in this basin may contain common urban contaminants, such as oils and pesticides, which are generally filtered through the vadose (i.e., unsaturated) soil layer before reaching groundwater. However, groundwater is shallow in this area and flows to the east (toward existing industrial and municipal wells). For these reasons, the effects of the detention basin on groundwater quality are considered potentially significant. Mitigation Measure 5.8-4 would require additional investigation of soils and groundwater near the proposed basin. The City's Stormwater Quality Design Manual requires a minimum separation of 10 feet between the bottom of the detention basin and the high groundwater table. If groundwater is detected within 10 feet of the ground surface, the basin would be designed to incorporate an impermeable liner to ensure that the surface runoff will not be in contact with groundwater. In addition, the Design Manual requires that dry basins incorporate vegetated linear features, which are proven to increase uptake of contaminants. If the basin is designed as a wet basin, a permanent wet pool area is designed to ensure the proper treatment of the runoff before it leaves the basin or percolates into the native soils. The design of the basin would be subject to approval by the City of Sacramento. With the additional investigations and performance standards required by Mitigation Measure 5.8-4, the project could be feasibly engineered to address any potential effects on groundwater quality. Groundwater sampling would not be required. Pollutants that are collected within new detention basins are likely to become attached to the surface soil particles and are not likely to travel deep into subsurface soil and water layers. Several technical studies have been conducted regarding water quality control feature impacts on groundwater (e.g., California Storm Water Best Management Practices Handbook prepared by the Stormwater Quality Task Force). These studies have identified that water quality control features such as detention and infiltration basins are successful in controlling water quality and avoiding groundwater quality impacts (metals and organic compounds associated with stormwater are typically lost within the first few feet of the soil of the basins).

03-3 This comment states that VVACA would like to see both water and sewer connection placed in Sorento Road for future connection by Valley View Acres residents. Properties within the Valley View area would have the ability to connect to the sewer infrastructure within the

project, though a portion of Valley View Acres would require a sewer lift station. Based on the anticipated project water distribution system, Valley View Acres properties could connect to the project system at project roadway connections with Sorento Road.

03-4 This comment states that fire hydrants are needed along Sorento Road to enhance safety for existing City residents in Valley View Acres. New fire hydrants would be installed along the project's western frontage improvements to Sorento Road.

03-5 This comment identifies existing drainage issues near the intersection of Del Paso Road and Sorento Road and requests further analysis of potential effects of the project on the drainage system in this area.

The proposed detention basin would provide storage and allow outflows to be metered at a reduced rate of discharge to existing twin 60-inch pipes that drain runoff from the site to the canal that runs parallel to Truxel Road. The detention basin would be sized to contain the 100-year, 10-day runoff volume assuming a maximum pumping rate of 0.10 cubic feet/acre for the project area, as well as for the on-site East Natomas Education Complex. As discussed for Impact 5.8-1 (page 5.8-12), although implementation of these improvements would generally accommodate increased drainage flows from Panhandle PUD buildout, development could worsen existing drainage and local flooding issues at the intersection of Del Paso Road and Sorento Road. This concern would be addressed through the implementation of Mitigation Measure 5.8-1, which would require that the developer demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsen by site development. This demonstration would consist of details on drainage improvements addressing this flooding condition for future development of the southeast corner of the project as part of small lot subdivision map submittals, subject to review and approval by the City.

03-6 This comment refers to page 5.11-44, Mitigation Measure 5.11-2, and Table 5.11-15. The comment notes that delays caused by traffic queueing up on Sorento Road may increase traffic on other Valley View Acres roads.

Traffic diversion from Sorento Road to other Valley View Acre community streets would only be expected to occur if substantial delays occurred along Sorento Road. Most motorists would choose the quickest path. The traffic signal proposed at the intersection of Del Paso Road and Sorento Road would provide improved access from Sorento Road to Del Paso Road. With a traffic signal, the intersection would operate at acceptable conditions (level of service "B" in a.m. peak hour and "A" in the p.m. peak hour). Southbound Sorento Road delay approaching Del Paso Road would be less than existing conditions in both the a.m. and p.m. peak hours, for both the existing plus project and cumulative plus project conditions (see Draft EIR Tables 5.11-15 and 5.11-25). These conditions with the traffic signal would be better (i.e., more free flowing) than other travel paths to Del Paso Road, which lead to stop-sign controlled approaches.

03-7 This comment requests clarification regarding the proposed pedestrian and bicycle improvements along Sorento Road. A trail is proposed along the western side of Sorento Road as described in Chapter 2, "Project Modifications." As indicated in Impact 5.11-5 (page 5.11-51) the Panhandle PUD would establish on-street bike facility connections and would establish a new off-street bike/pedestrian facility associated with the Ninos Parkway. These proposed bike facilities are consistent with the alignments set forth in the City's Bicycle Master Plan.

03-8 This comment states opposition to a community layout wherein homes back-up to Sorento Road because it could attract loitering or dumping along Sorento Road. The comment references a statement in on page 5.1-8 in Section 5.1, "Agricultural Resources," which

describes the design provisions for the rural residential interface with Sorento Road in the Panhandle PUD Guidelines.

The commenter's opinion is noted. However, there is no indication that the proposed wall and setback would have a negative effect on community safety or agricultural operations. For further discussion of the setback, see Section 4.4.5, "Compatibility with Existing and Adjacent Land Uses," (page 4-19), Section 5.9, "Noise and Vibration," (page 5.9-25), Section 5.12, "Urban Design and Visual Resources," (page 5.12-13). Traffic on Sorento Road is addressed in Section 5.11, "Transportation and Circulation."

03-9 This comment states that lots adjacent to Sorento Road should be wider and shallower and mirror existing property lines in the Valley View Acres community when the Panhandle lots front onto Sorento Road to reduce conflicts. The Draft EIR sections referenced in the comment, Sections 4.4.2 and 4.4.3, describe the proposed general plan designations and zoning of the project. They do not address orientation or dimensions of potential lots. No conflicts with adjacent communities are identified in Section 4.4, "Land Use Evaluation." Draft EIR page 4-18 identifies that the lower density "Estate" lots are proposed primarily in the eastern portion of the project that transition project residential densities to complement the rural residential character of the Valley View Acres community to the east of the project.

Dana Mahaffey

REC AUG

Letter 04

Ms. Dana Mahaffey
City of Sacramento Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, California 95811

August 3, 2017

Subject: Comments on Draft Environmental Impact Report (DEIR) for the Panhandle Annexation and Planned Unit Development (City of Sacramento Control Number: P-16-013). SCH#2016042074

Dear Ms. Mahaffey,

Thank you for the opportunity to comment upon the DEIR for the proposed Panhandle Annexation and Planned Unit Development Project ("Project"). These comments do not replace previous comments submitted in response to the NOP. Also, we request that all documents and comments submitted during the environmental review process in 2006/2007 be incorporated into the record of proceedings for this project. 04-1

A. Introduction

For a variety of reasons, the DEIR falls short of compliance with the California Environmental Quality Act ("CEQA") ").[1] Generally, the FEIR fails to adequately analyze the direct and indirect impacts to the environment, the comment letters submitted in response to the NOP, as well as previous environmental reviews, identify tremendous impacts to aesthetics, air quality and climate change, traffic, water supply and water quality, land use and others. Many of the conclusions in the DEIR are not supported by substantial evidence in the record. 04-2

The global warming and air quality sections of the DEIR should be amended to address adequately all sources of greenhouse gas ("GHG") and other emissions resulting from the Project, and to mitigate for these emissions through concrete goals, policies, programs and mitigation measures. 04-3

Additionally, as discussed further below, the City must look at reasonable mitigation measures to avoid impacts, but failed to do so here with respect to several areas of impact. Where all available feasible mitigation measures have been proposed but are inadequate to reduce an environmental impact to a less-than-significant level, an EIR may conclude that the impact is significant and unavoidable, and if supported by substantial evidence, the lead agency may make findings of overriding considerations and approve the project anyway. (See CEQA Guidelines §§ 15091, 15093 and 15126.2.) Crucially, however, the lead agency may not simply throw up its hands, conclude that an impact is significant and unavoidable and move on. A conclusion of residual significance does not excuse the agency from (1) performing a thorough evaluation and description of the impact and its severity before and after mitigation, and (2) proposing *all* feasible mitigation to "substantially lessen the significant environmental effect." (CEQA Guidelines § 15091(a)(1); see also § 15126.2(b) [requiring an EIR to discuss "any significant impacts, *including those which can be mitigated but not reduced to a level of insignificance"*], emphasis added.) "A mitigation measure may reduce or minimize a significant impact without avoiding the impact entirely." (Stephen Kostka & 04-4

[1] Public Resources Code § 21000 et seq .

Michael Zischke, *Practice Under the California Environmental Quality Act*, § 14.6 (2d ed. 2008).)

Even in those cases where the extent of impacts may be somewhat uncertain due to the complexity of the issues, the City is not relieved of its responsibility under CEQA to discuss mitigation of reasonably likely impacts at the outset.

O4-4 cont.

Some general deficiencies in the DEIR for the Project include a failure to evaluate a reasonable range of alternatives and a failure to adequately account for existing and future projects in the cumulative impacts analyses.

O4-5

In addition to violation of CEQA, and as noted below, the Project is inconsistent with the City General Plan, the North Natomas Community Plan and the Natomas Basin Habitat Conservation Plan. The Project as proposed disregards the impacts to roadways and other City infrastructure in a way that will harm the citizens of the City and the County. The Project's inconsistency with the applicable general plans reveals a significant environmental impact, and is also a violation of the State Planning laws.

All counties and cities must adopt a general plan for the physical development of their land. (Gov. Code § 65300.) The general plan functions as a "constitution for all future developments" and land use decisions must be consistent with the general plan and its elements. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570.) A "project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment. [Citation.]" (*Corona–Norco Unified School Dist. v. City of Corona, supra,* 17 Cal.App.4th at p. 994.) Perfect conformity is not required, but a project must be compatible with the objectives and policies of the general plan. (*Families Unafraid to Uphold Rural Etc. County v. Board of Supervisors* (2005) 62 Cal.App.4th 777, 1336.) A project is inconsistent if it conflicts with a general plan policy that is fundamental, mandatory, and clear. (*Id.* at pp. 1341–1342; and *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 782.)

O4-6

B. Specific Issues

We previously requested that any mitigation measure include identification of its cost and requirements for funding and implementation. CEQA requires that the lead agency identify all feasible mitigation measures and that public decisions be informed by a discussion of the environmental consequences. (PRC § 21002, 21002.1; CEQA Guidelines §§ 15002(a), 15003(b)-(e); *Sierra Club v. State Board of Forestry* (1994) 7 Cal.4th 1215, 1229.)

The DEIR must discuss the availability of funding, as it is essential to the issue of feasibility. Funding must be made available to provide essential public service needs identified in this DEIR process and its related planning analysis. Mechanisms to monitor implementation of mitigation measures need to be in place. Mitigation needs to be implemented before, or concurrent with, site development not after the homes are built.

O4-7

This especially applies to the extension of National Drive to Elkhorn Boulevard. This road is essential to access to the proposed project, proposed and under construction middle and

O4-8

high schools and Del Paso Road. Currently, the property owners on the north side of the site appear adamantly opposed to annexation and any road extensions through their property. At the same time, City and Twin Rivers officials have been publicizing an expedited path to the opening of the middle school (first) and high school. Failure to build northern access to these schools prior to their opening will undermine fair access from the low income areas to the north in Rio Linda (environmental justice impact). Additionally, low income Valley View Acres, Sorento and Carey Roads which have been identified as dangerous by the City in the past, will bear substantial additional traffic which will be significantly exacerbated by failure to construct northern access to Elkhorn.

O4-8 cont.

The DEIR states that the school will not be accessed by Sorento Road. This is incorrect. Sorento Road is the first north-south through street that school users will encounter on their way from North Sacramento. A portion of drivers will select it. It won't have any stop lights and presents interesting scenery. There is no substantial evidence to support the conclusion that the school traffic will not impact Sorento Road.

O4-9

These impacts need to be adequately addressed and mitigated. Speed bumps, reduced speed limits, etc, need to be provided as mitigation measures prior to the opening of any road connection from the north and west. The Levee Road needs to be entirely barricaded from use by the new development (see NOP comments for full description of issue).

Please remember that this project removes the health and safety and traffic calming measures approved and implemented by the City as part of our multi-year, $150,000 traffic calming project. In meetings and this DEIR, there appears to be a misconception that this project doesn't undo the traffic calming project (TCP) because it does not reopen the East Levee Road. This conclusion indicates a misunderstanding of the purpose of the Valley View Acres TCP. As with all other TCP projects, the intent was to calm traffic within the TCP area.

O4-10

Closure of the East Levee Road only worked if there was no traffic from the west. We reluctantly supported that option in lieu of others such as speed bumps because of assurances that there would never be road connections between Valley View and the Panhandle. In approximately 2004 when the TCP was implemented, neighbors, traffic and planning staff and elected officials were certain that Sorento Road would never be connected to traffic from the west. Please see City project file.

At that time, the significant adverse health and safety impacts of continued traffic on Sorento and Carey Roads including reports of traffic fatalities and injuries made the need to address traffic calming and removal of connections imperative. Even without connections, accidents occur because of the unsafe and blind curves, hills and long stretches of open road (E. Levee and Sorento Roads). These impacts need to be addressed and mitigated. At a minimum, Valley View Acres needs to be provided with $150,000 mitigation award and a TCP process to replace the one lost. Mitigation needs to be provided prior to the opening of any traffic to Sorento including housing along the road.

The 2007 Panhandle project as approved by the Planning Commission recognized these dangers and included east-west bike connectors for recreational and emergency access and prohibited road connections. **The police, fire, traffic and planning departments evaluated**

O4-11

and supported this option as prudent and feasible. The fact that current police and fire staff appear to be lobbying against their previously supported position is quite curious. The 2007 Panhandle project file and DEIR and other files need to be reviewed and technically accurate assessments need to be made. O4-11 cont.

At a recent public meeting held by our Council Member, we were told that gate openers could not be provided for easy and quick emergency access to Valley View Acres. That position is inconsistent with 2007 City evaluations, including those contained in the EIR, and current gate and signal technologies and appears to be inconsistent with city policies to promote bicycling as a viable transportation mode and protect the health and safety of its residents. O4-12

Land use and neighborhood and community incompatibility issues have not been clearly identified, assessed and adverse effects mitigated. Related traffic, nuisance, drainage, social and economic (which cause physical impacts such as blight, crime and deterioration of public safety), and health and safety impacts should be viewed in light of compatibility and livability. The City needs to read its own land use compatibility assessments contained in the VVC rezone project staff reports.[2] Staff was well aware of the need to protect our lifestyle from urban intrusion. There needs to be a mitigation program to address the handling of nuisance complaints from the fancy homeowners who will face Valley View. They are not going to view our neighborhood well. O4-13

Placing the street lights and road improvements on the west side of Sorento Road does not reduce light and glare on the houses on the east side of the road, nor does it keep the runoff from those properties from filling our ditches. O4-14

Are these residents going to be set on the west side of the Sorento Road right-of way? The right-of way is over 100 feet at this location. We want to make certain that this County right-of-way is not gifted to the applicants along with all the other previously approved open space land that has already been eliminated. It should be used to provide an off-street bike trail. O4-15

Environmental Justice Valley View Acres is a racially and ethnically diverse LOW INCOME neighborhood. This proposed project seeks to build a higher end community with no low income housing across the street and facing us. All residents of the new development will be required to join a homeowner's association with substantive rules and regulations designed to provide uniformity. Valley View Acres has been here in some form since WWII. Many homes were built by hand by residents and passed to heirs. There are some new and fancy homes but there is also much poverty. O4-16

The 1985 and 1994 Community Plans recognized Valley View Acres special characteristics and provided a large buffer between us and future urban development. The land was set aside as a compromise for providing George Tsakopolous with hundreds of acres of urban designations on land west of Interstate 5 along Fisherman's lake and Canal. The City and many community groups had advocated keeping all that area in agricultural uses because it was prime agricultural and habitat land and because residential development could O4-17

[2] We request that all documents contained in the City's files regarding the 1994 Valley View Acres Community rezone be included in the record of proceedings for this Project.

undermine airport operations (noise, nuisance complaints). Movement across 5 was considered to be growth inducing (and it was; look at Greenbriar). 04-17 cont.

The eastern Panhandle land designated in that swap and intended to protect the low income existing neighborhood has been pulled away. Our ability to raise food and keep animals is threatened by the introduction of eastward facing houses with urban style homeowner association protected people who will complain about mismatched fencing, vehicle storage, clothes lines, parking, smell, flies and aesthetics. There will be nuisance complaints and our low income residents will be driven from their homes by the high stress of handling complaints and the high cost of personally funding mitigation of nuisance complaints lodged by homeowner associations and individual residents. This is always the case if mitigation is not provided. In justice, a land use buffer need to be provided as mitigation for this low income neighborhood. Houses need to be set back consistent with all other previous approvals 04-18

Water Supply: For the last four years, and most critically in summer and fall of 2015, the Governor's Office, State Department of Water Resources, local water agencies and the Sacramento Bee reported an insufficient water supply to meet area water needs. Draconian water conservation requirements were passed and enforced. Evidence of an adequate groundwater supply, and adopted conjunctive use plans, were insufficient to prove to state regulatory agencies that adequate water was available. Therefore, high-percentage water use cutbacks remain in place.

The Bee often reported that there was insufficient water to meet the needs of existing, and currently approved, but not yet constructed, development in the 2014-15 drought year and even in future normal precipitation years. This proposed project includes 600 acres of development which proposes using existing sources known to the state but considered inadequate by the Governor, State, City and The Bee for already approved development. 04-19

State law requires that new development projects prove the existence of an adequate water supply. The City is required to analyze and ensure that there are sufficient near-term water supplies, and must also analyze and disclose potential long-term water supplies for community and specific plans (and planned unit developments). (See *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 421, 444-45 and 448-49.) There is no new water source for this proposed project. Certainly, water conservation mitigation measures should be identified which reduce future water usage on the project site. However, there remains an inadequate water supply for future residents. Significant adverse impacts need to be quantified, evaluated and mitigated as feasible. The DEIR does not adequately address project related and cumulative impacts from recently approved Greenbriar, Natomas Precinct, industrial growth to the south and the proposed project.

Flooding Natomas is a deep basin; much of it was swamp or swale. More than a dozen streams emptied into it prior to construction of the Natomas levee system. Dry Creek crossed the project site. Its course is still visible when the site is farmed. Natomas was so wet that it was crossed by steamboat during most months. 04-20

There have been four substantive high water years in the past 50: 1983; 1986; 1995 and 1997. Each of those events proved that the level of flood protection believed to be in place was not in place. 70 year protection was relabeled as 40; 100 as 70, etc. These events caused two subsequent flood control moratoriums in the project area during the last twenty years. There does not seem to be any practical mitigation for flooding or emergency evacuation impacts.

All SAFCA and US Army Corps of Engineer's flood event projection documents indicate that the Natomas basin will eventually flood; perhaps, only once in the next hundred years or twice, but it is projected to occur. The once in a hundred year flood event may occur next year.

Natomas is a deep floodplain. It should never have been developed. 60,000 more people should not move here (Precinct/Panhandle). It is unsafe.

O4-20 cont.

The proposed project appears to include plans to ultimately pump runoff and floodwater into Steelhead Creek. Natomas Precinct, a 5,600 acre urban development project which is currently undergoing CEQA review (Control Number: PLNP2014-0017; State Clearinghouse Number: 2016042079) also proposes to pump drainage into Steelhead Creek.

O4-21

A look at the proposed location of the detention basins on the Panhandle Map illustrates our concerns that a general lack of awareness of surface and subsurface water flow patterns on the project site and in the project area exists. Engineers and others often view this basin as it appears now with levees and diverted flow patterns. This perspective sometimes causes serious errors in evaluation of potential significant adverse project specific and cumulative drainage and flooding impacts.

O4-22

The proposed project site and area have unique characteristics and potential adverse development impacts which must be carefully assessed and adequately mitigated to ensure the safety of the region's residents during above normal precipitation events. It is imperative that infrastructure required as mitigation does not need to be resized, rebuilt or replaced with funds earmarked for other public services.

Del Paso Road already floods from Panhandle site runoff, Dry and Robla Creek (surface and subsurface) and Valley View runoff. A mitigation measure should be devised and adopted which positions detention basins at the southeast corner of the Panhandle (Sorento and Del Paso) to manage Robla and other local runoff, and next to the Charter School at Del Paso Road

O4-23

Finally, access to this site is inadequate if deep flooding occurs and evacuations are required. Elkhorn and Del Paso Road will be over capacity from evacuation of our western neighbors. Residents cannot drive east as that area floods or there is no access. Southerly access dead-ends. How will residents get out of the Panhandle area? A site-specific flood evacuation plan needs to be required as mitigation. It needs to be in place prior to occupancy of any homes or businesses. This need should be especially apparent after this year's potential evacuation due to the Oroville Dam problem. Our neighborhood had no idea of or

O4-24

notification about evacuation necessary if that dam failed and broke the feather and Natomas Cross Canal levees near Verona. O4-24 cont.

Please see NOP comments. Potential significant project related and cumulative impacts have not been adequately addressed in the DEIR. Mitigation measures were previously recommended and have not been used or replaced. O4-25

Premature and Growth Inducing: SACOG, a regional agency which includes representatives from the Sacramento County Board of Supervisors and Sacramento City Council has determined that the Panhandle area is not needed for growth through 2036 and likely longer. There is already plenty of land approved for development within the city limits in N. Natomas, including Greenbriar, in Delta Shores, various locations in the County, in Rancho Cordova, South Sutter County and Isleton (see attachment A - ECOS letter to Sacramento County Board of Supervisors dated December 16, 2015.)

This project undermines local, state, regional and federal air quality and traffic management goals, by enabling growth away from planned transit corridors and perimeter growth before infill is completed. Our neighborhood will suffer from the smog, noise and congestion caused by this project. O4-26

The extension of sewer and water lines to a rural area is growth inducing. The proposed project could induce growth in Valley View Acres. This project actually adds an 8" water line along Valley View Acres and does not quantify, disclose or evaluate growth inducing impacts upon that neighborhood with mainly one to ten acre parcels along it. Potential related impacts need to be evaluated.

Finally, this project appears inconsistent with local, state and federal air quality attainment plans and greenhouse emissions reductions plans. THE DEIR does not adequately evaluate or address project specific and cumulative impacts. O4-27

Agriculture and Prime Farmland and Important Open Space The Natomas basin contains prime agricultural land. Agriculture is the best land use for prime land in a deep floodplain (also see 4 above). Under the special requirements of the Cortese Knox Hertzberg ("CKH") Act most of the project site may be considered prime, and the DEIR does not adequately address the existing uses and the provisions of Government Code section 56064. A portion of it is currently in agricultural production and recently harvested. The project needs to be evaluated using CKH agricultural land definitions as an annexation is proposed. On-site mitigation of some agricultural losses could be effected by providing an agricultural land buffer east of the power transmission lines (including the power line easement areas). We request that mitigation be provided separately for agricultural and habitat losses rather than stacking mitigation. O4-28

The DEIR currently fails to apply the CKH definition of prime agricultural lands, which is as follows:

Prime Agricultural Land: An area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the

following qualifications:

(a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not the land is actually irrigated, provided that irrigation is feasible.

(b) Land that qualifies for rating 80 through 100 Storie Index Rating.

(c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.

(d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

(e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years (Government Code Section 56064).

The DEIR currently ignores the actual definition in CKH and considers "prime" agricultural land only based upon soil type. (DEIR, p. 6-18.) The Reorganization discussion in the DEIR goes on to say that the impacts to prime agricultural lands were also determined elsewhere in the DEIR (under CEQA) to be less than significant. The definition under CKH is significantly broader than that used under CEQA, and the DEIR is simply incorrect in its discussion and conclusions in the Reorganization chapter. (See DEIR, p. 6-18.) Finally, reliance upon habitat mitigation to ensure that impacts resulting from the conversion of prime agricultural lands will be adequately mitigated is an approach not only lacking in substantial evidence, it makes no sense at all. Mitigation for conversion of agricultural lands includes ensuring that active agriculture will continue. Habitat preservation is wholly unrelated to this aspect of agricultural mitigation.

O4-28 cont.

Please see prior NOP comments which have not been adequately addressed.

O4-29

Natomas North Precinct: Control Number: PLNP2014-0017; State Clearinghouse Number: 2016042079; other reasonably foreseeable projects. This EIR needs to be coordinated with the EIR for the County's Natomas Precinct project. It needs to be considered a pending reasonably foreseeable project for evaluation of project specific and cumulative impacts. Also, Valley View Acres is preparing to submit a plan to reinstate its rural estates General and Community Plan designations (one acre minimum parcel designation). This should be considered an anticipated project, as the proposed project includes incompatible uses adjacent to Rural Estates with livestock. In addition, a number of large development projects are either under evaluation or planned in the project area. All of these projects need to be more accurately considered in cumulative impact analysis. These EIRs should have been

O4-30

released concurrently so that affected residents could evaluate impacts disclosed in one and not the other, mitigation, issues, etc. Instead, assumptions are made about a project whose NOP was essentially concurrent. 04-30 cont.

Social, Physical and Economic Impacts Causing Adverse Environmental Impacts, Crime, Traffic and Circulation, Loss of Low Income Housing The proposed project includes an annexation and is subject to the requirements of the Cortese/Knox/Hertzberg Act (CKH). The California Environmental Quality Act (CEQA) applies to all parts of the project proposal. However, the CKH Act project is mentioned here because one of the most important State Supreme Court rulings regarding the relationship between projects, as defined by CEQA, and significant adverse environmental impacts caused by project-induced crime, blight and economic decline, (in this case we suggest loss of low income housing due to complaints about perceived nuisances stemming from lower income housing snobbery would be a applicable impact) based on a CKH applicable project. In the case of the Citrus Heights Incorporation proposal, the Sacramento Local Agency Formation Commission (LAFCO) determined there were no adverse project related significant impacts which could not be reduced to a level of insignificance. LAFCO prepared and adopted a Negative Declaration and approved the project. Issues identified in the NOP have not been adequately assessed or mitigated to a less than significant level. 04-31

Parks and open space Please see NOP comments that have not been adequately assessed or mitigated to the extent feasible. The previously proposed park at Del Paso and along Valley View has been removed and in lieu fees requested. The NNCP had 100 acres of open space across form our low income neighborhood; the 2007 plan had a wide Sorento and 50 foot buffer with landscaped wall. Where is our buffer adopted as mitigation in previous City plans as impact avoidance mitigation? Impacts need to be assessed and mitigated to the extent feasible. 04-32

Other Traffic and Air Quality Issues and Impacts This proposal appears to be inconsistent with the traffic policies of the City's General Plan, and the Sacramento Council of Government's MTP/SCS with Blueprint Reference and Transit Priorities Map and policies. In fact, under this MTP/SCS Map (horizon year 2036) no growth is anticipated to occur 4/4/16). 04-33

The Habitat Conservation Plan discourages projects that induce growth on areas not identified as growth in that Plan. This proposal will induce growth to the north and produce more traffic impacts than are necessary for a low-density residential community. There can't be access to the east because of the levee and public lands, none to the south because of existing industrial areas. 04-34

Growth Inducrment Water line along Sorento The placement of an 8 inch water line and other urban services is growth inducing to Valley View Acres. Impacts need to be disclosed and mitigated. 04-35

Creation of an unincorporated island within a City. This project is inconsistent with the intent of state laws designed to promote orderly growth and development. Specifically, the state encourages LAFCos to initiate annexations of existing unincorporated islands and not create new ones. This project should be denied because of this proposal to annex the handle 04-36

without the pan. The creation of an island in this case is inconsistent with the law.

Sacramento LAFCo policy regarding the creation of an island is as follows:

C. Boundaries

1. The LAFCo will not approve applications within boundaries which:
a. Result in islands, corridors or peninsulas or incorporated or unincorporated territory or otherwise cause or further the distortion of existing boundaries;

2. LAFCo will make exceptions to the requirements of this standard only if the exception:

a. Is rendered necessary because of unique circumstances;
b. Results in improved quality or lower cost of service available to the affected parties; or
c. There exists no feasible and logical alternative.

O4-36 cont.

The DEIR does not explain how the project fits into any of the exceptions. The only explanation is that the island that will be created is as follows:

The proposed reorganization of the project area would create an 835.3-acre unincorporated island within the City south of Del Paso Road (see Exhibit 7-4). This area is already developed with light industrial, warehouse, and commercial uses and does not require changes to service provisions. The annexation of the project area and implementation of the Panhandle PUD would promote the orderly growth and completion of the vision of the North Natomas Community Plan consistent with the exceptions set forth in Specific Standard A. Annexation to Cities, Item 5. (DEIR p. 6-21.)

The DEIR does not state that the island is necessary because of unique circumstances, will result in lower cost of service or that there exists no feasible and logical alternative. The project violates LAFCo's policies.

The 1994 North Natomas Community Plan has not been updated and many policies have not been changed or deleted. These policies need to be evaluated and addressed including closure of Sorento Road to through traffic.

O4-37

There are so many air quality, habitat, land use, housing and circulation issues that have not been adequately addressed that it is difficult to include them in these comments. We incorporate by reference on comments on the City's previous Panhandle EIR, and the NOP comments by ECOS and Valley View that have not yet been in adequately addressed or mitigated to the level feasible.

O4-38

C. Conclusion

Because of the issues raised above, we believe that the DEIR fails to meet the requirements of the California Environmental Quality Act and that the Project is inconsistent with applicable planning documents. For these reasons, we believe the proposal should be denied, pending appropriate environmental review and a revised Project and DEIR. 04-39

Valley View Acres Neighbors Working Together
North Natomas Community Association Board
c/o David Lichman, Leader , VVANWT
5000 Tunis Road
Sacramento, California 95835
Phone Contact: 916-991-2177

Letter 04	Valley View Acres Neighbors Working Together and North Natomas Community Association Board David Lichman, Leader 8/3/2017

04-1 This comment states that this letter does not replace earlier comments and requests that all documents and comments submitted during the environmental review process be included in the record of proceedings for this project as well as comments submitted during the consideration of an earlier project design in 2006 and 2007. As required by CEQA, the administrative record for the project includes all final documents and their appendices. In this case, the Draft EIR included all notice of preparation (NOP) comments received during the scoping period within Appendix A. This Final EIR includes all comments received during the public comment period on the Draft EIR. Together, the Draft and Final EIR compile the complete CEQA record of the project. Thus, all comment letters received regarding the NOP and Draft EIR are included in the project record. It should also be noted that this project is a new development application and is not related to the 2006/2007 development application. Thus, the 2006/2007 CEQA documentation does not apply to this new project.

04-2 This comment states a general opinion that the Draft EIR does not comply with CEQA and fails to adequately address the direct and indirect impacts on the environment; comments submitted regarding the NOP; previous environmental reviews; impacts related to aesthetics, air quality and climate change, traffic, water supply and quality, land use, and other topics; The comment further states that the Draft EIR's conclusions are not supported by substantial evidence in the record.

The comment is introductory in nature and does not provide specific examples of any alleged inadequacy. The City of Sacramento respectfully disagrees with the statement that the Draft EIR does not comply with CEQA. During their consideration of the adequacy of the EIR, the City decisionmakers will review all documents and comments and will determine whether the EIR is adequate under CEQA.

04-3 This comment states that the air quality and global warming sections of the Draft EIR should be revised to address all greenhouse gas (GHG) and other emissions from the project and mitigate through concrete goals, policies, programs, and mitigation measures. As stated on page 5.2-11 of the Draft EIR, air pollutant emissions and associated impacts were assessed in accordance with guidance and methodologies provided by the City of Sacramento and the Sacramento Metropolitan Air Quality Management District (SMAQMD). The impact assessments and conclusions in Section 5.2, "Air Quality," and Section 5.5, "Greenhouse Gas Emissions and Climate Change," reflect analysis based on complete calculation of all project-related emissions (construction and operational). Furthermore, the mitigation measures provided in those two sections provide all feasible mitigation, as discussed and evaluated in each impact discussion. For example, Mitigation Measure 5.6-1b would explicitly require the project to offset project GHG emissions that are not mitigated on-site under Mitigation Measure 5.6-1a. Because the comment does not provide specific examples or details in support of its position, further response is not possible.

04-4 This comment states that the City failed to look at reasonable mitigation measures despite a legal requirement to do so. The comment cites to the State CEQA Guidelines and literature and states that even while the extent of impacts may be uncertain, CEQA requires lead agencies to discuss mitigation of likely impacts.

Each environmental topic section of the Draft EIR includes a discussion of the methods and assumptions used for the analysis of each resource topic. While there may be uncertainties

regarding future impacts, the Draft EIR disclosed all reasonably foreseeable impacts that could be determined based on the project description. Additionally, where potentially significant impacts were anticipated, mitigation measures were included in the Draft EIR, as well as a discussion of the anticipated mitigation and significance conclusion following mitigation. Because the comment does on offer specifics on where mitigation allegedly was not provided, further response is not possible.

04-5 This comment states a general assertion that the Draft EIR failed to evaluate a reasonable range of alternatives and failed to adequately account for existing and future projects in the cumulative impact analysis.

State CEQA Guidelines Section 15126.6 states that "An EIR shall 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. An EIR need not consider every conceivable alternative to a project." As noted in Chapter 2, "Executive Summary," of the Draft EIR, significant and unavoidable impacts associated with implementation of the project were identified regarding air quality, noise and vibration, transportation and circulation, and urban design and visual resources. Additionally, the EIR required mitigation to reduce impacts related to biological resources; archaeological, historical, and tribal cultural resources; geology, soils, mineral resources, and paleontology; greenhouse gas emissions and climate change; hazardous materials and hazards; hydrology and water quality; and, public services and recreation.

Chapter 7, "Project Alternatives," of the Draft EIR discusses the three alternatives evaluated in the Draft EIR. The three alternatives evaluated in the Draft EIR in addition to the project represent a reasonable range of alternatives. The comment does not suggest additional alternatives that should be considered to avoid or mitigate any potentially significant environmental impacts of the project while meeting most of the project objectives, or those that would offer substantial environmental advantages, or be more feasible than the alternatives analyzed in the Draft EIR (State CEQA Guidelines section 15204[a]). Therefore, no further response can be provided.

04-6 This comment asserts that the project is inconsistent with the City of Sacramento General Plan, the North Natomas Community Plan (NNCP), and the Natomas Basin Habitat Conservation Plan (NBHCP). The comment further asserts that the project disregards impact to roadways and infrastructure.

Chapter 4, "Land Use, Population, and Housing," of the Draft EIR evaluated the project's consistency with the Sacramento 2035 General Plan and the NNCP (see Draft EIR pages 4-16 and 4-17). The analysis in the Draft EIR concluded that the project was consistent with these two plans. The comment provides no information or analysis that counters these conclusions in the Draft EIR.

Draft EIR page 5.3-17 identifies that the NBHCP provides that upon annexation, the project area automatically will be included within the 8,050-acre City of Sacramento Permit Area and covered by the NBHCP. The NBHCP states as follows:

> The Panhandle has always been included in the North Natomas Community Plan, and is included in the Authorized Development area of the City; however the City's incidental take permits would not apply to the Panhandle area until and unless it is annexed to the City.

Consequently, the project is subject to the avoidance, minimization, mitigation, and conservation measures set forth in the NBHCP and the incident take permits upon

annexation. As stated on page 5.3-20 of the Draft EIR, mitigation measures from the NBHCP have been identified to avoid or minimize impacts where applicable, and mitigation measures for impacts not covered by the NBHCP were also included in the Draft EIR. See also Response to Comment O1-3 above.

Draft EIR Section 5.11, "Transportation and Circulation," evaluates project and cumulative traffic operational impacts to City and Sacramento roadways. Mitigation Measures 5.11-1, 5.11-2, 5.11-3a, 5.11-3b, 5.11-7, and 5.11-11 would address project impacts area roadway and transit services.

Potential environmental impacts associated with infrastructure are addressed in Draft EIR Sections 5.8, "Hydrology and Water Quality," and 5.13, "Utilities." Potential drainage impacts would be mitigated through the implementation of Mitigation Measure 5.8-1 (demonstration of compliance with project drainage report with each phase of site development). Section 5.13 identifies no significant project impacts would occur for water, wastewater, or solid waste facilities. This conclusion is also made for the extension of electric and natural gas infrastructure to the project under Draft EIR Section 5.14, "Energy."

04-7 This comment states that the commenter previously requested that cost and requirements for funding and implementation be included with all mitigation measures. The comment further states that the Draft EIR must include a discussion regarding the feasibility of funding and that mitigation needs to be implemented before homes are constructed.

The timing and responsibility for each mitigation measure is included with each impact analysis and mitigation discussion in the Draft EIR and is memorialized in Chapter 4, "Mitigation Monitoring and Reporting Program," of the Final EIR. Costs associated roadway and infrastructure improvements are provided in the Panhandle PUD Public Facilities Financing Plan that is included in the project application file with the City.

04-8 This comment states that the extension of National Drive to Elkhorn Boulevard is essential for access to the project, the East Natomas Education Complex, and Del Paso Road. The extension of a roadway connection between Del Paso Road and Elkhorn Boulevard is a component of the Panhandle PUD as shown in Draft EIR Exhibit 3-4 and in the revisions to the project design described in Chapter 2, "Project Modifications," of this Final EIR. The ultimate extension of this roadway connection through Krumenacher Ranch would occur once that property is entitled for development or the City obtains the right-of-way to extend the roadway. Draft EIR pages 5.11-77 through 5.11-79 identifies a recommended phasing of the project and roadway improvements. Draft EIR Table 5.11-31 explains that the roadway connection between Del Paso Road and Elkhorn Boulevard should occur with the opening of the East Natomas Education Complex (not a component of this project) or development of the Krumenacher Ranch site.

04-9 This comment asserts that the Draft EIR provides no substantial evidence to support its statement that the school would not be accessed by Sorento Road. The summary of NOP Comments (page 1-6) indicates that "The East Natomas Education Complex would obtain access to the project's internal roadway system, and not Sorento Road." This statement is referring to the driveway access to the school complex, and not the potential routes that motorists may use to access the East Natomas Education Complex site. Traffic generated by the East Natomas Education Complex and it anticipated distribution was included in the Draft EIR traffic analysis in Section 5.11, "Transportation and Circulation." Draft EIR Table 5.11-13 and Exhibit 5.11-9 identify assumed traffic generation and access points to the East Natomas Education Complex. The comment provides no evidence or analysis that would alter the Draft EIR traffic analysis and conclusions.

04-10 This comment states that the project removes the health and safety and traffic calming measures approved and implemented by the City for the Valley View Acres community. The comment further states that Levee Road needs to be barricaded, and that mitigation is needed to reduce safety hazards on Sorento Road.

Impacts to Sorento Road are addressed in Draft EIR Impact 5.11-3 (existing plus project) and Impact 5.11-11(cumulative plus project) (see Draft EIR pages 5.11-45 through 5.11-49 and 5.11-70 and 5.11-71). Mitigation Measure 5.11-3b includes the implementation of neighborhood traffic management plan for Sorento Road consistent with General Plan Policy M 4.3.2 on the provision of traffic calming measures. The neighborhood traffic management plan would address the impacts of increased traffic volumes on this street. The plan will focus on travel speed and safe pedestrian crossings, and may include elements such as chokers, pedestrian islands, curb extensions, and speed humps.

No project access has been assumed to East Levee Road north of its intersection with Sorento Road. No motor vehicle traffic has been assumed on East Levee Road north of its intersection with Sorento Road because the barrier at Elkhorn Boulevard is expected to remain in place.

04-11 This comment notes that current fire and police staff seem to be lobbying against their earlier recommendations to prohibit certain road connections as approved by the Planning Commission as part of the 2007 project consideration. It should be noted that the 2007 project only received a recommendation of approval by the Planning Commission. The project was never approved by the City Council and the 2007 Final EIR was never certified.

As stated on page 5.11-52 of the Draft EIR, the circulation system of the project was designed to meet all design and safety standards established by the City. While prior versions of the project (i.e., the 2007 Panhandle project) may have had a different circulation system, the circulation system of the present project is compliant with current standards.

04-12 This comment states that during a recent public meeting, a Council Member stated that gate openers would not be provided for emergency access to Valley View Acres.

The comment does not state the exact location of the gate. The only existing gate in the area is the gate prohibiting access to East Levee Road at its intersection with Elkhorn Boulevard. That gate is outside of the project and would not be changed, modified, or otherwise affected by the project. None of the project roadways are currently planned to be gated.

04-13 This comment states that the potential impacts related to land use compatibility have not been adequately addressed in the Draft EIR. The comment further states that the City's files regarding the 1994 Valley View Acres Community rezone be included in the project's record of proceedings. The comment concludes by predicting that new residents in the project area will not be happy with the proximity of Valley View Acres.

The analysis of land use compatibility begins on page 4-18 of the Draft EIR and notes that to protect the rural character of the Valley View Acres community, there will be a landscaped wall and landscaping setback from the west side of Sorento Road. Also, it should be noted that development within the Rural Residential designation, such as Valley View Acres, is intended to serve as a physical transition between suburban uses and open space. Thus, the placement of suburban development associated with the project is anticipated in existing land use designations.

04-14 This comment states that keeping street lights on the west side of Sorento Road will not reduce light and glare to homes east of Sorento Road. The comment also states that road

improvements on the west side of Sorento will not prevent runoff from filling ditches to the east.

Impact 5.12-2 of the Draft EIR evaluated the potential for impacts related to light and glare from the project and determined that with implementation of Mitigation Measure 5.12-2, impacts would be reduced to a less-than-significant level. The analysis notes that the project would introduce new sources of light near the project, but that exterior lighting would be shielded or otherwise directed to avoid excess spillover. Thus, while areas adjacent to the project may notice new nighttime lighting in the area, it would not be a significant impact.

Impact 5.8-1 of the Draft EIR evaluated the potential impacts of the project related to stormwater runoff and surface water drainage patterns. The on-site detention basin would store surface water until it can be discharged to existing pipes that run parallel to Truxel Road. Mitigation Measure 5.8-1 requires compliance with the Drainage System Modeling Report for the Natomas Panhandle for each phase of development. This mitigation also requires demonstration that that existing flooding issues at the intersection of Del Paso Road and Sorento Road will not worsen by site development. With implementation of Mitigation Measure 5.8-1, the Draft EIR concluded that impacts of the project related to stormwater runoff and surface water drainage patterns would be less than significant.

04-15 This comment questions whether the project's new residents would be placed outside of the Sorento Road right-of-way. Development of the project site would not occur within the existing roadway right-of-way, and would be further set back from the roadway through the requirement of a landscaped wall and landscaping setback from the west side of Sorento Road. As described in Chapter 2, "Project Modifications," of this Final EIR, the project would include a trail on the west side of Sorento Road.

04-16 Under the sub-title of "Environmental Justice," this comment states that the Valley View Acres area is a racially and ethnically diverse low-income neighborhood, and that the project seeks to place high-end development across the street from this neighborhood. The comment does not question the analysis or conclusions of the Draft EIR. The Draft EIR does address concerns related to environmental justice on Draft EIR page 6-20 and concludes no significant environmental justice impacts would occur.

04-17 This comment states that the 1985 and 1994 Community Plans recognized the special characteristics of Valley View Acres and set aside land in agricultural zone as a compromise for providing land west of Interstate 5 for urban development. While the project area may have been historically designated for agricultural use, it is currently designated as Planned Development by the City of Sacramento 2035 General Plan and the North Natomas Community Plan (NNCP) as adopted in March 2015 (see Draft EIR page 4-13). The Draft EIR explains that the project is consistent with the current NNCP land use policy provisions (see Draft EIR page 4-17).

04-18 This comment states that the ability of Valley View Acres residents to raise food and keep animals is threatened by eastward-facing residents of the project who will complain about the aesthetics and odors. The comment further states that project housing must be set back consistent with previous approvals on the project site.

The project includes lower density "Estate" lots primarily in the eastern portion of the PUD that transition project residential densities to complement the rural residential character of the Valley View Acres community to the east of the project. Adjacent agricultural uses to the project include rice crops, grazing, and limited rural residential animal husbandry activities north and east of the project area. There are no large-scale agricultural operations (e.g., dairies, processing facilities, pens with large concentration of animals, and agricultural equipment and material storage sites) adjacent to the project (the nearest operation is

approximately 8,000 feet [over 1.5 miles] from the project area) (see Draft EIR page 5.1-8). Impact 5.1-2 of the Draft EIR evaluated the potential for compatibility of the project with adjacent agricultural uses and concluded that impacts would be less than significant, and no mitigation was required. The comment dos not specify the size of setback requested, but the revised project (see Chapter 2, "Project Modifications") does include the requirement of a landscaped wall and landscaping setback (25 feet) from the west side of Sorento Road, which would provide additional separation between the project and the rural residences east of Sorento Road.

04-19 This comment states that California has been subject to strict water conservation requirements and that local newspapers have reported that there is insufficient water to meet the needs of existing and approved development. The comment further states that there is no new water source for the project and that the Draft EIR does not adequately address project-related and cumulative impacts.

As discussed in Section 5.13, Utilities, of the Draft EIR, an evaluation of the project's water demand and sources was prepared in accordance with the City's water supply assessment (WSA) checklist. Table 5.13-4 (copied below) of the Draft EIR identifies the amount of water supply available to the City of Sacramento.

Table 5.13-4 City of Sacramento Water Supply Summary in Acre Feet Per Year (Retail Only)

Water Condition	2020	2025	2030	2035	2040
Normal Water Year	275,917	288,288	294,419	294,419	294,419
Single-Dry Year	275,917	288,288	294,419	294,419	294,419
Multiple-Dry Year	275,917	288,288	294,419	294,419	294,419

Source: City of Sacramento 2015 Urban Water Management Plan Table 7-7, 7-9, and 7-11

Table 5.13-6 of the Draft EIR (copied below) identifies the projected water demand for the City of Sacramento.

Table 5.13-6 City of Sacramento Projected Water Demands in Acre Feet Per Year (Retail Only)

	2020	2025	2030	2035	2040
Single-Family	54,354	57,582	61,699	65,815	72,899
Multi-Family	23,097	24,469	26,218	27,967	29,889
Other (Commercial/Industrial)	20,873	22,172	23,829	25,485	27,305
Institutional (and governmental)	5,995	6,351	6,805	7,259	7,758
Landscape	5,374	5,693	6,100	6,507	6,954
Other	214	227	243	259	277
Loses	12,323	13,055	13,988	14,921	15,947
Total	**122,229**	**129,548**	**138,882**	**148,213**	**162,029**

Source: City of Sacramento 2015 Urban Water Management Plan Table 4-3

Table 5.13-7 of the Draft EIR shows that estimated water demand for the project at build out by land use. Overall, the original project is expected to demand 1,940.98 acre-feet per year (afy). As identified in Table 5.13-6, City 2020 retail water demands are anticipated to be

122,229 acre-feet, while 2020 City water supplies are 275,917 acre-feet in all water year conditions. If the project reached full build-out by 2020, it would increase 2020 retail water demands of the City to 124,169.98 acre-feet and would be well within 2020 City water supplies for normal, dry year, and multiple-dry year conditions. As noted on page 5.13-12 of the Draft EIR, the City's water rights combined with its water rights settlement contract with the U.S. Bureau of Reclamation (USBR) provide the City with a long-term reliable and secure surface water supply source. Chapter 2, "Project Modifications," also explains that modifications to the project site design would reduce project water demand by 0.69 acre-feet per year. The comment provides no information or analysis that would alter the conclusions in the Draft EIR or the City's 2015 Urban Water Management Plan.

04-20 This comment provides information regarding historic flooding in Natomas and two subsequent flood control moratoriums in the project area. The comment further states that all SAFCA and Corps flood event projection documents indicate that the Natomas basin will eventually flood. The comment does not provide specific references to these documents, nor are the dates of the projections provided in the comment.

Section 5.8, "Hydrology and Water Quality," of the Draft EIR discloses that the Natomas Basin (which includes the project) is designated within the 100-year flood hazard zone (AE Zone) as a result of the Corps decertification of the levee system in 2008 (see Draft EIR page 5.8-2). The SAFCA, California Department of Water Resources, and the Corps have been implementing the NLIP to upgrade the levee system protecting the Natomas Basin that will ultimately provide 200-year flood protection. Following 18 miles of levee improvements by SAFCA and the California Department of Water Resources that began in 2007 and the congressional authorization in June 2014, the Natomas Basin, as of June 2015, is now mapped as Zone A99 (see Draft EIR page 5.8-2). The A99 Zone means that enough progress had been made on the flood protection system at the time of the most recent map update to determine that the area will have protection from the 100-year flood when construction is complete. The City of Sacramento amended Chapter 15.104 of the Sacramento City Code relating to floodplain management regulations for the portion of the Natomas Basin within the city under a Zone A99 flood designation. The ordinance limits new residential growth by calendar year for the Natomas Basin to minimize public health and safety hazards from flooding while remaining levee improvements are completed. Property owners in the project would need to maintain flood insurance until 100-year protection is achieved and FEMA changes the basin's designation on the FIRM from Zone A99 to Zone X. The remaining improvements under the NLIP are in process and planned to be completed by the year 2025 (SAFCA 2017a), which is prior to the anticipated build out of the project. The commenter is referred to Response to Comment O1-4 for further details on progress on NLIP improvements.

The City maintains its Comprehensive Flood Management Plan (February 2016) that provides guidance for emergency management and evacuation in the event of a levee failure. The City has also prepared detailed maps showing flooding impacts for multiple hypothetical levee failures under the 200-year flood event (City of Sacramento 2017c). These maps identify depth of flooding, length of time that flood depths reach one-foot, and the length of time evacuation routes are passable. Evacuation routes for the project to escape flooding from a levee failure would consist of Elkhorn Boulevard and Del Paso Road. City flooding maps identify the Elkhorn Boulevard would remain useable in the event of a levee breach on the NEMDC. The reader is referred to Response to Comment O1-4 for details on depth of flooding, length of time that flood depths reach one-foot, and the length of time evacuation routes are passable for the project.

04-21 This comment observes that the project and the proposed Natomas Precinct project both appear to include plans to pump runoff and floodwater into Steelhead Creek. Draft EIR page

5.8-12 identifies that the project detention basin would provide storage to allow outflows to be metered at a reduced rate of discharge to existing twin, 60-inch pipes that drain runoff from the site to the canal that runs parallel to Truxel Road. The project would not discharge to Steelhead Creek (NEMDC).

04-22 This comment states the opinion that the proposed location of the detention facility within the project illustrates a lack of awareness of surface and subsurface water flow patterns, leading to serious errors in evaluation of potential impacts. However, the comment does not provide specific evidence of flaws or inaccuracies in the project drainage study. Lacking specific information regarding the comment's assertions, further response cannot be provided.

04-23 This comment states that project development should include mitigation to ensure the safety of the region's residents during above-normal precipitation events. The comment further states that a mitigation measure should be included that would locate detention basins at the southeast corner of the project site to manage runoff from Robla Creek and other areas.

As discussed in Impact 5.8-8 (page 5.8-12) of the Draft EIR, although implementation of these improvements would generally accommodate increased drainage flows from Panhandle PUD buildout, development could worsen existing drainage and local flooding issues at the intersection of Del Paso Road and Sorento Road. This concern would be addressed through the implementation of Mitigation Measure 5.8-1, which would require that the developer demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsen by site development. This demonstration would consist of details on drainage improvements addressing this flooding condition for future development of the southeast corner of the project as part of small lot subdivision map submittals.

04-24 This comment asserts that access to the project site would be inadequate in the event of deep flooding. The reader is referred to Response to Comment 01-4 and 04-20. Issues associated with evacuation from potential failure of Oroville Dam during the 2016/2017 winter are noted.

04-25 This comment refers to comments submitted on the NOP and asserts that project and cumulative impacts were not adequately addressed or mitigated as previously recommended. Draft EIR Table 1-1 identifies where each of the environmental issues identified in NOP comments that are subject to CEQA were addressed in the Draft EIR. Several of the mitigation measures from the previous EIR were used in this Draft EIR. Examples include Mitigation Measure 5.2-2 (implementation of an Air Quality Mitigation Plan) that is similar to the 2007 Final EIR Mitigation Measure MM 4.5.3, Mitigation Measure 5.8-1 (consistency with the drainage plan) is similar to the 2007 Final EIR Mitigation Measure MM 4.11.1, and Mitigation Measure 5.10-1b (implementation of the public facilities finance plan) that is similar to the 2007 Final EIR Mitigation Measure MM 4.13.1.1b.

04-26 This comment asserts that the project undermines local, state, regional, and federal air quality and traffic management goals and the extension of utility infrastructure to the project site would induce growth in the area. The potential for growth-inducing impacts of the project were evaluated in Section 8.3, Growth-Inducing Impacts, of the Draft EIR. Implementation of the project would foster short-term and long-term economic growth as a result of new construction, increased residential units, and employment opportunities. The environmental impacts associated with these growth-inducing effects are described throughout the Draft EIR.

04-27 This comment states that the project appears to be inconsistent with local, state, and federal air quality attainment plans and greenhouse gas emissions (GHG) reduction plans. Section

5.2, "Air Quality," evaluated potential impacts related to air quality, including compliance with existing guidance and requirements. Section 5.6, "Greenhouse Gas Emissions and Climate Change," evaluated the potential for the project to conflict with requirements geared towards reducing GHG emissions. Mitigation Measures 5.2-1 and 5.2-2 would reduce project ozone precursor emissions, but the Draft EIR does acknowledge that the operational emissions of the project may contribute to the nonattainment status of the region for ozone (see Draft EIR page 5.2-20). Implementation of Mitigation Measures 5.6-1a and 5.6-1b would offset project GHG emissions and would be consistent with City of Sacramento Climate Action Plan and state GHG reduction efforts (see Draft EIR page 5.6-14).

04-28 This comment states that the Draft EIR fails to apply the definitions of agricultural land as described in the in the Cortese Knox Hertzberg Act (CKH) to the evaluation of CEQA impacts related to agricultural resources. The comment further questions the evidence demonstrating that habitat preservation under the NBHCP would address loss of prime agricultural lands as stated on page 6-18 of the draft EIR.

As discussed on page 5.1-6 of the Draft EIR, the significance criteria regarding agricultural resources centers on the conversion to non-agricultural uses to land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the latest Farmland Mapping and Monitoring Program (FMMP) maps produced by the California Resources Agency. Impact 5.1-1 of the Draft EIR evaluated the potential for conversion of land within any of these categories, and determined that none of the land that would be developed under the project fell within any of the categories identified in State CEQA Guidelines Appendix G. Because the use of FMMP categories and maps is specified by the Appendix G checklist and in the significance criteria adopted by the City of Sacramento, CKH categories and criterion are not appropriate for CEQA analysis. The use of CKH criteria is used and described in Section 6.2.7 of the Draft EIR, which discusses impacts to agricultural lands relative to the reorganization of the land from unincorporated County land to an area annexed to the City of Sacramento. The definition of prime agricultural land under Section 56064 of the Cortese-Knox-Hertzberg Local Government Reorganization Act is described on Draft EIR page 6-6. Section 56064 requires that a subject property need only meet one of the five criteria under sub-sections (a) through (e) to be considered prime agricultural land.

Impact 5.3-2 of the Draft EIR evaluates the potential for impacts to special-status species. Within that discussion, it is noted that agricultural land provides foraging and nesting habitat for a variety of species. Thus, mitigation measures that preserve or protect biological resources may also serve to mitigate the loss of agricultural land. This mitigation approach was developed based on consultations with Sacramento LAFCo staff. Sacramento LAFCo's *Policy, Standards and Procedures Manual* allow the annexation of prime agricultural in open space if the criteria set forth in its General Standards E. Agricultural Land Conservation are adhered to. Draft EIR page 6-21 identifies that the project would be consistent with these criteria as follows:

- The project would be contiguous with the adjacent development to the east, west, and south which consists of lands developed or approved for suburban uses.
- The project is within the existing SOI for the City of Sacramento. A Plan for Services has been proposed for the project that addresses public service provision and utilities.
- Development of the project area is currently anticipated to being in the near-term.
- As previously noted, development in the North Natomas area has occurred rapidly since adoption of the North Natomas Community Plan in 1994. There are currently no sites within the city boundaries in the North Natomas area that accommodate a development similar to the project (in size) that is not already entitled for development. The project is

the only land area within with City's SOI in the North Natomas area. Thus, it can be concluded that insufficient vacant nonprime land exists within the City's SOI.

As identified on Draft EIR page 6-9, LAFCo requires the determination of whether the project would have a significant adverse effect on the physical and economic integrity of other agricultural lands. The 119-acre Krumenacher Ranch site of the northern portion of the project area is not included in the Panhandle PUD and does not include any proposed land use entitlements. There are active rice crop operations approximately 400 feet northwest of the site. Future urban development of this portion of the project area could result in conflicts to agricultural operations to the north. The design of future development on the Krumenacher Ranch would be subject to City agricultural buffering policies, such as North Natomas Community Plan Policy NN.ERC 1.10 which requires an agricultural buffer consisting of a 250-foot-wide strip of land along the south side of West Elkhorn Boulevard. With these requirements in place. the project is not expected to adversely impact adjacent agricultural lands (see Draft EIR pages 5.1-8 and 5.1-9).

04-29 This comment asserts that prior NOP comments have not been addressed. Please see Table 1-1 of the Draft EIR. Table 1-1 provides summaries of NOP comments, including a summary of issues and location where the item is addressed in the Draft EIR.

04-30 This comment states that the project needs to be coordinated with Sacramento County's Natomas North Precinct project. The comment also states that there are a number of large development projects in the project area that must be more accurately considered in the cumulative impact analysis. Reasonably foreseeable projects were considered and utilized in the cumulative impact analysis provided in Draft EIR Sections 5.1 through 5.14. Draft EIR Table 5-2 specifically identifies cumulative development projects and includes the proposed Natomas North Precinct Master Plan. Regarding, Valley View Acres intention to submit a new project, an application has not been submitted to the City as of the preparation of the Draft or Final EIR; therefore, it is not considered a reasonably foreseeable project at this time. With regard to coordinated circulation of environmental documents, there is no requirement under CEQA to release draft EIRs concurrently for independent projects. Further, the cumulative impact analysis of the Draft EIR is reflective of the best available information regarding cumulative development.

04-31 This comment expresses concerns regarding impacts caused by project-induced crime, blight, and economic decline. The comment further asserts that issues identified in the NOP have not been adequately addressed or mitigated to a less-than-significant level.

Please see Table 1-1 of the Draft EIR which provides summaries of all NOP comments, including a summary of issues and location where the item is addressed in the Draft EIR. Law enforcement impacts of the project are addressed in Draft EIR Impact 5.10-2.

04-32 This comment asserts the Draft EIR did not adequately address NOP comments regarding parks and open space. The comment notes that prior plans included buffers to separate the Valley View Acres neighborhood.

Please see Table 1-1 of the Draft EIR which provides summaries of all NOP comments, including a summary of issues and location where the item is addressed in the Draft EIR. Draft EIR page 5.10-20 addresses project impacts to parks and determines that the Panhandle PUD would provide substantial new park and passive open space (Ninos Parkway) facilities on-site and would pay City park fees that would mitigate its park impacts. No conflicts with adjacent communities are identified in Section 4.4, "Land Use Evaluation." Draft EIR page 4-18 identifies that the lower density "Estate" lots are proposed primarily in the eastern portion of the project that transition project residential densities to complement the rural residential character of the Valley View Acres community to the east of the project.

The project design also includes a landscape setback and wall along the western frontage of Sorento Road.

Draft EIR Alternative 3, Reduced Intensity Alternative, includes a large buffer of parks and open space along the eastern border of the project site. Alternative 3 would reduce significant impacts related to biological resources and visual impacts. As part of the project consideration process, the City will evaluate the project and its alternatives to determine which project best meets the project objectives while minimizing environmental effects. Please see Section 7.4.3 for a full description of Alternative 3, as well as discussions of environmental impacts.

04-33 This comment states that the project appears inconsistent with the traffic policies of the City's General Plan, Blueprint, and SACOG's 2016 MTP/SCS.

Draft EIR page 4-16, identifies that the project area is designated as "Blueprint Growth Footprint Not Identified for Development in the MTP/SCS Planning Period." MTP/SCS Appendix E-3 notes that the Panhandle PUD was not identified for growth in the MTP/SCS period because of its unincorporated status, infrastructure need, and potential flood and habitat issues. The project area was designated under the Blueprint for development of residential, commercial, and open space uses. Specifically, the Blueprint identifies an open space corridor along the eastern boundary of the project area. The Panhandle PUD retains a portion of this open space corridor as the Nino Parkway, but designates the remaining area for residential development. The Blueprint is not a policy document and does not regulate land use or approve or prohibit growth in the region. Ultimately, the City will render a determination on whether the project is consistent with the MTP/SCS.

Draft EIR Section 5.11, "Transportation and Circulation," impact analysis on pages 5.11-42 through 5.11-73 addresses project consistency with City General Plan circulation policies and provides mitigation measures that ensure consistency with the General Plan. The comment provides no information or analysis that counters the conclusions of the Draft EIR.

04-34 This comment states that the Habitat Conservation Plan discourages growth inducement in areas not identified for growth under the HCP. The project would not trigger or necessitate the development of land areas outside of its boundaries beyond what is planned for under the City of Sacramento General Plan and North Natomas Community Plan. As identified under Response to Comment 04-6, the project is subject to the Natomas Basin Habitat Conservation Plan.

04-35 This comment states that the placement of an 8-inch water line and other urban services is growth inducing to Valley View Acres, the impacts of which need to be disclosed and mitigated. As noted on page 8-4 of the Draft EIR, the project could eliminate obstacles to growth through the extension and provision of utilities and services. The project would not trigger or necessitate the development of land areas outside of its boundaries beyond what is planned for under the City of Sacramento General Plan and North Natomas Community Plan. The Draft EIR further noted that the project would connect to existing utility infrastructure and would not facilitate additional development through expansion of regional facilities. The environmental impacts associated with the direct growth-inducing effects were described throughout the Draft EIR.

04-36 This comment states that the project would create an island of unincorporated land within the City of Sacramento, but that the Draft EIR does not evaluate this inconsistency with LAFCo policies. Specific Standard A. Annexation to Cities, Item 5 specifically states:

> An annexation may not result in islands of incorporated or unincorporated territory or otherwise cause or further the distortion of existing boundaries unless it is

> determined that the annexation as proposed is necessary for orderly growth, and cannot be annexed to another city or incorporated as a new city. Annexations of territory must be contiguous to the annexing city. Territory is not contiguous if its only connection is a strip of land more than 300 feet long and less than 200 feet wide.

Creation of unincorporated islands acceptable if the annexation proposed is necessary for orderly growth and cannot be annexed to another city or incorporated as a new city. The Panhandle PUD would promote orderly growth of the North Natomas community that is consistent with the land use policy provisions of the City of Sacramento General Plan and the North Natomas Community Plan (see Draft EIR pages 4-16 and 4-17). There are no other cities near the project and the project is not of an adequate economy of scale to support municipal financial requirements to support the formation of a new city. Consistency or potential inconsistency with Sacramento LAFCo policies is not an environmental impact under CEQA. As part of its review process, Sacramento LAFCo will review to the project to determine consistency and whether the project qualifies for any exceptions.

04-37 This comment states that the 1994 North Natomas Community Plan has not been updated, and that policies need to be evaluated and addressed. The North Natomas Community Plan was updated as part of the 2035 General Plan process, adopted March 3, 2015. The Draft EIR traffic analysis assumed the existing closure of East Levee Road remains in place. Closure of Sorento Road to traffic from the adjacent project is contrary to General Plan Policy M 1.3.1.

04-38 This comment expresses a general opinion that many issues were not adequately addressed in the Draft EIR, and that many NOP comments were not adequately addressed. Table 1-1 of the Draft EIR identifies how and where NOP comments are addressed in the Draft EIR. The City of Sacramento and Sacramento LAFCo, as a responsible agency, consider the Draft EIR adequate and in compliance with the requirements of CEQA.

04-39 This comment states that the Draft EIR fails to meet the requirements of CEQA and that the project is inconsistent with applicable planning documents. The comment recommends that the proposal be denied pending appropriate environmental review. The concerns expressed in this comment letter have been addressed through responses to comments provided above and no new significant information has been identified that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

3.6 INDIVIDUALS

Letter I1

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Via Email and Regular Mail

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Re: Panhandle Annexation and Planned Unit Development Project
Comments on Draft Environmental Impact Report (#P16-013)

Dear Ms. Mahaffey:

This office represents RagingWire Data Centers and Gately Properties ("JBCo"), and works in conjunction with Westcore Properties and Harsch Investment Properties (collectively referred to herein as "commercial owners"). Together, commercial owners' properties constitute over 50% of the assessed valuation of the "Pan" area, the commercially and industrially zoned and developed properties south of Del Paso Blvd.

This letter is intended to inform the City of the negative impacts the proposed Panhandle Annexation and PUD Project (the "Project") will have on the Pan area, and to provide substantive comments on the Draft Environmental Impact Report ("DEIR") for the Project.

Since 2016, the City of Sacramento ("City") has consistently asserted that the proposed Panhandle Annexation project area encompasses only what has historically been described as the "Handle" area (north of Del Paso Blvd). As shown in the DEIR, the Preferred Project Alternative does propose to annex only the Handle area. However, an alternative was considered that proposes to annex the entire Panhandle area, including the southern Pan area. The DEIR states that the Sacramento Local Agency Formation Commission ("LAFCO") requested that inclusion of the Pan area be analyzed as an alternative, even though it was not a part of the original proposed development application. [DEIR, at 7-20.] I1-1

The commercial owners do not necessarily oppose annexation of the Handle, as long as the City and/or LAFCO do not include or condition such an approval on annexing the Pan area now or in the future over the objections of the Pan area owners, and so long as impacts to the Pan area from annexation of the Handle area identified in the DEIR, such as traffic impacts, etc., traffic signals on Del Paso Blvd., etc., are sufficiently analyzed and mitigated by Handle owners and City. We understand that the City, Sacramento County, and the applicants for the Project also support excluding the Pan area from the annexation. I1-2

1. IMPACTS OF PAN AREA INCLUSION (ALTERNATIVE #4)

A. Substantial Negative Financial and Other Impacts to Pan Area

The commercial owners are foremost concerned with the substantial negative financial and other impacts they and others would suffer as a result of annexation of the Pan area (Alternative #4).

As background, the commercial owners have vigorously opposed annexation since it was originally considered by the City starting in 1998, until that application was finally abandoned by the City in 2010. During the initial application process, the opposition was spearheaded by JBCo. Since 2012, when Mr. Benvenuti passed away, the commercial properties in the Pan area were transferred to four major property owners: our clients (RagingWire Data Centers and JBCo), Westcore Properties, and Harsch Investment Properties. These owners also vigorously oppose any annexation which will have the effect of forcing them to incur substantial utility tax increases, disproportionate transfer tax and property tax impacts, and be subject to substantially different construction and maintenance requirements than required by the County, including sewer and water pipe standards and road standards. Our research indicates that prior to the purchase of the parcels for Raging Wire, that company received assurances from Sacramento County that they would retain County jurisdiction due to the enormous difference in utility tax rate [.08/.02]. The four major property owners: our clients (RagingWire Data Centers and JBCo), together with Westcore Properties and Harsch Investment Properties vigorously oppose any annexation which will have the effect of forcing them to accept the substantial utilities increases, the disproportionate transfer tax and property tax impacts, and be subject to substantially different construction and maintenance requirements, including sewer and water pipe standards and road standards. I1-2 cont.

Because of JBCo's prior opposition to annexation, the City and County negotiated a Pre-Annexation Agreement and Tax-Exchange Agreement in 2010 which explicitly excluded the Pan area. We have verified that the City and County are still operating with the understandings contained in the Tax-Exchange Agreement of 2010, copies of relevant pages of which are attached to this letter as **Attachment No. 1**. We have not seen an updated annexation and tax sharing agreement available for public review as part of this DEIR process, and as such our DEIR and project analysis is incomplete at this time.

B. Boundary Change – LAFCO Issues

The structure of the DEIR has identified annexation of the Pan as Alternative #4, which is not a preferred alternative. As noted in the DEIR at 6-7, 9, in its discussion about annexation, reorganization of the Project is subject to Sacramento LAFCO's Policy, Standards and Procedure Manual. The following provisions are applicable to the Project: I1-3

"General Standards - C. Boundaries

1. The LAFCO will not approve applications within boundaries which:
a. Result in islands, corridors or peninsulas, or incorporated or unincorporated, territory or otherwise cause or further the distortion of existing boundaries;

2. LAFCO will make exceptions to the requirements of this standard only if the exception:
a. Is rendered necessary because of unique circumstances;
b. Results in improved quality or lower cost of service available to the affected parties; or
c. There exists no feasible and logical alternative."

Here, we have the unique circumstances to fulfill Policy exception 2.a., and clearly excluding the Pan area will result in lower cost of service for the Pan area under exception 2.b.

The policies identified above flow from Government Code §56375, and the exceptions to mandatory island annexation are more starkly drawn in the statute. The policy reasons why the City and/or LAFCO should refrain from making any effort to include or require annexation of the Pan area are set forth below. The reasons the City finally abandoned the prior application are summarized in the attached staff report dated April 6, 2010 (see **Attachment No. 2)**, which reasons apply with equal force today. We have also attached a letter from the City to LAFCO dated September 9, 2016 (see **Attachment No. 3**), advising LAFCO of its reasons for not wanting to include the Pan area in the annexation application, which confirms the City's continuing inability to resolve the inconsistencies previously identified related to annexation of the Pan area with the Handle area.

Under the relevant post-2014 statutes [Govt. Code §56375.3], LAFCO can approve annexation of the Handle without the Pan without violating proscriptions against island annexation because of the unusual circumstances surrounding the pre-development of the Pan property. Of the reasons for mandating island annexation, many do not apply to the Pan area, and therefore LAFCO can make evidentiary findings supporting exclusion of the Pan area from any annexation request, because it can support the Handle-only annexation determination with evidentiary findings as to the following criteria:

I1-3 cont.

(1) The area is much larger than the 150 acre "small island" criteria. The Handle is 589.4 acres, approximately four times the small island calculation. Govt. Code §56375.3(b)(1).

(2) The Pan, unlike the normal island target, is substantially developed to Sacramento County standards. The City's inability to allow remaining development and operations of the Pan area under County codes and ordinances is the major reason for the commercial owners' opposition to annexation described in Section 1.A.

(3) None of the property in the Pan meets the prime agricultural land criteria, and more importantly, the only ag land is located in the Handle, but is not identified as "prime". The DEIR states that Farmland of Local Importance and Grazing land are not considered important farmland under CEQA, citing PRC 21060.01. [DEIR at 5.1-5, see Table 5.1-2.] The DEIR concludes that the impact to these lands are less-than-significant on this basis. The Panhandle was analyzed as a "Planned Development" area within the City's General Plan and analyzed accordingly. The City of Sacramento General Plan Master EIR evaluated the potential loss of farmland in Impact 4.1-1 Conversion of Important Farmland to a non-agricultural use and found the impact to be less-than-significant. The project is consistent with the City's General Plan and no circumstances have changed that would result in a change of significance. [DEIR at 5.1-7.] No mitigation is required. [DEIR at 5.1-8.] Cumulative impacts were also found to be less than considerable. [DEIR at 5.1-9.]

(4) The Pan area receives no benefits from the change, and, as described in our objections to Alternative #4 throughout this comment letter, in fact annexation affects net damage to the owners of the Pan, the Rio Linda Parks & Recreations District, and to Sacramento County [see "Comments on Environmental Analysis" below].

(5) No updated planning or rezoning is needed or desired in the Pan area, unlike the entitlement requests for the Handle. In fact, forced annexation of the Pan will result in community plan inconsistencies. The existing North Natomas Community Plan, with its exclusive emphasis on residential and community-based retail and school needs, will of necessity clash with the industrial and commercial uses already zoned and developed in the Pan. In 2002-2010, JBCo had drafted a Pre-Annexation Agreement seeking to exclude the Pan from the North Natomas Community Plan and to preserve the grand-fathered status of the Pan against re-zoning issues. Unfortunately, no agreement with the City Attorney's office could be achieved.

(6) Sacramento County has confirmed that existing fire and police services to the Pan can be maintained.

(7) The impact of annexation upon the Pan with the number of anticipated residential properties has not been adequately evaluated in the DEIR. We have identified especially, flood control infrastructure, traffic, greenhouse gas emissions, and integration of public facilities, including the City' mandated upgrades to sewer, roadway, and water distribution facilities.

I1-3 cont.

(8) Substantially increased costs to commercial owners from all municipal services to be required by the City.

(9) Estimated loss of 25% revenue to Rio Linda Elverta Recreation & Park District.

(10) The County's loss of substantial tax revenue from the commercial properties in the Pan area.

(11) The DEIR acknowledges that the Pan area is already developed and does not require changes to services provisions. [DEIR at 6-21.] The already-developed nature of the Pan area makes clear that the types of services normally provided by a city as a benefit to previously un-annexed property are unnecessary, and in fact the City, instead of providing needed benefits to the Pan area, will mandate improvements to already existing infrastructure which are unnecessary under County code, and unwanted.

(12) Annexation by the City will require substantial upgrades to existing roadways and drainage and water infrastructure, which were estimated in 2010 to be approximately $11,000,000.00. However, the 2010 Tax-Exchange Agreement **(Attachment No. 1)** allowed for a transfer of capital reserves from the County of only $8.3 million. All of JBCo's prior negotiations with the City's Utilities, Public Works, and Building Departments, seeking to grand-father the existing developments from mandated infrastructure improvements and to preserve existing zoning between 2002 and 2007, foundered. Our recent discussions with these departments likewise confirmed that the City is not willing to annex the Pan area properties unless they can uniformly apply their policies and procedures, and require the upgrades. Further, as highlighted by the City staff report prepared for the 2010 Tax-Exchange

Agreement (see **Attachment No. 2**), the anticipated revenue transfer was insufficient to reimburse the City of Sacramento for its mandated updates to the sewer and water systems, which, left in 2010 dollars, is a delta of $3.7 million unreimbursed City costs. The City's April 6, 2010 summary staff report (see **Attachment No. 2** at pp. 1-8) to the Panhandle Tax-Exchange Agreement prepared by Scot Mende is attached. Please see pages 6-8 for the 2010 calculations of financial defects which can only be resolved by the County's retention of the Pan area.

(13) Westcore's portfolio currently consists of 65 buildings in the Pan area with 4.4 million square feet, with a present assessed value of approximately $216 million. Westcore, who leases its properties, is very concerned about the adverse impact of property tax differentials to its tenants should the Pan area be annexed, because the leases are of their nature long-term. The pass-through of increased property taxes will encourage lease termination efforts by tenants, resulting in possible litigation to Westcore, and reduces the market value of Westcore's and all commercial owners' properties in inverse relation to the increased property tax obligations.

(14) RagingWire is fully operational in combined 410,000 square feet at 1200 W. Striker and 1312 W. Striker, and one-quarter of 1625 W. National. The combined assessed valuation for RagingWire's property is $85 million for 1625 W. National, 1325 W. Striker, and 1200 W. Striker. RagingWire has plans to fully operate in 1625 W. National, and construct a fourth building which will also be 205,000 square feet. At the current time, utility costs for these buildings are running up to $1.7 million per month, or in excess of $21 million per year. RagingWire calculates increased electrical costs as a result of annexation to the City with its increased Utility Users Tax to be $29,531,000 per year (in 2016 dollars).

I1-3 cont.

(15) Gately Properties' total assessed valuation is $3,880,000, with two properties currently used as churches (4005 and 4007 N. Freeway), and therefore net values are exempted.

(16) No updated planning or rezoning is needed or desired in the Pan area, unlike the entitlement requests for the Handle area. In fact, forced annexation of the Pan area will result in community plan inconsistencies. The existing North Natomas Community Plan, with its exclusive emphasis on residential and community-based retail and school needs, will of necessity clash with the industrial and commercial uses in the Pan area. From 2002-2010, JBCo had worked on a draft Pre-Annexation Agreement seeking to exclude the Pan area from the North Natomas Community Plan and to preserve the grand-fathered status of the Pan area against re-zoning issues. Unfortunately, no agreement with the City Attorney's office could be achieved.

(17) Unmitigated Negative Traffic Impacts to the Pan area. The DEIR's 2036 cumulative-plus-project scenario changes PM LOS from acceptable to unacceptable in the Pan area as follows:

- C to F (Del Paso Road from Black Rock Road to National Drive);
- E to F (Del Paso Road from National Drive to Northgate Blvd.);
- C to F (Northgate Blvd. from North Market Blvd. to I-80).

As discussed further below in Section 2.A.ii, these impacts to the Pan area are significant and unavoidable, and the DEIR concludes that there is no feasible mitigation for these impacts. These three

roadways are direct feeders into the Pan. City's DEIR acknowledged different LOS standards between jurisdictions and used the most conservative standard in the DEIR analysis. However, if the Pan remains in Sacramento County, it is not subject to such conditions.

(18) The County has confirmed that existing fire and police services can continue to be offered to the Pan area owners. I1-3 cont.

For all these reasons, the Pan owners request that the City either approve annexation of the Handle area without the Pan being included, and make any relevant findings necessary to preclude future efforts to annex the Pan area without the Pan area owners' consent, or deny the Project altogether.

2. COMMENTS ON ENVIRONMENTAL ANALYSIS

We will be addressing further below the inadequacy of the environmental analysis for the annexation of the Handle-only Preferred Project Alternative. We will first, however, address the inadequacy of the environmental analysis for the Pan Area Inclusion alternative (Alternative #4 – "Complete Annexation of Sphere of Influence"). The Alternative #4 analysis concluded that it would have the same environmental impacts as those resulting from the annexation, construction, and development of the Panhandle PUD and its project area (Handle only). [DEIR, at 7-22.] Such conclusion is wholly inadequate and not supported by the data, in that it failed to analyze alternative-specific environmental impacts from annexing the Pan area such as those resulting from City-mandated upgrades to roadways, water and sewer infrastructure, and jobs/housing balance consequences, among other things (discussed below). We will also address the lack of Findings to support overriding the Project's significant and unavoidable impacts. I1-4

A. Insufficient Environmental Analysis of Alternative #4 [Including the Pan]

There has been insufficient environmental analysis of Alternative #4 (Pan area inclusion). The DEIR [at 7-22 concludes that the Complete Annexation of Sphere of Influence Alternative would have the same project environmental impacts associated with the annexation, construction, and development of the Panhandle PUD and its project area (Handle only) (589.4 acres). It is unclear how the additional annexation of 853.3 acres already developed in a manner inconsistent with the North Natomas Community Plan into the entire Panhandle project area can have the same impacts when only the undeveloped areas of the Handle were evaluated.

Detachment Agencies List all of which provide ongoing services to the Pan, per DEIR at 2-5: I1-5

- Rio Linda-Elverta Recreation and Parks District (RLERPD) (parks and recreation services) (on record as objecting to detachment);
- Natomas Fire Protection District (fire protection and emergency services);
- Sacramento County Water Maintenance District Zone 41 (retail water services);
- Sacramento County Water Utility and Sacramento County Water Agency Zone 12 (drainage services in southern portion of SOI only);
- Sacramento County Water Agency Zone 13 (water supply and drainage services);
- Sacramento County Service Area No. 10 (transportation); and

- Sacramento County Service Area No. 1 (street lighting maintenance for southern portion of SOI only). [DEIR at 2-5.] I1-5 cont.

A complete and thorough analysis of Alternative #4 is required, especially considering that detachment of the Pan area from the County will result in acknowledged City-mandated infrastructure upgrades to roadways and water and sewer lines for which no environmental impact evaluation has been conducted, and the 2010 Tax-Exchange Agreement concluded that City would suffer a $3.8 million loss in 2010 dollars. Although the DEIR describes the detachment from each agency listed below in the Alternative #4 analysis, it states that the necessary infrastructure required for service from each agency is already in place and no new infrastructure is required. [DEIR at 7-22, 23.] We know this is not the case. As previously mentioned under (5) above, our recent discussions with City departments have confirmed that the City remains unwilling to annex the Pan area properties unless they can uniformly apply their policies and procedures and require these upgrades, as was described in the 2010 Scott Mendes staff report for the Tax-Exchange Agreement **(Attachment No. 2)**. I1-6

City's policy M.1.3.1 requires private developments to provide internal complete streets (City General Plan 2035 Goal M.4.2) to existing roadway systems. There is no funding to provide such upgrades, and Pan owners do not consent to any upgrade imposition, especially given the admission by City that development of the Handle portion [Alternative #1] will cause three streets directly affecting Pan's operation to reach F designation without meaningful mitigation (see 11 above). I1-7

The analysis also ignores adverse development effects upon annexation, and reasonably anticipated damage to jobs housing balance and Vehicle Miles Travelled (VMT). As mentioned, the Pan represents approximately 8 acres, of which 80%+ of the Pan is already developed. Annexation will retard or permanently preclude development of the remaining Pan area due to the increased electrical costs of almost $30 million from the City's higher Utility Users Tax for RagingWire, and valuation damage to Gately Properties, Westcore, and Harsch as previously discussed. As an example, if RagingWire cannot continue build out because of the impact of increased costs, those additional jobs cannot be counted as jobs available for new residents. This same loss of jobs increases VMT, because new residents will have to travel farther to obtain employment. I1-8

Lastly, the DEIR [at 7-22] acknowledges that the Rio Linda–Elverta Recreation and Park District has in the past expressed concerns that the detachment of the entire SOI area could result in a significant revenue impact, and that would impact park and recreation service provision. However, the DEIR concludes that there is "insufficient information available to determine if a physical impact to existing District park facilities would occur" because a fiscal analysis has not been conducted to determine the actual extent of the detachment's effect on the District, and to what extent that deterioration of existing park facilities would occur. [DEIR at 7-22.] This fiscal analysis should be completed at this time and made available for public review during the DEIR process. I1-9

i. GREENHOUSE GAS EMISSIONS

Analysis of the Project's compliance with AB-32, especially in light of *CBD v. Calif. Dept. Fish & Wildlife* [Newhall] (2015) 62 Cal. 4th 204, is defective because it failed to analyze the Pan's existing I1-10

commercial operations and traffic patterns in calculating emissions. GHG emissions to the Project Area do not consider the adverse impact of reduced commercial operations in Alternative #1, and that Alternative #4 should be rewritten to evaluate these alternative impacts. Below are excerpts from the Handle Alternative #1 analysis discussion of GHG:

On January 20, 2017, ARB released its proposed 2017 Climate Change Scoping Plan Update, which lays out the framework for achieving the 2030 reductions as established in more recent legislation (discussed below). The proposed 2017 Scoping Plan Update identifies the GHG reductions needed by each emissions sector to achieve a statewide emissions level that is 40 percent below 1990 levels before 2030 consistent with Senate Bill 32. [DEIR at 5.6-6.] SB 32 in September 2016 set a new State GHG emissions target for the year 2030 at 40 percent below 2020 levels. For purposes of this EIR, significance has been evaluated based on the project's compliance with the SB 32 target: The project's impact is considered significant if the project were to conflict with or prevent the State from meeting 2030 GHG reduction targets. [DEIR at 5.6-9.]

Based on the overall objective of the proposed 2017 Scoping Plan Update, a "no net increase" threshold is applied for the purposes of the GHG impact analysis for the project. The intent of this analysis is not to present the use of a no net increase threshold as a generally applied threshold of significance for GHG impacts. Its use in this EIR is related directly to the facts surrounding the project and availability of reliance on other threshold options. A project that results in no net increase in GHG emissions would not result in a substantial increase in GHGs or conflict with local or State plans adopted for the purpose of reducing GHG emissions. [DEIR at 5.6-10.] I1-11

Handle only construction is estimated to generate 5,530 MTCO2e from construction activities and 27,379 MTCO2e operational-related emissions at project buildout in 2036. Total project emissions would be 27,600 MTCO2e/year in 2036 with combined amortized construction emissions. This level of GHG emissions has the potential to result in a considerable contribution to cumulative emissions related to global climate change and conflict with State GHG reduction targets established for 2030 and 2050.

This cumulative impact would be significant and the project's contribution would be cumulatively considerable. [DEIR at 5.6-11.] And, the GHG analysis fails to consider whether or not the balance of undeveloped land in the Pan would affect any of these calculations.

Because the Handle project would generate 27,600 MTCO2e/year, it could conflict with the State's ability to meet the goals of SB 32 and project-generated GHG emissions would be considered cumulatively considerable and significant. [DEIR at 5.6-12.]

The Mitigation Measure which most egregiously leads to challenge by the Pan is on-site energy efficient designs are required to apply to new construction (MM 5.6-1a), plus: I1-12

In addition to Mitigation Measures 5.6-1a and 5.2-2 (Air Quality Mitigation Plan), the project developer shall offset GHG emissions to zero by funding activities that directly reduce or sequester GHG emissions or, if necessary, obtaining carbon credits. [DEIR at 5.6-13.] Thus, all remaining development in the Pan would be obligated to meet the criterion adopted by the City, although all such development would remain office or industrial [businesses used not considered anywhere in the GHG description]:

"Prior to issuing building permits for development within the project area, the City of Sacramento shall confirm that the project developer or its designee has fully offset the project's remaining (i.e., post implementation of Mitigation Measures 5.6-1a and 5.2-2) operational GHG emissions over the 25-year project life associated with such building permits by relying upon one of the following compliance options, or a combination thereof:

□ Demonstrate that the project developer has directly undertaken or funded activities that reduce or sequester GHG emissions that are estimated to result in GHG reduction credits (if such programs are available), and retire such GHG reduction credits in a quantity equal to the remaining operational GHG emissions;

□ Provide a guarantee that it shall retire carbon credits issued in connection with direct investments (if such programs exist at the time of building permit issuance) in a quantity equal to the remaining operational GHG emissions;

□ Undertake or fund direct investments (if such programs exist at the time of building permit issuance) and retire the associated carbon credits in a quantity equal to the remaining operational GHG emissions; or

□ If it is impracticable to fully offset operational emissions through direct investments or quantifiable and verifiable programs do not exist, the project developer or its designee may purchase and retire carbon credits that have been issued by a recognized and reputable, accredited carbon registry in a quantity equal to the remaining operational GHG Emissions."

I1-12

Significance Remaining after Mitigation

Implementation of identified actions in Mitigation Measures 5.6-1a and 5.2-2 which do not take into consideration annexation of the Pan could reduce GHG emissions by up to 24.6 percent, or approximately 6,800 MTCO2e/year. This reduction would only be applied should all identified actions in Mitigation Measure 5.6-1a and 5.2-2 be taken. Regardless of the implementation of Mitigation Measure 5.6-1a and 5.2-2, the project would still result in GHG emissions that would be considered cumulatively considerable.

ii. SIGNIFICANT AND UNAVOIDABLE IMPACTS TO PAN (ALTERNATIVE #4)

The DEIR acknowledges that there are significant and unavoidable impacts; that is, no feasible mitigation is available to reduce the Project's impacts or the Project's contribution to cumulative impacts to a less-than-significant level in the areas of air quality, noise, traffic, and urban design. [DEIR at 2-4.] Commercial owners are specifically concerned with the significant and unavoidable traffic impacts that affect the Pan area:

I1-13

Transportation and Circulation (Section 5.11):

- Impact 5.11-3: Roadway segment traffic operation impacts (with the exception of Elkhorn Boulevard);
- Impact 5.11-10: Cumulative roadway segment traffic operation impacts (with the exception of Elkhorn Boulevard).

There is no factual basis provided that would support a statement of overriding considerations as to any of the significant and unavoidable impacts. Thus, how can the Pan owners be required to participate in mitigation costs for road upgrades not required by existing and un-evaluated operations in apparent direct violation of the *Dolan/Erlich/Teigard* standards? The DEIR acknowledges that the Pan area is already developed and does not require changes to services provisions. [DEIR at 6-21.] Forcible annexation of the Pan area will also result in financial damage to City in terms of unrecovered costs of upgrades to existing systems, and the evidence suggests that increased personal property taxes and real property taxes will be diminished related to the Pan, because of the loss of tenants to Westcore and the inability of RagingWire to complete planned expansion. I1-13 cont.

B. Insufficient Environmental Analysis of Alternative #1 – Handle Annexation Only

The following impacts have not been adequately analyzed and/or sufficient mitigation has not been provided to address potentially significant and significant impacts from the Project. These impacts are discussed below.

i. TRAFFIC IMPACTS

Unmitigated Negative Traffic Impacts to the Pan area. The DEIR's 2036 cumulative-plus-project scenario changes PM LOS from acceptable to unacceptable in the Pan area as follows: I1-14

- C to F (Del Paso Road from Black Rock Road to National Drive);
- E to F (Del Paso Road from National Drive to Northgate Blvd.);
- C to F (Northgate Blvd. from North Market Blvd. to I-80).

As discussed further below in Section 2.A.ii, these impacts to the Pan area are significant and unavoidable, and the DEIR concludes that there is no feasible mitigation for these impacts. These three roadways are direct feeders into the Pan. City's DEIR acknowledged different LOS standards between jurisdictions and used the most conservative standard in the DEIR analysis. However, if the Pan remains in Sacramento County, it is not subject to such conditions.

At the outset, it should be noted that the DEIR states that because I-80 was under construction during the data collection phase of the transportation analysis, affecting both traffic volumes and travel speeds, data for I-80 was gathered for the first three weeks of May 2011, the most recent non-summer period unaffected by construction. [DEIR at 5.11-10.] The March 9, 2017 DKS Associates traffic analysis should be revised to include more recent data on I-80 to the extent that construction has been completed. Relying on data from 6 years ago is not sufficient to provide an accurate existing condition baseline. I1-15

The DEIR states as a fact [at 5.11-49, 50], without analysis, that the construction improves the traffic situation. Moreover, the DEIR states [at 5.11-52, 73] that the post 2036 analysis relied on MTP/SCS projections in this area, but the Pan or Handle here, is not shown as being identified for growth/ development in the 2016 MTP/SCS (Appendix E-3), according to the DEIR at 4-10 (just open space). I1-15 cont.

Traffic impacts from the Project for which there are unacceptable or no feasible mitigation measures and for which no findings can be made to support an override are as follows:

As summarized in DEIR Tables 5.11-16 and 5.11-22, under the Existing Plus Project and Cumulative Plus Project scenarios, project-generated traffic would result in a degradation of operating conditions to unacceptable levels along the following roadway segments [directly affecting the Pan owners]:

□ Sorento Road – North of Del Paso Road - Project generated traffic would result LOS F conditions. [There are actually 5 LOS F roadways, but the Pan owners have only considered Del Paso Road impacts, provided they are not forceably annexed.]

The DEIR [at 5.11-47, 70] states: As identified in Impact 5.11-3, implementation of Mitigation Measure 5.11-3b would propose the implementation of neighborhood traffic management plans for the segments along Regency Park Circle, Danbrook Drive, and Sorento Road experiencing deficient operations consistent with General Plan Policy M 4.3.2 on the provision of traffic calming measures. However, the traffic volume reductions associated with these plans are uncertain. Widening of these roadways are considered infeasible as it would require right-of-way acquisition from adjoining residential areas and would conflict with General Plan policies that promote pedestrian and bicycle usage (policies M 1.2.1, M 2.1.3, M 4.2.2, and M 4.3.2). No mitigation measure has been identified for the deficient roadway segment along Barros Drive and Mayfield Street. The intersections along these roadway segments would function at an acceptable level of service without the need for further widening. In accordance with General Plan policies to promote non-automotive modes of travel, no widening of Barros Drive and Mayfield Street is proposed. No alternative mitigation measure in accordance with General Plan Policy M 1.2.2 has been identified. I1-16

The DEIR concludes [at 5.11-49, 71] there is no feasible mitigation available to offset the level of service impacts to Regency Park Circle, Danbrook Drive, Sorento Road, Barros Drive, and Mayfield Street. The project's contribution to cumulative impacts related to deficient operation of these roadways is considered cumulatively considerable and significant and unavoidable. As already discussed in Section 2.A.ii, the City cannot make Findings to support overriding these significant impacts.

As shown in the DEIR [at Table 5.11-28], post-2036 cumulative conditions are anticipated to result in deficient traffic operations on Elkhorn Boulevard, Del Paso Road, and Northgate Boulevard. The DEIR states "[t]he ability to address these anticipated post-2036 deficient operations is tied to fair share participation to regional transportation improvement programs, but these programs to address post-2036 conditions are not currently available. Further, in some instances, some improvements that are not financially feasible and/or would require right-of-way acquisition may not be available. It is suggested that the City of Sacramento and Sacramento, Sutter, and Placer counties consider a regional transportation fee program to fund regional improvements for post-2036 conditions to the degree feasible." I1-17

Mitigation cannot be uncertain or left to future fee programs without specifics. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442. The City cannot make Findings to support overriding these significant impacts. Also, imposing this proposed mitigation upon the Pan area as part of inclusion in Alternative #4 is not proper, as the Pan area is presently already over 80% developed, and therefore increased traffic is the result of Handle area annexation, not from impacts resulting from Pan area development. RagingWire has already determined that no future continued development will occur – if forcibly annexed – for the fiscal reasons already set forth above. In point of fact, if the Pan area is not annexed, its continued increased economic development provides more jobs in the +$100,000/yr. category, supporting the residential jobs housing balance for the Handle area, and allowing for reduced traffic routes, increasing the number of pedestrian and bicycle ridership and decreasing traffic use, and should be seen as an ameliorating condition as long as left in Sacramento County. I1-17 cont.

ii. FLOODING

(a) Surface Water Quality

Development of the project may increase storm water runoff rates generated within and downstream of the project when compared with existing conditions. While the project includes necessary drainage improvements to properly handle onsite storm water flows, phased development of the site could potentially result in temporary drainage impacts if the necessary drainage facilities are not in place at the time of site development. Development could also worsen existing drainage and local flooding issues at the intersection of Del Paso Road and Sorento Road. This impact would be potentially significant. [DEIR at 5.8-11.] Amazingly, no meetings with any of the Pan owners to discuss this potentially significant impact resulting from Handle construction have occurred.

As part of approval of each small lot final map and/or each subsequent project, the project developer shall demonstrate to the City that drainage facilities are consistent with the Drainage System Modeling Report for the Natomas Panhandle (Panhandle Owner's Group 2016), and shall adequately attenuate increased drainage flows consistent with City standards. The analysis will also demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsened by site development. This demonstration may take the form of plans and/or reports. I1-18

Significance after Mitigation

Implementation of onsite drainage improvements as described in the Drainage System Modeling Report for the Natomas Panhandle and implementation of Mitigation Measure 5.8.1 would ensure drainage impacts are adequately addressed and mitigate this impact to less than significant. This mitigation measure would be consistent with North Natomas Community Plan Policy NN.U. 1.7 regarding the timing of drainage improvements with development. [DEIR at 5.8-12.] This mitigation measure should be amended to provide for review and consultation with Sacramento County, assuming that Alternative #1 the Handle only annexation is approved.

(b) Groundwater Quality

It is possible that shallow groundwater beneath the proposed onsite detention basins could interact with pollutants associated with urban runoff that would be captured within the detention basins. Pollutants could be released in the underlying groundwater basin and could result in contamination of wells used for consumptive uses. This impact would be potentially significant. [DEIR at 5.8-15.] Since all wells providing for both the "Pan" and the "Handle" could be adversely affected by such impacts, coordination of enforcement of mitigation measures with Sacramento County should be required.

A detailed evaluation of the conditions and design of the proposed onsite detention basin has not been conducted, and should be made available before plans are adopted. Therefore, the site-specific conditions of shallow groundwater could create a situation where pollutants could be released into the underlying groundwater basin. Further, given the eastern gradient of groundwater flow and the active groundwater pumping occurring in the region, any potential contamination could affect existing municipal, industrial, and private residential wells that draw water for consumptive use. This impact would be potentially significant unless mitigated. [DEIR at 5.8-16.] I1-19

iii. PUBLIC SERVICES AND RECREATION

The DEIR states that impacts relating to these types of services will be paid and funded through the Facilities Finance Plan and through project property taxes and funding allocations through the City's budget and general fund. [DEIR 5.10-1, 2, 3, 17, 18.] Because the Pan area is included in the Project in Alternative #4, it should not be held to pay for any increase in services attributable to impacts from new development in the Handle area *[Nolan/Dolan/Erlich]*. The Pan area is already 80%+ built out and future development of the remainder of the Pan area, if annexed, is improbable due to the fiscal constraints previously discussed. The same argument applies to school and library impacts. I1-20

iv. SUSTAINABLE COMMUNITIES ISSUES

The City's failure to addresses the impact on the community by forceably incorporating the Pan should be remedied because the industrial and office uses of existing and any future development in the Pan is not addressed. The DEIR states [at 4-16]:

"4.4.4 Consistency Analysis

CONSISTENCY WITH THE SACOG 2016 MTP/SCS. The Panhandle PUD is designated as "Blueprint Growth Footprint Not Identified for Development in the MTP/SCS Planning Period." MTP/SCS Appendix E-3 notes that the Panhandle PUD was not identified for growth in the MTP/SCS period because of its unincorporated status, infrastructure need, and potential flood and habitat issues. The project area was designated under the Blueprint for development of residential, commercial, and open space uses. Specifically, the Blueprint identifies an open space corridor along the eastern boundary of the project area. The Panhandle PUD retains a portion of this open space corridor as the Nino Parkway, but designates the remaining area for residential development." [DEIR 4-16.] I1-21

However, the office/commercial and industrial uses for the Pan are not reviewed, and because of the industrial/commercial nature of the Pan, it is clearly inconsistent with SACOG's 2016 MTP/SCS. I1-21 cont.

C. Inadequate Review of Financing Analysis

Public comment to the DEIR should not be closed until the Plan for Services and Public Facilities Financing is made available for review. We are aware of a draft Plan for Public Services prepared for the City – but the draft has not been released.

The following paragraph was included in the executive summary about the PFFP:

"Panhandle PUD Public Facilities Financing Plan. The Draft Panhandle PUD Public Facilities Financing Plan (PFFP) identifies the project's fair share of improvements, other presently identified funding sources, such as the North Natomas Financing Plan (NNFP) and states that any remaining amount of the improvements is assumed to be borne by the project applicant. The Draft Panhandle PUD PFFP shows the summary of shared infrastructure items and the project's allocated cost of each as well as presently-identified sources of funding from other sources of funding from other development projects." [DEIR at 3-16.] I1-22

Such language is clearly inconsistent with Alternative #4 (Annexation of Pan and Handle), as well as Alternative #1 (Handle Annexation only). It is critical that plans for service and for water, wastewater, roadways, traffic signals and the costs of these improvements be compared in an updated Tax Exchange Agreement to ensure that Pan owners do not bear the costs of improvements required for annexation of residential properties in the Handle.

For these reasons, the DEIR should not be finalized until the PFS and the PFFP are released and the conclusions integrated with plan infrastructure. Viability of any proposed mitigation in the DEIR is contingent upon completion and analysis of the financial plans.

Sincerely,

Brigit S. Barnes

Attachments:
No. 1: 2010 Tax-Exchange Agreement
No. 2: April 6, 2010 Staff Report to Sacramento City Council re Panhandle Tax-Exchange Agreement
No. 3: September 9, 2016 letter from City of Sacramento to LAFCO

cc: Jim Lahey, Esq.
Frank Watson, Esq.

RagingWire\DEIR Annextion\City-Sac.L03 DEIR Comments

Letter I1	Brigit Barnes, Brigit S. Barnes & Associates, Inc. 8/3/2017 Note: Materials attached to this comment letter are provided in Appendix C.

I1-1 This comment states that the City of Sacramento has consistently asserted that only the "Handle" area of the panhandle (i.e., the area north of Del Paso Road) would be annexed. The comment further notes that the Draft EIR stated on page 7-20 that LAFCo requested analysis of an alternative that considered annexation of the "Pan" as well as the "Handle" portions. The comment accurately reflects information provided in the Draft EIR.

I1-2 This comment provides background regarding past discussions of annexation between property owners, the City, Sacramento County, and LAFCo. The comment expresses concern whether traffic impacts within the "Pan" portion were analyzed in the Draft EIR.

The Draft EIR includes analysis of the transportation effects of the project on intersections, roadway segments, and freeways of interest to the "Pan" area landowners. This includes analysis of conditions on Del Paso Road, Northgate Boulevard, National Drive, North Market Boulevard, and I-80. The analysis includes determination of impacts and mitigation, where applicable. Mitigation measures identified in the Draft EIR would only apply to the project. The updated tax sharing agreement is still under development as of the preparation of this Final EIR.

I1-3 This comment discusses the LAFCo boundary change issues associated with annexation of the "Pan" and recommends that the City either initiate annexation of the "Handle" without annexation of the "Pan" and make any relevant findings necessary to preclude future annexation of the "Pan" without consent of the "Pan" property owners, or deny the project. This recommendation will be considered by the City. The authority to implement changes in the boundaries of a local agency (i.e., City) lies solely with LAFCo.

The comment asserts inadequacies of the Draft EIR analysis regarding flood control infrastructure, greenhouse gases, and public facilities. These concerns are addressed in Response to Comments I1-10, I1-18, and I1-20.

The comment discusses the results of the transportation analysis. As the "Pan" area was not assumed to be annexed, roadways exclusively within unincorporated Sacramento County were subject to the County level of service (LOS) "E" standard, which is less conservative than the City LOS "D" standard in this area. Roadways and intersections on the City boundaries were analyzed with the more conservative City standard. The comment is incorrect that the Del Paso Road and Northgate roadway segments operate at LOS F under cumulative plus project conditions. Draft EIR Table 5.11-22 shows that none of these roadway segments would exceed City and County LOS standards.

I1-4 This comment expresses disagreement with the statement on page 7-22 of the Draft EIR which concluded that Alternative 4 would result in the same environmental impacts as those resulting from the project. The comment states that the conclusion is not supported by the data and that the conclusion failed to evaluate alternative-specific environmental impacts.

The comment is introductory in nature, meant to provide the reader a road map of the specific comments that follow. Please refer to response to comments I1-5 through I1-22

I1-5 This comment expresses disagreement with the statement on page 7-22 of the Draft EIR which concluded that Alternative 4 would result in the same environmental impacts as those

resulting from the project. The comment further states that it is unclear how the addition of 853.3 acres would result in similar impacts.

Impacts of Alternative 4 would be substantially similar to those of the project because while Alternative 4 would include annexation of the "Pan" area, no development is proposed in that area. Furthermore, the "Pan" area would retain its existing Sacramento County land uses and no new infrastructure would be constructed with the annexation. Because the annexation of the "Pan" to the project would not result in any land use changes or development beyond those included in the project, the environmental impacts (i.e., physical environmental changes) would be substantially similar for the reasons described on pages 7-20 through 7-23 of the Draft EIR.

I1-6 This comment asserts that the analysis of Alternative 4 in the Draft EIR is incorrect in its assertion that necessary infrastructure is already in place and no new infrastructure is required (see Draft EIR page 7-22 and 7-23). The comment sites to prior conversations with the City in 2010 that this assertion is not correct and that the City would only annex the "Pan" area if they can uniformly apply their policies and procedures and require infrastructure upgrades.

As identified on Draft EIR page 7-21, the "Pan" area is already developed, and the supporting infrastructure already exists. The action of annexation of this area would not trigger the need for new water supply or drainage improvements. It is acknowledged that subsequent to annexation, the City could undertake infrastructure improvements to existing facilities including water supply and roadways. Impacts associated with such improvements would be likely be limited to temporary construction impacts (air quality, tree removal, noise, water quality, and traffic disruption) because of the developed condition of the "Pan" area. However, upgrade of these facilities would not be mandated with annexation and if implemented would be required to undergo separate environmental review. Nonetheless, Draft EIR Mitigation Measures 5.2-1 (construction emission controls), 5.3-4 (protection and replacement of trees), 5.8-2 (provision of water quality control features), 5.9-1a and 5.9-1b (construction noise control), and 5.11-1 (construction traffic control) would address these impacts, such that impacts would be substantially similar to those that would occur with the project

I1-7 This comment asserts that the project does not include any funding to upgrade existing roadway systems as required by Policy M.1.3.1, which requires private developments to provide internal complete streets. The comment further states that owners in the "Pan" area would not consent to the imposition of required upgrades.

As noted in Response to Comment I1-6, the "Pan" roadway system is already in place. It is not anticipated that new roadways would be required to be constructed. The environmental impacts of potential upgrades to the existing roadways is addressed in Response to Comment I1-6.

I1-8 This comment asserts that the analysis of Alternative 4 ignores adverse development effects, including damage to jobs-to-housing ratio and vehicle miles traveled (VMT) as existing business operations in the "Pan" area might not be able to build out as presently anticipated.

As identified on Draft EIR pages 7-20 and 7-21, the "Pan" is nearly build out with only seven vacant parcels remaining. It is acknowledged that annexation to the City could change existing business operational costs and limit their interest in expanding operations that would offer new employment. However, this change in the remaining new employment potential of the "Pan" area would be a small component of overall development within the City that would contribute to area VMT estimates. Therefore, annexation of this area would not be expected to substantially alter City-wide VMT conditions that would trigger a

substantial increase in traffic, air quality, or greenhouse gas impacts beyond what has been disclosed in the Draft EIR.

I1-9 This comment states that a fiscal analysis should be completed and included with the Draft EIR to determine the extent of detaching the "Pan" area from the Rio Linda-Elverta Recreation and Park District. Consistent with the requirements of CEQA Section 15126.6, the analysis of Alternative 4 in the Draft EIR was at a comparative level of detail to provide a relative comparison of impacts to the project. Project-specific analysis of an alternative is not required. Further, because the project does not include the proposed annexation of the "Pan," such an analysis is unnecessary.

I1-10 This comment asserts that the Draft EIR's analysis of the project's compliance with AB 32 is defective because it failed to analyze the "Pan's" existing commercial operations and traffic patterns in calculating emissions. The GHG emissions associated with the current operation of the "Pan" is part of the existing baseline conditions and would not change with annexation under Alternative 4, because no change in operations would occur. Any future development of the "Pan" under Alternative 4 could reduce its GHG emissions to less than significant through compliance with Mitigation Measures 5.6-1a for reduction of on-site GHG emissions and 5.6-1b that would offset new GHG emissions (see Draft EIR pages 5.6-12 through 5.6-14).

I1-11 This comment asserts that the Draft EIR's GHG analysis failed to consider whether or not the balance of undeveloped land in the Pan would affect the project's GHG emissions calculations. Any future development of the "Pan" under Alternative 4 could reduce its GHG emissions to less than significant through compliance with Mitigation Measures 5.6-1a and 5.6-1b that would offset new GHG emissions. The reader is referred to Response I1-10 above.

I1-12 This comment states that the owners in the Pan area object to the on-site energy efficient designs required under Mitigation Measure 5.6-1a. This comment is noted.

The analysis and mitigation measures in Section 5.6, "Greenhouse Gas Emissions and Climate Change," of the Draft EIR apply only to the project, and not areas outside of the project boundaries, such as the Pan area. Any future development of the "Pan" under Alternative 4 could reduce its GHG emissions to less than significant through compliance with Mitigation Measures 5.6-1a and 5.6-1b that would offset new GHG emissions.

I1-13 This comment questions how "Pan" owners could be required to participate in mitigation costs for road upgrades. Draft EIR traffic analyses under Impact 5.11-3 (existing plus project roadway segment impacts) and 5.11-10 (cumulative plus project roadway segment impacts) factor the existing developed and build out conditions of the "Pan" area as the baseline for evaluating impacts of the Panhandle PUD. Landowners and/or tenants in the "Pan" would not be required to participate in the Draft EIR transportation mitigation measures identified for the Panhandle PUD.

I1-14 This comment identifies roadway segments in the "Pan" that would operate at an unacceptable level of service (LOS) in the cumulative scenario and asserts these impacts have not been adequately evaluated. Draft EIR pages 5.11-23 through 5.11-33 and 5.11-52 and 5.11-62 identify how the existing and cumulative traffic impact analysis was conducted, including the modeling that was used (SACOG's SACSIM travel model). The comment provides no information or analysis that would alter the traffic analysis. The comment is incorrect that the Del Paso Road and Northgate roadway segments operate at LOS F under cumulative plus project conditions. Draft EIR Table 5.11-22 shows that none of these roadway segments would exceed City and County LOS standards.

I1-15 This comment asserts that the Draft EIR's reliance on 2011 data was not sufficient to provide an accurate existing conditions baseline. In accordance with typical CEQA practice, "existing" analysis is based upon conditions at the date of the NOP, which was released in 2016. Improvements to I-80 were under construction at that time, affecting traffic operations on the facility. The conclusion that I-80 operations improved after construction is based upon peak period field observations, which indicated that travel speeds / operating conditions were improved with the addition of HOV and auxiliary lanes, along with other interchange improvements.

The cumulative (2036) analysis factors future development that includes the Panhandle PUD and other proposed development that is not factored in the SACOG's 2016 MTP/SCS 2036 growth projections (see Draft EIR page 5.11-52 and 5.11-53). The HOV improvements to I-80 and I-5 were also assumed. The "Pan" is designated in the 2016 MTP/SCS as an established community and would likely be at full build out in 2036.

I1-16 This comment cites to text excepts from the Draft EIR, and asserts that the City cannot make findings to support overriding considerations of these significant impacts. The comment recognizes the results of the transportation analysis. State CEQA Guidelines Section 15093(a) identifies that if specific economic, legal, social, technological, or other benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" by the lead agency. As documented on Draft EIR pages 5.11-49 and 5.11-70 and cited by the comment, further improvements to meet the City's level of service standard (roadway widening) is not feasible as it would require the acquisition of adjoining residential areas and would conflict with General Plan policies that promote pedestrian and bicycle usage (policies M 1.2.1, M 2.1.3, M 4.2.2, and M 4.3.2). This evidence along with other factors would support a statement of overriding considerations consistent with State CEQA Guidelines Section 15093. Ultimately, city decision makers will determine whether the CEQA findings can be made and supported by substantial evidence.

I1-17 This comment references data included in Table 5.11-28 and states that mitigation cannot be uncertain or left to future fee programs without specific information and that the City will not be able to make a finding of overriding considerations for significant cumulative traffic impacts. The comment further states that imposing mitigation on the "Pan" area is not proper.

The discussion referenced by the comment (beginning on page 5.11-73 of the Draft EIR) involved cumulative (post-2036) analysis. The cumulative traffic analysis included in Section 5.11-4 of the Draft EIR evaluated cumulative impacts up to 2036. Beyond 2036, the timing of projects is unknown, making a detailed analysis speculative. It would be inappropriate to include certain cumulative projects identified in Draft EIR Table 5.11-28 in the year 2036 cumulative analysis, because the exact timing of when these projects are anticipated would reach build-out is not currently known. The City provided this analysis for information purposes and is not an actual impact analysis pursuant to State CEQA Guidelines Section 15145.

I1-18 This comment restates portions of Impact 5.8-1 and Mitigation Measure 5.8-1, and recommends that the mitigation measure be amended to provide for review and consultation with Sacramento County. The following text change is made to Mitigation Measure 5.8-1.

On Draft EIR page 2-41 (Table 2-1) and page 5.8-12, the following text change is made to Mitigation Measure 5.8-1:

Mitigation Measure 5.8-1: Demonstrate compliance with Drainage Report

As part of approval of each small lot final map and/or each subsequent project, the project developer shall demonstrate to the City that drainage facilities are consistent with the Drainage System Modeling Report for the Natomas Panhandle (Panhandle Owner's Group 2016), and adequately attenuate increased drainage flows consistent with City standards. The analysis will also demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsen by site development. Sacramento County shall be provided the analysis regarding flooding issues at the Del Paso/Sorento Road intersection and be allowed to provide input to the City on the proper solution for any additional flooding impacts at this intersection. This demonstration may take the form of plans and/or reports.

I1-19 This comment summarizes the discussion contained in Impact 5.8-4 of the Draft EIR and recommends that Mitigation Measure 5.8-4 be revised to include coordination with Sacramento County. The comment further states that a detailed evaluation of existing conditions and the proposed detention basin be made available prior to plan approval.

As discussed on page 5.8-16, standard water quality control features would likely prevent deep infiltration of pollutants. The soil boring analysis required by Mitigation Measure 5.8-4 would occur prior to final project design. Based on the findings of the sampling, additional design features may be required to avoid contamination of the groundwater table. Pollutants that are collected within new detention basins are likely to become attached to the surface soil particles and are not likely to travel deep into subsurface soil and water layers. Several technical studies have been conducted regarding water quality control feature impacts on groundwater (e.g., California Storm Water Best Management Practices Handbook prepared by the Stormwater Quality Task Force). These studies have identified that water quality control features such as detention and infiltration basins are successful in controlling water quality and avoiding groundwater quality impacts (metals and organic compounds associated with stormwater are typically lost within the first few feet of the soil of the basins). Given that upon annexation the detention basin would be well within the City boundaries and not adjacent to the unincorporated area of the County, the suggested coordination with Sacramento County is not warranted. It should be noted that the County did not comment on the Draft EIR and request consultation on this mitigation measure.

I1-20 This comment restates that impacts to public services would be paid and funded through facilities financing plans, property taxes, and funding allocations through the City's budget and general plan. The comment further states that the "Pan" area owners should not be held to pay for any increases in services attributable to impacts from development of the "Handle". Because the "Pan" area is not included within the Panhandle PUD as defined in Chapter 3, "Project Description," property owners in the "Pan" area would not be assessed fees or taxes to offset impacts from development of the "Handle" area.

I1-21 This comment asserts that the Draft EIR failed to address the impacts on the community by forcibly incorporating the Pan. The comment further states that the Draft EIR is inconsistent with SACOG's 2016 MTP/SCS because it fails to consider the Pan area. The "Pan" area is not a component of project and is not subject to the consistency analysis provided in the Draft EIR. The 2016 MTP/SCS designates the "Pan" area as an established community. The reader is referred to Draft EIR Chapter 4, "Land Use, Population, and Housing," for the consistency analysis with the 2016 MTP/SCS.

I1-22 This comment states that the Draft EIR should not be finalized until the Plan for Services (PFS) and Public Facilities Financing Plan (PFFP) are released as the viability of mitigation proposed in the Draft EIR is contingent upon completion and analysis of the financial plans.

The purpose of the PFS is not a project for CEQA purposes. It is to provide an analysis of public services and background information for the proposed reorganization of the project to the City of Sacramento and the proposed detachment from the affected service districts. The PFS is used by Sacramento LAFCo as part of its consideration of the proposed annexation request for the Panhandle PUD and is not associated with any of the mitigation measures identified in the Draft EIR. The PFFP provides details on the project financing for public facilities and infrastructure obligations and is not associated with the feasibility of the mitigation measures identified in the Draft EIR. These documents will be available as part of City and LAFCo staff reports once public hearings are scheduled.

4 REVISIONS TO THE DRAFT EIR

This chapter presents text changes made to the Draft EIR since its publication and public review. These changes to the Draft EIR are the result of suggested edits to the document from comments received (see Chapter 3, "Response to Comments"), staff-initiated revisions to clarify impact conclusions, and edits to reflect modifications to the project design since release of the Draft EIR (see Chapter 2, "Project Modifications"). The changes are presented in the order in which they appear in the original Draft EIR and are identified by the DEIR page number. Text deletions are shown in ~~strikethrough~~, and text additions are shown in double underline.

The information contained within this chapter clarifies and expands on information in the DEIR and does not constitute "significant new information" requiring recirculation. (See Public Resources Code Section 21092.1; CEQA Guidelines Section 15088.5.)

Revisions to the Introduction (Chapter 1)

On page 1-7, the text in the 9th row of the right column in Table 1-1 is corrected to read:

> Chapter 3, "Project Description," identifies future SMUD powerline improvements in the project area, which are anticipated to be routed ~~along Sorento Road~~ within the existing 200-foot-wide easement adjacent to the existing power infrastructure.

Revisions to the Executive Summary (Chapter 2)

The 4th bullet under the subheading "Enhanced Exhaust Control Practices" on pages 2-8 (Table 2-1) and 5.2-15 has been revised as follows:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.2-1: Construction emissions of criteria air pollutants and ozone precursors Construction-related activities would result in project-generated emissions of ROG, NO_X, PM_{10} and $PM_{2.5}$ from site preparation (e.g., excavation, clearing), off-road equipment, material and equipment delivery trips, and worker commute trips, and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings). Construction activities would result in mass emissions of NO_X that exceed SMAQMD's thresholds of 85 lb/day. Therefore, construction-generated emissions of NO_X could contribute to the existing nonattainment status of the SVAB for ozone. This impact would be significant.	S	**Mitigation Measure 5.2-1: Construction exhaust and fugitive dust emissions controls** All individual public and private subsequent projects within the project area shall implement SMAQMD's Basic Construction Emission Control Practices and SMAQMD's Enhanced Exhaust Control Practices during any construction or ground disturbance activities to reduce construction-related fugitive dust emissions, diesel PM, and NO_X emissions. These measures are included below. Basic Construction Fugitive Dust Emissions Control Practices ◢ 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. ◢ 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. ◢ Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. ◢ Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).	LTS

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		◢ All roadways, driveways, sidewalks, parking lots to be paved should completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. ◢ 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. ◢ Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. <u>Enhanced Exhaust Control Practices</u> ◢ The project developer shall submit to the City and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project prior to any grading activities. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The project developer shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. ◢ Prior to any grading activities, the project developer shall provide a plan for approval by the City and SMAQMD demonstrating that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20-90 percent NO_X reduction (depending on available technology and engine Tier) and 45 percent particulate reduction compared to the most recent ARB fleet average. This plan shall be submitted in conjunction with the equipment inventory. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. ◢ The project developer shall ensure that emissions from all off-road diesel powered equipment used on the project area do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Non-compliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment shall be made at least weekly. A monthly summary of the visual	

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		survey shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. ◢ If modeled construction-generated emissions of NO_X are not reduced to a level below SMAQMD's thresholds of significance by the application of Enhanced Exhaust Control Practices, then the project developer must pay a mitigation fee into SMAQMD's off-site mitigation program. By paying the appropriate off-site mitigation fee, construction-generated emissions of NO_X are reduced to a less-than-significant level. The fee calculation to offset daily NO_X emissions is based on the SMAQMD-determined cost to reduce one ton of NO_X (currently $~~$18,260~~$ 30,000 per ton but subject to change in future years). ◤ The fee calculation shall be based on the sum of emissions associated with all individual construction activities or phases occurring within the project area boundary at any one time during the buildout period. Payment schedules shall be negotiated between SMAQMD and the developer and based on finalized construction parameters prior to the issuance of any grading permit or groundbreaking activities. If, for instance, the construction contractor of one builder is constructing one village while the construction contractor of another builder is constructing another village the developer is responsible for determining the proportion of necessary combined offset fees that each builder must contribute. Once initial construction activities are finalized by the developer, quantification of construction-related emissions shall be verified. As each individual construction phase is finalized throughout the duration of the project buildout, the mitigation fee shall be calculated based on current information, available construction equipment, and proposed construction activities. As construction activities occur over the buildout period, the developer shall work with SMAQMD to continually update mitigation fees based on actual on-the-ground emissions. The final mitigation fees shall be based on contractor equipment inventories provided by the developer to SMAQMD and shall reconcile any fee discrepancies due to schedule adjustments, and increased or decreased equipment inventories. Equipment inventories and NO_X emission estimates for subsequent construction phases shall be coordinated with SMAQMD, and the off-site mitigation fee measure shall be assessed to any construction phase that would result in an exceedance of SMAQMD's mass emission threshold for NO_X.	

The following text changes are made to Mitigation Measure 5.2-2 on Draft EIR page 2-9 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.2-2: Long-term operational emissions of air pollutants Implementation of the project would result in long-term operational emissions of ROG, NO_x, and PM_{10} that exceed SMAQMD's thresholds of significance (65 lb/day for ROG, 65 lb/day for NO_x, 80 lb/day and 14.6 tons/year for PM_{10}). Therefore, operation-generated emissions could conflict with the air quality planning efforts and contribute substantially to the nonattainment status of Sacramento County with respect to ozone and PM_{10}. This impact would be significant.	S	**Mitigation Measure 5.2-2: Implement provisions of the Air Quality Mitigation Plan to reduce operational emissions** Implementation of the following measure requires compliance with the project's AQMP, which would reduce the project's operational ozone precursors by 35 percent in comparison to the unmitigated project. The final Panhandle PUD master parcel map shall include the following reduction measures, which are detailed within the AQMP (Appendix ~~D~~ A of the ~~Draft~~ Final EIR), as conditions of approval: ◢ Incorporate traffic calming measures ◤ Design project roads to reduce motor vehicle speed through the use of on street parking, planter strips, rumble strips, and other available methods. ◤ Reduce speeds at project intersections by including marked intersections, count-down signal timers, median islands, curb extensions, traffic circles, and other available methods ◢ Incorporate pedestrian network through ◤ Removal of pedestrian barriers ◤ Inclusion of sidewalks, a minimum of 5 feet wide, on all internal streets (with the exception of alleys if applicable) ◤ Inclusion of designated pedestrian routes to existing external pedestrian facilities and streets ◢ Incorporate walkable design elements by: ◤ providing connections to all roadways, bicycle paths, and pedestrian facilities touching the project boundaries ◤ providing at least 36 intersections per square mile ◢ Participate in permanent trip reduction program through membership in a transportation management association ◢ Participate in SMAQMD's operational offset program for the purpose of reducing ROG, NOx, and PM emissions that would involve the funding of the replacement of existing wood-burning devices in the region. In addition to the conditions of approval required by this mitigation measure, the following text shall also be included in the Panhandle PUD: "All amendments to the Panhandle PUD Guidelines with the potential to result in a change in ozone precursor emissions shall include an analysis which quantifies, to the extent practicable, the effect of the proposed Panhandle PUD Guidelines on ozone precursor emissions. The amendment shall not increase total ozone precursor emissions above what was considered in the AQMP for the entire project area and shall achieve the original 35 percent reduction in total overall project emissions. If the amendment would require a change in the AQMP to meet that requirement, then the proponent of the Panhandle PUD shall consult with SMAQMD on the revised analysis and shall prepare a revised AQMP for approval by the City, in consultation with SMAQMD."	SU

The following text changes are made to the discussions of Impact 5.2-4 and 5.2-5 on Draft EIR pages 2-10 and 2-11 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.2-4: Exposure of sensitive receptors to TACs Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions.~~ This impact would be less than significant.	LTS	~~**Mitigation Measure 5.2-4: Incorporation of design features for retail center to address TACs.**~~ ~~To reduce exposure of existing or future receptors to diesel PM exhaust emissions at commercial loading dock, the following design measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~ ~~◢ Proposed commercial land uses that have the potential to emit TACs or host TAC-generating activity (e.g., loading docks) shall be located as far away from existing and proposed on-site sensitive receptors as possible such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0.~~ ~~◢ Loading dock design may incorporate the use of buildings or walls to shield commercial activity from nearby residences or other sensitive land uses.~~ ~~◢ Signs shall be posted at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises to reduce idling emissions.~~ ~~◢ Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry-cleaning operations that use perchloroethylene. Dry-cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines.~~ None required.	LTS
Impact 5.2-5: Exposure of sensitive receptors to odors The project would introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source. Further, the project would not locate land uses near any existing odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions depending upon the land uses developed.~~ As a result, potential exposure of sensitive receptors to odors would be considered a less than significant impact.	LTS	~~**Mitigation Measure 5.2-5: Incorporation of design features for retail center to address potential odor sources.**~~ ~~The project developer shall implement the following measures to reduce exposure of sensitive receptors to odorous emissions. These measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~ ~~◢ Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, and gasoline stations) shall be located as far away as possible from existing and proposed sensitive receptors or downwind of nearby receptors.~~ ~~◢ If an odor-emitting facility is to occupy space in the retail area, odor control devices shall be installed to reduce the exposure of receptors to objectionable odorous emissions. SMAQMD shall be consulted to determine applicable/feasible control devices to be installed. Use of setbacks, site design considerations, and emission controls are typically sufficient to ensure that receptors located near retail uses would not be exposed to odorous emissions on a frequent basis.~~ None required.	LTS

The following text changes are made to the discussions of Impact 5.2-9 and 5.2-10 on Draft EIR page 2-12 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.2-9: Exposure of sensitive receptors to TACs Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions. TAC impacts are considered local as pollutant concentration dissipate rapidly from the source. Mitigation is proposed that would reduce the project's contribution to TAC emissions.~~ Therefore, the project's contribution to cumulative TAC exposure impacts would not be cumulatively considerable.	NCC	None required.	NCC
Impact 5.2-10: Exposure of sensitive receptors to odors The project could introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source and would not combine with other odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions but mitigation has been incorporated to offset this impact. Due to the local nature of odor sources and incorporation of mitigation to reduce odors from proposed development, t~~ The project's contribution to cumulative odor impacts would not be cumulatively considerable.	NCC	None required.	NCC

Mitigation measures associated with Impact 5.4-3 in Table 2-1 have been modified as follows:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.4-3: Change in the significance of an archaeological resource Based on the results of the archaeological records search and various pedestrian surveys conducted for the project site, there are no known archaeological sites. However, ground-	PS	**Mitigation Measure 5.4-3a. Develop and implement a Worker Environmental Awareness Program** Prior to improvement plan approval, the project developer shall design and implement a Worker Environmental Awareness Program (WEAP) that shall be provided to all construction personnel and supervisors who will have the potential to encounter and alter	LTS

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
disturbing activities could result in discovery or damage of as yet undiscovered archaeological resources as defined in CEQA Guidelines Section 15064.5. This would be a potentially significant impact.		heritage and cultural resources. The WEAP shall be submitted to the City for approval and shall describe, at a minimum: ◢ types of cultural resources expected in the project area; ◢ types of evidence that indicate cultural resources might be present (e.g., ceramic shards, trash scatters, lithic scatters); ◢ what to do if a worker encounters a possible resource; ◢ what to do if a worker encounters bones or possible bones; and ◢ penalties for removing or intentionally disturbing heritage and cultural resources, such as those identified in the Archeological Resources Protection Act. **Mitigation Measure 5.4-3b: Stop work in the event of an archaeological discovery or Tribal Cultural Resource discovery: non-sensitive areas of the project site** In the event that evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. The City and the California ~~Department of~~ Museum~~s~~ shall be notified of the potential find and a qualified archeologist shall be retained to investigate. If the find is an archeological site, the appropriate Native American group shall be notified and consultation shall proceed as outlined in Mitigation Measure 5.4-3c. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the City shall be notified and ~~a data recovery plan~~ a discovery plan and treatment plan shall be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the City and project developer to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics, and other factors, follow accepted professional standards in recording any find including submittal of the standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area (the NCIC). If a Native American tribe has been identified as interested in the discovery, the City shall confer with the tribe in implementing this mitigation measure. **Mitigation Measure 5.4-3c – Stop work in the event of an archaeological or Tribal Cultural Resource discovery: Environmentally sensitive areas of the project site** Mitigation Measure 5.4-3c shall apply only to those areas of the project site that have been identified as "environmentally sensitive areas" (ESAs). Nothing in Mitigation Measure 5.4-3c shall eliminate or limit the responsibilities of the parties as set forth in Mitigation Measures 5.4-3a or 5.4-3b.	

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		A minimum of seven days prior to beginning ground-disturbing activities on the project site, Native American representatives from culturally affiliated Native American Tribes shall be notified that construction will commence so that monitors can be arranged for construction. The City may identify portions of the project site that are not subject to current development proposals, and those areas shall be excluded from requirements relating to current investigation. Any ESA in excluded areas shall remain subject to this mitigation measure at such time that ground disturbance in that area is initiated. Prior to any ground disturbance on the project site, and in coordination with the Native American representatives, the City and a qualified archaeologist meeting the U.S. Secretary of the Interior's Standards (SOIS) for Archeology and a Tribal Monitor shall prepare an Area of Direct Impact or Area of Potential Effect map identifying recorded archaeological resources and potential locations of Tribal Cultural Resources (ESAs) on the project site proposed for development. Potential resources may remain on the project site as documented in the NCIC records search. The map shall be subject to California law regarding confidentiality of such materials. Protective fencing shall be installed 100 feet around the specific resource, and demarcated as an ESA. The archaeologist shall ensure that fencing around the ESA remains in place. The archaeologist and tribal monitor shall be retained at the applicant's expense to monitor all construction activities that involve ground disturbance (e.g., vegetation removal, grading, excavation, disking) within the ESA. The conduct and work of any Tribal Monitor shall be consistent with the Native American Heritage Commission Guidelines for Tribal Monitors/Consultants (NAHC, 2005). The Tribal Monitor has the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted, or slowed if such objects are identified. The Tribal Monitor shall prepare daily logs recording the results of monitoring. At the end of construction Tribal Monitor's daily logs shall be submitted to the City and the developer. If prehistoric, historic-period archaeological, or tribal cultural resources are encountered during project implementation, either within the ESA or the remainder of the project site, the contractor shall immediately cease all work activities within approximately 100 feet of the discovery and install fencing, if not already in place. The contractor shall immediately contact the City. The City shall consult with the archaeologist and the Tribal Monitor. The contractor shall not resume work until authorization is received from the City. The archaeologist and the Tribal Monitor shall inspect the findings within 24 hours of discovery. If it is determined that the resource qualifies as a historical resource or a unique archaeological resource or a Tribal Cultural Resource (as defined pursuant CEQA Guidelines 15064.5, PRC Section 21083.2 (g) and 21074) and that the project has potential to damage or destroy the resource, a Discovery Plan and Treatment Plan, prepared in accordance with the direction below, shall be implemented.	

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		Discovery Plan and Treatment Plan A Discovery Plan and Treatment Plan shall be created prior to ground disturbance in anticipation of a potential discovery of prehistoric or Tribal Cultural Resources. The Discovery Plan and Treatment Plan shall be consistent with CEQA Guidelines Section 15126.4(b)(3), through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding resource site into a permanent conservation easement. If avoidance or preservation in place is not feasible, a detailed treatment plan to recover the scientifically consequential information from and about the resource, prepared by the archaeologist in coordination with the Native American Representatives, shall be prepared, reviewed, and approved by the City prior to any excavation at the resource site. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be affected by the project. The Treatment Plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals, if requested by culturally affiliated Tribes.	

On Draft EIR page 2-33 (Table 2-1), the following text change is made to Impacts 4.5-6 through 4.5-9:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact ~~4.5~~ 5.4-6: Contribution to cumulative impacts on historic resources (structures). The ~~project~~ would not result in the loss of the historic resources, and would not. contribute to the cumulative loss of historic agricultural structures in the Sacramento Valley. The cumulative impact associated with the loss of historic structures in the Sacramento Valley would be significant and the project's contribution would be less than cumulatively considerable.	LCC	None required.	NC
Impact ~~4.5~~ 5.4-7: Contribution to cumulative impacts on historic resources (landscapes).	NC	None required.	NC

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Continued development of the Sacramento Valley, including development under the project, would not cause a significant impact to the historic landscape associated with RD 1000 or affect any of its contributing elements or other characteristics that make it eligible for inclusion in the NRHP. This is a less-than-significant cumulative impact and the project's cumulative contribution would not be considerable such that a new significant cumulative impact would occur.			
Impact ~~4.5~~ 5.4-8: Contribution to cumulative impacts on archaeological resources Cumulative development could result in potentially significant archaeological resource impacts. However, with implementation of the mitigation measures proposed, the project's contribution to these impacts would be reduced to a less-than-significant level. Therefore, the project's contribution to cumulative archaeological resource impacts would not be cumulatively considerable.	NCC	None required.	NCC
Impact ~~4.5~~ 5.4-9: Contribution to cumulative impacts on human remains. The project, in combination with other development in the Valley Nisenan and Plains Miwok territory could contribute to the disturbance of human remains because of project-related construction activities. This would be a significant cumulative impact. However, compliance with California Health and Safety Code Sections 7050.5 and 7052 and California Public Resources Code Section 5097 would ensure the project's contribution would not be cumulatively considerable.	NCC	None required.	NCC

The following text edits are made to Mitigation Measure 5.6-1a on Draft EIR page 2-36 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.6-1: Project-generated greenhouse gas emissions The project is estimated to generate 5,530 $MTCO_2e$ from construction activities and ~~27,379~~ 28,408 $MTCO_2e$ operational-related emissions at project buildout in 2036. Total project emissions would be ~~27,600~~ 28,629 $MTCO_2e$/year in 2036 with combined amortized construction emissions. This level of	CC	**On-site GHG emission reduction measures** **Mitigation Measure 5.6-1a** The project developer shall incorporate the following mitigation measures into the project to reduce operational emissions of GHGs to the extent feasible. Transportation ◢ Include adequate electric wiring and infrastructure in all single-family residential units (shown in building plans) to	NCC

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
GHG emissions has the potential to result in a considerable contribution to cumulative emissions related to global climate change and conflict with State GHG reduction targets established for 2030 and 2050. This cumulative impact would be significant and the project's contribution would be cumulatively considerable.		support a 240-volt electric vehicle charger in the garage or off-street parking area to allow for the future installation of electric vehicle chargers. This connection shall be separate from the connection provided to power an electric clothes dryer. ◢ Include electric vehicle charging stations, similar or better than Level 2, in parking areas as part of site design submittals for development of the ~~designated suburban center and~~ elementary school. <u>Building Energy</u> ◢ Achieve as many residential and non-residential zero net energy buildings as feasible, which shall be implemented in the following way: ◤ Prior to the issuance of building permits for residential, ~~commercial,~~ and private recreation centers, the project developer or its designee shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to the City of Sacramento for review and approval. The ZNE Report shall demonstrate that development within the Panhandle PUD project area subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings. ◢ Where ZNE is deemed infeasible, building energy may also be reduced in the following ways: ◤ Reduce building energy-related GHG emissions through the use of on-site renewable energy (e.g., solar photovoltaic panels) where technologically feasible and at a minimum of 15 percent of the project's total energy demand. Building design, landscape plans, and solar installation shall take into account solar orientation, and building roof size to maximize solar exposure. ◤ Provide incentives to future residents to purchase Energy Star™ appliances (including clothes washers, dish washers, fans, and refrigerators). ◤ Install high efficiency lighting (i.e., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications. ◤ Provide electrical outlets on the exterior of project buildings to allow sufficient powering of electric landscaping equipment. ◤ Install low-flow kitchen faucets that comply with CALGreen residential voluntary measures (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi). ◤ Install low-flow bathroom faucets that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi)	

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		◤ Install low-flow toilets that exceed the CALGreen residential mandatory requirements (maximum flush volume less not to exceed 1.28 gallons per flush) ◤ Install low-flow showerheads that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 2 gallons per minute at 80 psi) ◤ Reduce turf area and use water-efficient irrigation systems (i.e., smart sprinkler meters) and landscaping techniques/design.	

On Draft EIR page 2-41 (Table 2-1), the following text change is made to Mitigation Measure 5.8-1:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.8-1: Storm Water Runoff Generation and Surface Water Drainage Patterns Development of the project may increase storm water runoff rates generated within and downstream of the project when compared with existing conditions. While the project includes necessary drainage improvements to properly handle onsite storm water flows, phased development of the site could potentially result in temporary drainage impacts if the necessary drainage facilities are not in place at the time of site development. Development could also worsen existing drainage and local flooding issues at the intersection of Del Paso Road and Sorento Road. This impact would be potentially significant.	PS	**Mitigation Measure 5.8-1: Demonstrate compliance with Drainage Report** As part of approval of each small lot final map and/or each subsequent project, the project developer shall demonstrate to the City that drainage facilities are consistent with the Drainage System Modeling Report for the Natomas Panhandle (Panhandle Owner's Group 2016), and adequately attenuate increased drainage flows consistent with City standards. The analysis will also demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsen by site development. Sacramento County shall be provided the analysis regarding flooding issues at the Del Paso/Sorento Road intersection and be allowed to provide input to the City on the proper solution for any additional flooding impacts at this intersection. This demonstration may take the form of plans and/or reports.	LTS

On Draft EIR page 2-42 (Table 2-1), the following text change is made to Impact 5.8-3:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.8-3 Flood Risk from Levee Failure The project may conflict with planned improvements to the North Natomas Levee associated with the NEMDC to provide flood protection. This impact would be ~~potentially~~ less than significant.	LTS ~~PS~~	~~**Mitigation Measure 5.8-3: Provision of 150-foot setback from centerline of the Natomas Levee**~~ ~~As part of approval of each small lot final map and/or each subsequent project, the project developer shall designate a 150-foot setback from centerline of the Natomas Levee. The landside of the levee shall be designated as open space or other uses that would not damage the levee and will provide access to Reclamation District 1000 and the Sacramento Area Flood Control for levee improvements and maintenance.~~ None required.	LTS

Impact 5.9-3 is deleted on Draft EIR page 2-46 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
~~**Impact 5.9-3: Exposure of existing sensitive receptors to new or additional operational project generated stationary noise sources**~~ ~~The project would result in the development of commercial land uses in proximity to existing sensitive receptors. Noise sources generally associated with commercial/retail land uses include vehicular and human activity in parking lots, and loading dock and delivery activities. Based the modeled reference noise levels, no existing residential off site receptors would experience commercial-related noise levels that exceed the City and County's daytime and nighttime Leq or maximum intermittent noise (Lmax) levels standards. This impact would be less than significant.~~	~~LTS~~	~~None required.~~	~~LTS~~

The following text edits are made to Impact 5.9-4 and elimination of Mitigation Measure 5.9-4b on Draft EIR page 2-47 (Table 2-1):

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.9-4: Compatibility of Proposed Land Uses with Projected Levels of Noise Exposure The project proposes a mix of various land uses, including residential, ~~commercial,~~ park, and school uses. Traffic and stationary noise sources in the vicinity of the project may expose noise-sensitive uses within the project site to excessive noise levels, resulting in land use conflicts related to noise. Implementation of the project could expose future planned sensitive receptors to transportation and stationary source noise levels that exceed the City of Sacramento noise standards. Therefore, this impact would be significant.	S	**Mitigation Measure 5.9-4a: Reduce transportation noise exposure to sensitive receptors** For new sensitive receptors developed as part of the project and that would be located within 282 feet of the centerline of Del Paso Road, within 278 feet of the centerline of Del Paso Road, within 80 feet of the centerline of Club Center Drive, or within 90 feet of the centerline of Street "G" (i.e., the distance from the centerline that is estimated, based on the noise modelling, to result in exceedance of the City of Sacramento exterior noise compatibility standard of 60 CNEL for low density residential), any or all of the following design criteria shall be adhered to: ◢ Where feasible, locate new sensitive receptors such that the outdoor activity area (e.g., balcony or porch) is on the opposite side of the structure from major roadways such that the structure itself would provide a barrier between transportation noise and the outdoor activity areas. ◢ Locate new sensitive receptors with other buildings/structures between the sensitive land use and nearby major roadways. ◢ If new sensitive receptors cannot be oriented or shielded by other structures, then design and building materials shall be chosen such that, at a minimum, 25 dBA of exterior-to-interior noise attenuation would be achieved, so that interior noise levels comply with the City of Sacramento interior noise standard of 45 L_{dn}.	LTS

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		◢ Setback sensitive receptors from major roadways at a distance that will not result in the exceedance of the City of Sacramento exterior noise compatibility standard of 60 CNEL for low-density residential land uses. If, and only if, implementation of the above measures do not reduce transportation-related noise levels to comply with the City of Sacramento exterior noise compatibility standard of 60 CNEL for low density residential, then as part of improvement plans for land uses along Del Paso Road, Elkhorn Boulevard, National Drive and Club Center Drive, landscaped noise barriers that demonstrate compliance with City noise standards (interior and exterior) shall be implemented. The project developer will be required to demonstrate compliance with this mitigation measure and whether noise barriers are ultimately required. ~~**Mitigation Measure 5.9-4b: Reduce noise exposure to existing sensitive receptors from proposed stationary noise sources**~~ ~~The project developer shall implement the following measures to reduce the effect of noise levels generated by on site stationary noise sources:~~ ◢ ~~Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., exterior daytime [7:00 a.m. to 10:00 p.m.] standards of 55 L_{eq}/ 75 L_{max} and the exterior nighttime [10:00 p.m. to 7:00 a.m.] standards of 50 Leq / 70 L_{max}; or interior noise standards of 45 L_{dn}) at any planned sensitive receptor. At the time of approval of special permits and/or development plan review, the project developer shall provide to the City a specialized noise study to evaluate specific design and ensure compliance with City of Sacramento noise standards. Reduction of loading dock noise can be achieved by locating loading docks as far away as feasible from noise sensitive land uses, constructing noise barriers between loading docks and noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise sensitive land uses. Final design, location, and orientation shall be dictated by findings in the noise study, if applicable.~~	

The following text changes are made on Draft EIR page 2-54 (Table 2-1) to Mitigation Measure 5.12-2:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact 5.12-2: Day-time glare and nighttime lighting Development of the project area would result in the introduction of buildings and facilities that may create lighting and glare on adjoining areas. This impact would be significant.	S	**Mitigation Measure 5.12-2: Light fixture design** Outdoor lighting for ~~commercial uses and~~ community parks/sports facilities shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the improvement plans. Light fixtures for sports fields that are planned to be lighted shall be directed away from residential areas and roadways to reduce light spillover and glare. Light fixtures shall be	LTS

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
		designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles. These lighting requirements will be included in the Panhandle PUD Guidelines.	

Revisions to Air Quality (Section 5.2)

The 4th bullet under the subheading "Enhanced Exhaust Control Practices" on 5.2-15 has been revised as follows:

> If modeled construction-generated emissions of NO_X are not reduced to a level below SMAQMD's thresholds of significance by the application of Enhanced Exhaust Control Practices, then the project developer must pay a mitigation fee into SMAQMD's off-site mitigation program. By paying the appropriate off-site mitigation fee, construction-generated emissions of NO_X are reduced to a less-than-significant level. The fee calculation to offset daily NO_X emissions is based on the SMAQMD-determined cost to reduce one ton of NO_X (currently ~~$18,260~~ $30,000 per ton but subject to change in future years).

The following text changes are made to Mitigation Measure 5.2-2 on Draft EIR page 5.2-18:

Mitigation Measure 5.2-2: Implement provisions of the Air Quality Mitigation Plan to reduce operational emissions

Implementation of the following measure requires compliance with the project's AQMP, which would reduce the project's operational ozone precursors by 35 percent in comparison to the unmitigated project.

The final Panhandle PUD master parcel map shall include the following reduction measures, which are detailed within the AQMP (Appendix ~~D~~ A of the ~~Draft~~ Final EIR), as conditions of approval:

- Incorporate traffic calming measures
  - Design project roads to reduce motor vehicle speed through the use of on street parking, planter strips, rumble strips, and other available methods.
  - Reduce speeds at project intersections by including marked intersections, count-down signal timers, median islands, curb extensions, traffic circles, and other available methods
- Incorporate pedestrian network through
  - Removal of pedestrian barriers
  - Inclusion of sidewalks, a minimum of 5 feet wide, on all internal streets (with the exception of alleys if applicable)
  - Inclusion of designated pedestrian routes to existing external pedestrian facilities and streets
- Incorporate walkable design elements by:
  - providing connections to all roadways, bicycle paths, and pedestrian facilities touching the project boundaries
  - providing at least 36 intersections per square mile
- Participate in permanent trip reduction program through membership in a transportation management association

- Participate in SMAQMD's operational offset program for the purpose of reducing ROG, NO_X, and PM emissions that would involve the funding of the replacement of existing wood-burning devices in the region.

In addition to the conditions of approval required by this mitigation measure, the following text shall also be included in the Panhandle PUD:

"All amendments to the Panhandle PUD Guidelines with the potential to result in a change in ozone precursor emissions shall include an analysis which quantifies, to the extent practicable, the effect of the proposed Panhandle PUD Guidelines on ozone precursor emissions. The amendment shall not increase total ozone precursor emissions above what was considered in the AQMP for the entire project area and shall achieve the original 35 percent reduction in total overall project emissions. If the amendment would require a change in the AQMP to meet that requirement, then the proponent of the Panhandle PUD shall consult with SMAQMD on the revised analysis and shall prepare a revised AQMP for approval by the City, in consultation with SMAQMD."

The following text changes are made to Draft EIR page 5.2-21:

Impact 5.2-4: Exposure of sensitive receptors to TACs

Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions.~~ This impact would be **less than significant**.

The following text changes are made to Draft EIR pages 5.2-22 through 5.2-24:

Long-Term Operation

The project would consist of residential, public school, and park uses. These land uses are not a source of stationary source of TACs or mobile TACs from diesel PM from regular truck traffic.

~~Operation of the project would result in new sources of TACs associated with new vehicular trips on existing and new roadways as well as new sources of diesel PM associated with commercial delivery trucks occurring within the retail center. New TAC sources could expose existing surrounding land uses and new receptors to TAC emissions.~~ The project would ~~also~~ locate new sensitive land uses in close proximity to existing TAC sources associated with surrounding land uses and roadways.

In accordance with available guidance from SMAQMD and ARB, freeways or urban roadways experiencing 100,000 or more vehicles per day could expose sensitive receptors to adverse health risks. Based on the traffic study conducted, the project would result in a maximum of 27,627 daily trips (i.e., new TAC sources), traveling through 23 different intersections and multiple roadways (See Table 5.11-12 in Section 5.11, "Transportation and Circulation").

Further, existing traffic volumes along nearby roadways range from approximately 340 to 36,000 vehicles per day (DKS 2017). Project-generated traffic would add to the existing traffic volumes of these roads. The largest increase in traffic volume would occur on Del Paso Road, from Gateway Park Boulevard to Black Rock Drive, with an increase of 6,100 to a total traffic volume of 28,500 vehicles per day. The largest traffic volume would occur on Northgate Boulevard, from North Market Boulevard to Interstate 80 (I-80), with 39,700 vehicles per day. These traffic volumes do not exceed SMAQMD's or ARB's guidance of 100,000 vehicles per day, thus new and existing sensitive receptors would not be exposed to increased health risk.

~~In addition to new mobile sources on local roadways, the project would include the development of 9.7 acres of retail and commercial land uses. Commercial and retail land uses may include loading docks for delivery trucks, resulting in diesel PM exhaust emissions from idling trucks that could expose existing or new sensitive receptors to TACs, depending on the location of the new commercial uses and proximity to off-site or new receptors.~~

With regards to the placement of new sensitive receptors near sources of TACs, the project would locate new residences near existing industrial uses such as Wilber-Ellis Co., a fertilizer and agricultural product manufacture located approximately 1,280 feet to the north east of the project area, and Syar Concrete, a ready mix concrete producer located approximately 365 feet to the east of the project area. Emission sources from fertilizer production facilities include fugitive particulate matter associated with rock unloading, handling, mixing, storage, and transfer and exhaust particulate matter emissions from the operation of dyers, coolers, and scrubbers. The facility may also emit hydrogen fluoride, which is identified as a TAC in the CAAA. Concrete manufacturing generates fugitive particulate matter emissions through the transfer of sand, truck loading, mixer loading, vehicle movement, and wind erosion at stockpiles.

Based on a public record search, these facilities currently hold a permit to operate from SMAQMD, which requires bag filters to control particulate matter from equipment operations, limits mass emissions of air pollutants and toxics, and requires operating conditions to prevent any off-site nuisance (i.e., dust or odor emissions). Further, prevailing wind in the project vicinity is from the south and therefore, any emissions that could occur would likely not affect the project area.

In addition to existing industrial land uses, the project area is located approximately 1 mile to the north of I-80. Traffic on I-80 is a primary source of TACs in the project vicinity, with traffic volumes of approximately 135,000 vehicles per day (Caltrans 2014). Guidance from SMAQMD's Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways and ARB's Air Quality and Land Use Handbook recommends that new sensitive receptors should not be placed within 500 feet of freeways or urban streets with traffic volumes that exceed 100,000 vehicles per day (ARB 2005). Although the traffic volumes of I-80 exceed 100,000, the project area is not within 500 feet of I-80, thus new sensitive receptors as a result of the project would not be exposed to excessive health risk from I-80. No other roadways in the project vicinity experience volumes that exceed 100,000 vehicles per day (SMAQMD 2016).

In summary, the project-related construction activities would not expose nearby sensitive receptors to incremental increases in cancer, chronic, and acute risk that exceed applicable thresholds. ~~However, the placement of new sources of diesel PM associated with commercial delivery trucks could expose new or existing sensitive receptors to increased TAC emissions.~~ This impact would be **less than significant**.

Mitigation Measures

None required.

~~Mitigation Measure 5.2-4: Incorporation of design features for retail center to address TACs.~~

~~To reduce exposure of existing or future receptors to diesel PM exhaust emissions at commercial loading dock, the following design measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~

- ~~Proposed commercial land uses that have the potential to emit TACs or host TAC generating activity (e.g., loading docks) shall be located as far away from existing and proposed on site sensitive receptors as possible such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0.~~

- ~~Loading dock design may incorporate the use of buildings or walls to shield commercial activity from nearby residences or other sensitive land uses.~~

- ~~Signs shall be posted at all loading docks and truck loading areas which indicate that diesel powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises to reduce idling emissions.~~

- ~~Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry cleaning operations that use perchloroethylene. Dry cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines.~~

~~Significance after Mitigation~~
~~Implementation of Mitigation Measure 5.2-4 would ensure that any new sources of TACs associated with the proposed commercial land uses would not expose existing or new sensitive land uses to excessive TAC levels. Thus, the project generated TAC sources would not result in an increased health risk to existing levels in the project area and this impact would be reduced to less than significant.~~

The following text changes are made to Draft EIR page 5.2-24 (Impact 5.2-5):

Impact 5.2-5: Exposure of sensitive receptors to odors

The project would introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses~~). However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source. Further, the project would not locate land uses near any existing odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions depending upon the land uses developed.~~ As a result, potential exposure of sensitive receptors to odors would be considered a **less-than-significant** impact.

The following text changes are made to Draft EIR pages 5.2-25 and 5.2-26:

Long-Term Operation
~~Operation of the project would include new commercial land uses which would likely result in diesel-fueled delivery trucks visiting loading docks at these areas; however, these types of sources are not different from those that currently deliver materials to existing land uses in developed urban areas and would be relatively short and infrequent. Facilities developed under the project would be subject to SMAQMD Rule 402 (Nuisance) regarding the control of nuisances, including odors. Receptors located in the general vicinity of such sources may be exposed to odorous emissions. These receptors could include the new residences built around the commercial development, as well as existing residences located adjacent to the project area, within 100 feet.~~

The project is not anticipated to result in the installation of any major odor emission sources that would result in a potentially significant impact to the occupants of the proposed on-site land uses. ~~However, although specific retail uses have not yet been identified, uses considered to be minor sources of odors may be developed. Such sources typically include dry cleaning establishments, restaurants, and gasoline stations.~~

No major existing sources of odors have been identified in the project vicinity. A couple industrial land uses are located in the project vicinity that may result in intermittent emissions of odors, including John Taylor Fertilizer and Syar Concrete, located northeast of the project area along Elkhorn Boulevard. However, based on a review of odor complaints filed within the last 16 years, there has been four odor-related complaints associated with the fertilizer company, which is located

approximately 1,200 feet from the project area (Jester, pers. comm., 2017). However, all permits to operate have been cancelled since then so it is likely that fertilizer production at this facility no longer occurs. SMAQMD permitting regulations, as described above, regulates emissions at these facilities and complaints are addressed as deemed necessary by air districts and the City. Based on the limited number of complaints in the past 16 years and the fact that the fertilizer company no longer holds active permits to operate, it is unlikely that these facilities would result in substantial odors in the future.

There are also occasional odors associated with existing agricultural activities in the surrounding area. The reader is referred to Section 5.1, "Agricultural Resources," and Impact 5.1-2 regarding compatibility issues with existing agricultural operations.

As a result, potential exposure of sensitive receptors to odors associated with proposed land uses in the project area and the siting of new sensitive receptors in proximity to existing odor sources would be considered **less than significant**.

Mitigation Measures

None required.

~~Mitigation Measure 5.2-5: Incorporation of design features for retail center to address potential odor sources.~~

~~The project developer shall implement the following measures to reduce exposure of sensitive receptors to odorous emissions. These measures shall be incorporated into the Panhandle Planned Unit Development Guidelines.~~

- ~~Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, and gasoline stations) shall be located as far away as possible from existing and proposed sensitive receptors or downwind of nearby receptors.~~

- ~~If an odor emitting facility is to occupy space in the retail area, odor control devices shall be installed to reduce the exposure of receptors to objectionable odorous emissions. SMAQMD shall be consulted to determine applicable/feasible control devices to be installed. Use of setbacks, site design considerations, and emission controls are typically sufficient to ensure that receptors located near retail uses would not be exposed to odorous emissions on a frequent basis.~~

~~Significance after Mitigation~~

~~Through implementation of the above mitigation measure, and given that emissions from such sources would typically be intermittent and would disperse rapidly with increased distance from the source, implementation of the project would not be anticipated to result in a frequent exposure of a substantial number of people to odorous emissions. This impact would be reduced to a **less-than-significant level**.~~

The following text changes are made to Draft EIR page 5.2-28:

Impact 5.2-9: Exposure of sensitive receptors to TACs

Construction-related emissions of TACs associated with land uses developed under the project would not result in an incremental increase in cancer risk greater than 10 in one million or a hazard index greater than 1.0 at existing or future sensitive receptors. ~~However, new TAC sources associated with commercial development may expose existing or new receptors to TAC emissions. TAC impacts are considered local as pollutant concentration dissipate rapidly from the source. Mitigation is proposed that would reduce the project's contribution to TAC emissions.~~ Therefore, the project's contribution to cumulative TAC exposure impacts **would not be cumulatively considerable**.

As discussed under Impact 5.2-4, the project would not generate significant health risks associated with toxic air contaminants, because it would not expose any single receptor to a level of cancer risk that exceeds an incremental increase of 10 in one million, or to a noncarcinogenic hazard Index of 1. ~~The project may result in some new sources of TACs associated with the commercial land uses. However, TAC sources are considered local as pollutant concentrations dissipate rapidly from the source. Further, Mitigation Measure 5.2-4 would reduce project TACs and protect sensitive receptors. Thus, given that project generated TAC emissions would not be considered substantial, mitigation would reduce project generated TAC sources, and the localized nature of TACs, project generated increases in TAC emissions~~ Thus, the project's contribution to this impact **would not be cumulatively considerable**.

The following text changes are made to Draft EIR page 5.2-29:

Impact 5.2-10: Exposure of sensitive receptors to odors

The project could introduce new odor sources into the area (e.g., temporary diesel exhaust emissions during construction ~~and delivery trucks associated with commercial land uses)~~. However, these odor sources would be temporary, intermittent, and dissipate rapidly from the source and would not combine with other odor sources. ~~Receptors located near the proposed retail center may be exposed to odorous emissions but mitigation has been incorporated to offset this impact. Due to the local nature of odor sources and incorporation of mitigation to reduce odors from proposed development, t~~ The project's contribution to cumulative odor impacts **would not be cumulatively considerable**.

As discussed under Impact 5.2-5, the project would generate temporary odors during construction ~~and new odor sources associated with the commercial land uses (e.g., delivery trucks idling at commercial loading zones, odors associated with certain land uses such as dry cleaners)~~. Construction-related odors would be minimal, temporary, and would cease once construction is complete. ~~Incorporation of on-site Mitigation Measure 5.2-5 would reduce odor exposure to new receptors. Because of the localized character of odor-related impacts, as well as the site-specific design measures in place to reduce odor exposure, t~~ The project's contribution to odor issues **would not be cumulatively considerable**.

Revisions to Biological Resources (Section 5.3)

The following text revisions are made above the "City of Sacramento 2035 General Plan" on page 5.3-17:

Consequently, the Panhandle PUD would be subject to the avoidance, minimization, mitigation and conservation measures set forth in the NBHCP and the ITPs upon annexation.

The NBHCP mitigation requirements include:

- Payment of HCP fees or dedication of land at a ratio of 0.5 to 1.
- Reconnaissance-level surveys to determine what habitats are present on a proposed development site. (Reconnaissance surveys are submitted with the developer's application.)
- Pre-construction surveys for potential special status species not less than 30 days or more than 6 months prior to construction activities.
- Species-specific mitigation, as required, per USFWS and CDFW protocol.

The project is over 50 acres in size and would be required to dedicate land within the Natomas Basin as part of its compliance with the NBHCP. The project would also be required to pay a one-time HCP fee (currently $20,350 for project that include land dedication). The land dedication would be

required prior to any physical disturbance of the property, which would likely be tied to City approval of Small Lot Tentative Subdivision Maps.

Revisions to Archaeological, Historical, and Tribal Cultural Resources (Section 5.4)

The following revisions to this section reflect further consultation under AB 52 and subsequent agreement between the City and the United Auburn Indian Community (UAIC) on modifications to mitigation measures to further address accidental discovery of tribal cultural resources.

The first paragraph on page 5.4-8 has been modified as follows:

> As described below under "Regulatory Setting," AB 52 applies to those projects for which a lead agency had issued a NOP of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration on or after July 1, 2015. Letters from the City to Gene Whitehouse, Chairperson; Marcos Guerrero, Cultural Resources Manager; and Jason Camp, Tribal Historic Preservation Officer for UAIC and Antonio Ruiz, Cultural Resources Officer for Wilton Rancheria were sent on February 19, 2016. UAIC responded on April 27, 2016 which is after the close of the 30-day response period, pursuant to PRC 21080.3.1(d). Wilton Rancheria responded on March 14, 2016. Both tribes requested copies of existing cultural reports in addition to initiating formal consultation. Cultural reports and the results of updated (2017) cultural record searches were sent to both tribes in April 2017~~ and consultation is ongoing~~. A meeting was held between the City and UAIC on June 28, 2017 to identify changes to mitigation measures in the Draft EIR to further address accidental discovery of tribal cultural resources. Agreement on modifications to mitigation measures under Impact 5.4-3 was reached through e-mail communications (Mahaffey 2017).

Mitigation measures on pages 5.4-18 and -19 have been modified as follows:

Mitigation Measure 5.4-3a. Develop and implement a Worker Environmental Awareness Program

Prior to improvement plan approval, the project developer shall design and implement a Worker Environmental Awareness Program (WEAP) that shall be provided to all construction personnel and supervisors who will have the potential to encounter and alter heritage and cultural resources. The WEAP shall be submitted to the City for approval and shall describe, at a minimum:

- types of cultural resources expected in the project area;
- types of evidence that indicate cultural resources might be present (e.g., ceramic shards, trash scatters, lithic scatters);
- what to do if a worker encounters a possible resource;
- what to do if a worker encounters bones or possible bones; and
- penalties for removing or intentionally disturbing heritage and cultural resources, such as those identified in the Archeological Resources Protection Act.

Mitigation Measure 5.4-3b: Stop work in the event of an archaeological discovery or Tribal Cultural Resource discovery: non-sensitive areas of the project site

In the event that evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. The City and the California ~~Department of~~ Museum~~s~~ shall be notified of the potential find and a qualified archeologist shall be retained to investigate. If the find is an archeological site, the appropriate Native American

group shall be notified and consultation shall proceed as outlined in Mitigation Measure 5.4-3c. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the City shall be notified and ~~a data recovery plan~~ a discovery plan and treatment plan shall be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the City and project developer to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics, and other factors, follow accepted professional standards in recording any find including submittal of the standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area (the NCIC). If a Native American tribe has been identified as interested in the discovery, the City shall confer with the tribe in implementing this mitigation measure.

Mitigation Measure 5.4-3c – Stop work in the event of an archaeological or Tribal Cultural Resource discovery: Environmentally sensitive areas of the project site

Mitigation Measure 5.4-3c shall apply only to those areas of the project site that have been identified as "environmentally sensitive areas" (ESAs). Nothing in Mitigation Measure 5.4-3c shall eliminate or limit the responsibilities of the parties as set forth in Mitigation Measures 5.4-3a or 5.4-3b.

A minimum of seven days prior to beginning ground-disturbing activities on the project site, Native American representatives from culturally affiliated Native American Tribes shall be notified that construction will commence so that monitors can be arranged for construction. The City may identify portions of the project site that are not subject to current development proposals, and those areas shall be excluded from requirements relating to current investigation. Any ESA in excluded areas shall remain subject to this mitigation measure at such time that ground disturbance in that area is initiated.

Prior to any ground disturbance on the project site, and in coordination with the Native American representatives, the City and a qualified archaeologist meeting the U.S. Secretary of the Interior's Standards (SOIS) for Archeology and a Tribal Monitor shall prepare an Area of Direct Impact or Area of Potential Effect map identifying recorded archaeological resources and potential locations of Tribal Cultural Resources (ESAs) on the project site proposed for development. Potential resources may remain on the project site as documented in the NCIC records search. The map shall be subject to California law regarding confidentiality of such materials. Protective fencing shall be installed 100 feet around the specific resource, and demarcated as an ESA. The archaeologist shall ensure that fencing around the ESA remains in place.

The archaeologist and tribal monitor shall be retained at the applicant's expense to monitor all construction activities that involve ground disturbance (e.g., vegetation removal, grading, excavation, disking) within the ESA. The conduct and work of any Tribal Monitor shall be consistent with the Native American Heritage Commission Guidelines for Tribal Monitors/Consultants (NAHC, 2005). The Tribal Monitor has the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted, or slowed if such objects are identified.

The Tribal Monitor shall prepare daily logs recording the results of monitoring. At the end of construction Tribal Monitor's daily logs shall be submitted to the City and the developer.

If prehistoric, historic-period archaeological, or tribal cultural resources are encountered during project implementation, either within the ESA or the remainder of the project site, the contractor shall immediately cease all work activities within approximately 100 feet of the discovery and install fencing, if not already in place. The contractor shall immediately contact the City. The City shall consult with the archaeologist and the Tribal Monitor. The contractor shall not resume work until authorization is received from the City.

The archaeologist and the Tribal Monitor shall inspect the findings within 24 hours of discovery. If it is determined that the resource qualifies as a historical resource or a unique archaeological resource or a Tribal Cultural Resource (as defined pursuant CEQA Guidelines 15064.5, PRC Section 21083.2 (g) and 21074) and that the project has potential to damage or destroy the resource, a Discovery Plan and Treatment Plan, prepared in accordance with the direction below, shall be implemented.

Discovery Plan and Treatment Plan

A Discovery Plan and Treatment Plan shall be created prior to ground disturbance in anticipation of a potential discovery of prehistoric or Tribal Cultural Resources. The Discovery Plan and Treatment Plan shall be consistent with CEQA Guidelines Section 15126.4(b)(3), through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding resource site into a permanent conservation easement. If avoidance or preservation in place is not feasible, a detailed treatment plan to recover the scientifically consequential information from and about the resource, prepared by the archaeologist in coordination with the Native American Representatives, shall be prepared, reviewed, and approved by the City prior to any excavation at the resource site. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be affected by the project. The Treatment Plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals, if requested by culturally affiliated Tribes.

Significance after Mitigation

Implementation of Mitigation Measures 5.4-3a, ~~and~~ 5.4-3b, and 5.4-3c would reduce potentially significant impacts to known and currently undiscovered archaeological resources because actions would be taken to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, this impact would be reduced to a **less-than-significant** level.

The first paragraph under Impact 5.4-5 on page 5.4-20 has been modified as follows:

As part of the 2013/2014 legislative session, AB 52 established a new class of resources under CEQA, TCRs, and requires that lead agencies undertaking CEQA review must, upon written request of a California Native American Tribe, begin consultation once the lead agency determines that the application for the project is complete. As detailed above, the City sent letters to UAIC and Wilton Rancheria on February 19, 2016, in compliance with AB 52 as well as General Plan Policy HCR 2.1.3 that calls for City consultation with appropriate organizations and individuals on historic and cultural resources. Both tribes requested consultation, but did not identify any tribal cultural resources in the project area. ~~Consultation is expected to be completed in June 2017 with a meeting between the City and UAIC.~~ A meeting was held between the City and UAIC on June 28, 2017 to identify changes to mitigation measures in the Draft EIR to further address accidental discovery of tribal cultural resources. Agreement on modifications to the mitigation measures under Impact 5.4-3 was reached through e-mail communications (Mahaffey 2017).

The last paragraph on page 5.4-20 has been modified as follows:

The project area is in Valley Nisenan territory, while also is near the borders of Plains Miwok territory; however, it is not known to have any special use. No unique archaeological remains have been identified in the project area. For these reasons, no part of the project site meets any of the PRC 5024.1(c) criteria listed above. As part of the AB 52 consultation process between the City and UAIC,

modifications to Mitigation Measures 5.4-3a, 5.4-3b, and 5.4-3c to address accidental discovery of TCRs. Therefore, the project would have **no impact** to TRCs as defined in PRC Section 21074.

The following text change is made to the impact statement Impact 4.5-6 on Draft EIR page 5.4-21:

Impact ~~4.5~~ 5.4-6: Contribution to cumulative impacts on historic resources (structures).

The following text change is made to the impact statement Impact 4.5-7 on Draft EIR page 5.4-22:

Impact 5.4 ~~4.5~~-7: Contribution to cumulative impacts on historic resources (landscapes).

The following text change is made to the impact statement Impact 4.5-8 on Draft EIR page 5.4-22:

Impact 5.4 ~~4.5~~-8: Contribution to cumulative impacts on archaeological resources

The following text change is made to the impact statement Impact 4.5-8 on Draft EIR page 5.4-23:

Impact 5.4 ~~4.5~~-9: Contribution to cumulative impacts on human remains.

The third paragraph under Impact 5.4-8 on page 5.4-22 has been modified as follows:

No known archaeological resources are located within the boundaries of the project site; nonetheless, project-related earth-disturbing activities could potentially damage undiscovered archaeological resources. Implementation of Mitigation Measures 4.5-3a, ~~and~~ 4.5-3b, and 5.4-3c would ensure that the project's contribution would not be cumulatively considerable by requiring the implementation of a WEAP and requiring construction work to cease in the event of an accidental find and requiring evaluation/treatment of the potential resource. Cumulative development could result in potentially significant archaeological resource impacts. However, with implementation of the mitigation measures proposed, the project's contribution to these impacts would be offset. Therefore, the project's contribution to cumulative archaeological resource impacts **would not be cumulatively considerable**.

Revisions to Greenhouse Gases and Climate Change (Section 5.6)

The following text changes are made to Impact 5.6-1 on Draft EIR page 5.6-11:

Impact 5.6-1: Project-generated greenhouse gas emissions

The project is estimated to generate 5,530 $MTCO_2e$ from construction activities and ~~27,379~~ 28,408 $MTCO_2e$ operational-related emissions at project buildout in 2036. Total project emissions would be ~~27,600~~ 28,629 $MTCO_2e$/year in 2036 with combined amortized construction emissions. This level of GHG emissions has the potential to result in a considerable contribution to cumulative emissions related to global climate change and conflict with State GHG reduction targets established for 2030 and 2050. This cumulative impact would be significant and the project's contribution would be **cumulatively considerable**.

The following text changes are made to Mitigation Measure 5.6-1a on Draft EIR page 5.6-12:

Mitigation Measure 5.6-1a

The project developer shall incorporate the following mitigation measures into the project to reduce operational emissions of GHGs to the extent feasible.

Transportation

- Include adequate electric wiring and infrastructure in all single-family residential units (shown in building plans) to support a 240-volt electric vehicle charger in the garage or off-street parking area to allow for the future installation of electric vehicle chargers. This connection shall be separate from the connection provided to power an electric clothes dryer.

- Include electric vehicle charging stations, similar or better than Level 2, in parking areas as part of site design submittals for development of the ~~designated suburban center and~~ elementary school.

Building Energy

- Achieve as many residential and non-residential zero net energy buildings as feasible, which shall be implemented in the following way:

    - Prior to the issuance of building permits for residential~~, commercial,~~ and private recreation centers, the project developer or its designee shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to the City of Sacramento for review and approval. The ZNE Report shall demonstrate that development within the Panhandle PUD project area subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings.

- Where ZNE is deemed infeasible, building energy may also be reduced in the following ways:

- Reduce building energy-related GHG emissions through the use of on-site renewable energy (e.g., solar photovoltaic panels) where technologically feasible and at a minimum of 15 percent of the project's total energy demand. Building design, landscape plans, and solar installation shall take into account solar orientation, and building roof size to maximize solar exposure.

- Provide incentives to future residents to purchase Energy Star™ appliances (including clothes washers, dish washers, fans, and refrigerators).

- Install high efficiency lighting (i.e., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications.

- Provide electrical outlets on the exterior of project buildings to allow sufficient powering of electric landscaping equipment.

- Install low-flow kitchen faucets that comply with CALGreen residential voluntary measures (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi).

- Install low-flow bathroom faucets that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi)

- Install low-flow toilets that exceed the CALGreen residential mandatory requirements (maximum flush volume less not to exceed 1.28 gallons per flush)

- Install low-flow showerheads that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 2 gallons per minute at 80 psi)

- Reduce turf area and use water-efficient irrigation systems (i.e., smart sprinkler meters) and landscaping techniques/design.

Revisions to Hydrology and Water Quality (Section 5.8)

On Draft EIR page 5.8-12, the following text change is made to Mitigation Measure 5.8-1:

Mitigation Measure 5.8-1: Demonstrate compliance with Drainage Report

As part of approval of each small lot final map and/or each subsequent project, the project developer shall demonstrate to the City that drainage facilities are consistent with the Drainage System Modeling Report for the Natomas Panhandle (Panhandle Owner's Group 2016), and adequately attenuate increased drainage flows consistent with City standards. The analysis will also demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsen by site development. Sacramento County shall be provided the analysis regarding flooding issues at the Del Paso/Sorento Road intersection and be allowed to provide input to the City on the proper solution for any additional flooding impacts at this intersection. This demonstration may take the form of plans and/or reports.

On Draft EIR page 5.8-14 and 5.8-15, the following text changes are made to Impact 5.8-3:

Impact 5.8-3 Flood Risk from Levee Failure

The project may conflict with planned improvements to the North Natomas Levee associated with the NEMDC to provide flood protection. This impact would be ~~potentially~~ less than significant.

The project area is located within the Natomas Basin that is zoned A99 by FEMA, which means that enough progress had been made on the flood protection system at the time of the most recent map update to determine that the area will have protection from the 100-year flood when construction is complete. As described above, the 2035 General Plan also includes policies related to levee requirements, new development evaluations, and regional flood management planning efforts. ~~Development projects are not to be approved unless flood risk is consistent with plans that are aimed to provide a 200-year flood protection standard for the entire city (Policy EC 2.1.11) and would be consistent with on-going planning associated with the CVFPB, as well as on-going planning to address flooding-related effects of global climate change.~~ The completion of the NLIP would provide 200-year flood protection for the Natomas Basin (consistent with Policy EC 2.1.11).

As noted above, the City of Sacramento amended Chapter 15.104 of the Sacramento City Code relating to floodplain management regulations for the portion of the Natomas Basin within the city under a Zone A99 flood designation. The ordinance limits residential growth by calendar year for the Natomas Basin to minimize public health and safety hazards from flooding while remaining levee improvements are completed. Property owners in the project would need to maintain flood insurance until 100-year protection is achieved and FEMA changes the basin's designation on the FIRM from Zone A99 to Zone X. Future project property owners would participate in funding of the NLIP through the Natomas Basin Local Assessment District.

The northern portion of the project area is located adjacent to the North Natomas Levee that is associated with the NEMDC. This levee is planned for improvement associated with the SAFCA NLIP, Phase 4b Landside Improvements Project (Phase 4b Project), which was evaluated in the Phase 4b EIS/EIR (State Clearinghouse No. 2009112025). ~~SAFCA and~~ RD1000's request ~~identified~~ that the project ~~should~~ include a 150-foot setback from the centerline of the levee for construction and levee access for maintenance (RD1000 2016) may be consistent with SAFCA's long-range infrastructure improvement plans, but in the absence of an impact would not be appropriate CEQA mitigation. ~~The project design currently does not provide this setback in its site plan. Therefore, the project may conflict with planned improvements to the North Natomas Levee associated with the NEMDC. This impact would be potentially significant.~~ There is no substantial evidence that construction of residences in the 150-foot setback area identified by RD1000 would have any significant effect on the levee; the purpose of the request was to obtain land area for design improvements for long-range flood control for the Natomas Basin.

State law (Senate Bill 5) and Planning and Development Code Chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by the Sacramento Area Flood Control Agency's (SAFCA's) improvements to the State Plan of Flood Control System, and specific findings related to the level of protection would need to be made for this project. Such findings may include but not be limited to that SAFCA has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016. There are funding sources in place to address in part the specific flood control projects that are needed for areas proposed for development to meet flood protection standards, such as SAFCA's Development Impact Fee Program evaluated by SAFCA's 2007 Local Funding EIR (State Clearinghouse No. 2006072098). Development project specific measures or exactions may also be available when appropriate. Thus, this impact is **less than significant.**

Mitigation Measures

No mitigation is required.

~~Mitigation Measure 5.8-3: Provision of 150-foot setback from centerline of the Natomas Levee~~

~~As part of approval of each small lot final map and/or each subsequent project, the project developer shall designate a 150-foot setback from centerline of the Natomas Levee. The landside of the levee shall be designated as open space or other uses that would not damage the levee and will provide access to Reclamation District 1000 and the Sacramento Area Flood Control for levee improvements and maintenance.~~

~~**Significance after Mitigation**~~

~~Implementation of the above mitigation measure would provide an adequate setback for maintenance and improvements for the Natomas Levee to implement of the NLIP. Further, project development would be subject to building permit limitations under Chapter 15.104 of the City Code and would be required to maintain flood insurance until at least 100-year protection is achieved under the NLIP. Thus, this impact would be reduced to a **less-than-significant** level.~~

Revisions to Noise and Vibration (Section 5.9)

Impact 5.9-3 is deleted on Draft EIR page 5.9-25:

~~Impact 5.9-3: Exposure of existing sensitive receptors to new or additional operational project-generated stationary noise sources~~

~~The project would result in the development of commercial land uses in proximity to existing sensitive receptors. Noise sources generally associated with commercial/retail land uses include vehicular and human activity in parking lots, and loading dock and delivery activities. Based the modeled reference noise levels, no existing residential off-site receptors would experience commercial-related noise levels that exceed the City and County's daytime and nighttime L_{eq} or maximum intermittent noise (L_{max}) levels standards. This impact would be **less than significant**.~~

~~This impact assesses the long-term exposure of existing sensitive receptors to increased operational-source noise levels from proposed land use development.~~

~~The project includes development of commercial land uses in the Suburban Center site. This commercial site would be located along the southern boundary of the project area, adjacent to Del Paso Road, as shown in Exhibit 3-4. However, the specific types of commercial uses to be developed are yet been determined. Noise generated at commercial land uses can vary substantially and can include occasional parking lot–related noise (e.g., opening and closing of vehicle doors, people talking) and loading dock operations (e.g., use of forklifts, hydraulic lifts). Noise commonly associated with commercial land uses, such as loading dock activities, including idling trucks, vehicle backup alarms, decompression of truck brakes, forklifts, and material loading and unloading activities can generate noise levels of approximately 71 L_{eq} and 86 L_{max} at a distance of 50 feet. Based on these reference noise levels, the City and County's daytime L_{eq} exterior noise standards (55 L_{eq}) for residential receptors could be exceeded within approximately 200 feet from the loading dock and the nighttime L_{eq} noise standards (50 L_{eq}) could be exceeded within approximately 325 feet from of a loading dock. Additionally, the City and County's daytime L_{max} noise standards (75 L_{max}) could be exceeded within approximately 130 feet from the acoustic center of the loading dock and the nighttime L_{max} noise standards (70 L_{max}) would be exceeded within approximately 205 feet from the acoustic center of a loading dock~~

~~The nearest off site noise sensitive land uses near proposed on-site commercial land uses would include the residential dwellings located east of the project site along Sorento Road and north of Del Paso Road (Valley View Acres), and Natomas Charter School, located adjacent to and west of the project site. Proposed commercial land uses would be located in excess of approximately 1,500 feet from the Natomas Charter School and would be shielded by intervening proposed residential land uses. Proposed commercial development would be located over 600 feet from the nearest existing off-site residential land uses (Valley View Acres). The project design also includes the provision of a landscaped wall and 18.5 foot landscaping setback from the west side of Sorento Road.~~

~~Based on the reference noise levels identified above, no existing residential off site receptors would experience commercial-related noise levels that exceed the City and County's daytime and nighttime L_{eq} noise standards. Maximum intermittent noise levels at these same receptors would be approximately 60 L_{max}, or less. This would be a **less than significant** impact.~~

~~Mitigation Measures~~

~~No mitigation is required.~~

The following text changes are made to Draft EIR page 5.9-26:

Impact 5.9-4: Compatibility of Proposed Land Uses with Projected Levels of Noise Exposure

The project proposes a mix of various land uses, including residential, ~~commercial,~~ park, and school uses. Traffic and stationary noise sources in the vicinity of the project may expose noise-sensitive uses within the project site to excessive noise levels, resulting in land use conflicts related to noise. Implementation of the project could expose future planned sensitive receptors to transportation and stationary source noise levels that exceed the City of Sacramento noise standards. Therefore, this impact would be **significant**.

The following text changes are made to Draft EIR page 5.9-27:

~~**Proposed Commercial Land Uses**~~

~~On-site commercial uses would be located directly adjacent to residential uses proposed within the project area. The operational noise levels associated with the proposed commercial land uses could potentially exceed the City's maximum allowable exterior noise standards at future on-site noise-sensitive receptors, particularly those residences proposed for construction adjacent to and surrounding the proposed commercial land uses, and the proposed nearby elementary school. In~~

addition, increases in single-event noise levels, such as backup alarms from material delivery trucks, occurring during evening and nighttime hours could result in increased levels of disturbance and sleep disruption to occupants of nearby residential dwellings.

Thus, considering the close proximity to existing sensitive receptors (e.g., single family residences surrounding the project area), it is possible that new proposed commercial loading docks or new parking lots could exceed the City of Sacramento's hourly daytime and nighttime allowable noise levels.

The following text changes are made to Draft EIR page 5.9-28:

Summary

Predicted traffic noise levels at proposed residential, commercial, and potential park uses located near Del Paso Road and Elkhorn Boulevard could exceed the City's exterior noise standards. Additionally, the noise generated by the proposed commercial land uses could result in the City's noise standards being exceeded because of the new stationary source generated noise level on the project site.

Therefore, because of potential exposure to traffic noise and new on-site stationary noise sources, land use compatibility as it related to noise would be **significant**.

Mitigation Measure 5.9-4a: Reduce transportation noise exposure to sensitive receptors

The following text changes are made to Draft EIR page 5.9-29:

Mitigation Measure 5.9-4b: Reduce noise exposure to existing sensitive receptors from proposed stationary noise sources.

The project developer shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources:

- Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., exterior daytime [7:00 a.m. to 10:00 p.m.] standards of 55 L_{eq}/ 75 L_{max} and the exterior nighttime [10:00 p.m. to 7:00 a.m.] standards of 50 L_{eq} / 70 $L_{max;}$ or interior noise standards of 45 L_{dn}) at any planned sensitive receptor. At the time of approval of special permits and/or development plan review, the project developer shall provide to the City a specialized noise study to evaluate specific design and ensure compliance with City of Sacramento noise standards. Reduction of loading dock noise can be achieved by locating loading docks as far away as feasible from noise sensitive land uses, constructing noise barriers between loading docks and noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise sensitive land uses. Final design, location, and orientation shall be dictated by findings in the noise study, if applicable.

Significance after Mitigation

Implementation of Mitigation Measure 5.9-4b would require that all stationary noise sources are oriented, located, and designed in such a way that reduces noise exposure to ensure that stationary noise sources would comply with City of Sacramento noise standards for sensitive receptors. Implementation of Mitigation Measure 5.9-4 mitigation measures 5.9-4a and 5.9-4b would substantially reduce predicted noise levels at proposed land uses consistent with City noise standards. With incorporation of available mitigation measures, such as noise barriers, landscaped berms, building orientation and noise insulation building measures, predicted traffic noise levels at on-site residential land uses would not be anticipated to exceed the City noise standards. As a result, this impact would be reduced to a **less-than-significant** level.

The following text change is made to Draft EIR page 5.9-33:

Impact 5.9-7: Cumulative Operational Noise

Operation of the proposed development would not result in noise levels that exceed applicable noise compatibility standards. Therefore, the project **would not result in a considerable contribution** such that a new significant operational noise impact would occur.

As described in Section 5.9.7 *Impacts and Mitigation Measures* above, operational noise levels associated with operation of the project would not result in noise levels that exceed applicable exterior or interior noise compatibility standards at off-site receptors. ~~Further, as noted in Section 5.9.7, with mitigation, the on-site residential receptors would not be subject to substantial operational noise from the commercial land use activities.~~ Therefore, the project **would not result in a considerable contribution** such that a new significant operational noise impact would occur.

Revisions to Transportation and Circulation (Section 5.11)

The following text changes are made to the first paragraph below Mitigation Measure 5.11-7 on Draft EIR page 5.11-52:

Significance after Mitigation

Mitigation Measure 5.11-7~~5~~ would result in the provision of feasible transit information and services to project residents consistent with General Plan Policy M 3.1.12. This mitigation would reduce the impact of the project on the demand for transit to a **less-than-significant** level.

Revisions to Urban Design and Visual Resources (Section 5.12)

The following text changes are made on Draft EIR page 5.12-14 to Mitigation Measure 5.12-2:

Mitigation Measure 5.12-2: Light fixture design

Outdoor lighting for ~~commercial uses and~~ community parks/sports facilities shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the improvement plans. Light fixtures for sports fields that are planned to be lighted shall be directed away from residential areas and roadways to reduce light spillover and glare. Light fixtures shall be designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles. These lighting requirements will be included in the Panhandle PUD Guidelines.

Panhandle Annexation and Planned Unit Development (P16-013)
Mitigation Monitoring Plan

In January 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Monitoring Plan is being prepared for the Community Development Department, Environmental Planning Services, 300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Guidelines, California Public Resources Code 21081.

Project Name (number): Panhandle Annexation and Planned Unit Development (P16-013)

Project Location: Approximately 590 acres in the City's Sphere of Influence between West Elkhorn Boulevard on the north and Del Paso Road to the south.

Project Description: The project consists of the annexation of 589.4 acres into the City, amendment to the 2035 General Plan, pre-zoning/rezoning of the project area, establishment of the Panhandle PUD master parcel map, tax exchange agreement, development agreement, Mixed Income Housing Strategy, site plan and design review of the master parcel map. The approval of the project would result in the development of the private, mixed-use development consisting of residential, elementary school, roadways, and park uses north of Del Paso Road. The remaining 119 acres between the proposed PUD project area and extending north to West Elkhorn Boulevard (referred to herein as "Krumenacher Ranch") would be designated as Planned Development (PD) and zoned Agriculture (A). No land use entitlements are proposed for this area.

MITIGATION MONITORING PLAN CHECKLIST FOR THE PANHANDLE ANNEXATION AND PLANNED UNIT DEVELOPMENT PROJECT (Project P16-013)

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
AIR QUALITY				
Mitigation Measure 5.2-1: Construction exhaust and fugitive dust emissions controls All individual public and private subsequent projects within the project area shall implement SMAQMD's Basic Construction Emission Control Practices and SMAQMD's Enhanced Exhaust Control Practices during any construction or ground disturbance activities to reduce construction-related fugitive dust emissions, diesel PM, and NOX emissions. These measures are included below. <u>Basic Construction Fugitive Dust Emissions Control Practices</u> ◢ 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. ◢ 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. ◢ Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. ◢ Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). ◢ All roadways, driveways, sidewalks, parking lots to be paved should completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. ◢ 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. ◢ Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. <u>Enhanced Exhaust Control Practices</u> ◢ The project developer shall submit to the City and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project prior to any grading activities. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The project	Prior to and during construction. Payment of the fee would occur with start of each phase on construction. Monthly construction monitoring reports to Sacramento Metropolitan Air Quality Management District (SMAQMD) are required. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department/ Sacramento Metropolitan Air Quality Management District and Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
developer shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. ◢ Prior to any grading activities, the project developer shall provide a plan for approval by the City and SMAQMD demonstrating that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20-90 percent NO_X reduction (depending on available technology and engine Tier) and 45 percent particulate reduction compared to the most recent ARB fleet average. This plan shall be submitted in conjunction with the equipment inventory. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. ◢ The project developer shall ensure that emissions from all off-road diesel powered equipment used on the project area do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Non-compliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment shall be made at least weekly. A monthly summary of the visual survey shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. ◢ If modeled construction-generated emissions of NO_X are not reduced to a level below SMAQMD's thresholds of significance by the application of Enhanced Exhaust Control Practices, then the project developer must pay a mitigation fee into SMAQMD's off-site mitigation program. By paying the appropriate off-site mitigation fee, construction-generated emissions of NO_X are reduced to a less-than-significant level. The fee calculation to offset daily NO_X emissions is based on the SMAQMD-determined cost to reduce one ton of NO_X (currently $30,000 per ton but subject to change in future years). The fee calculation shall be based on the sum of emissions associated with all individual construction activities or phases occurring within the project area boundary at any one time during the buildout period. Payment schedules shall be negotiated between SMAQMD and the developer and based on finalized construction parameters prior to the issuance of any grading permit or groundbreaking activities. If, for instance, the construction contractor of one builder is				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
constructing one village while the construction contractor of another builder is constructing another village the developer is responsible for determining the proportion of necessary combined offset fees that each builder must contribute. Once initial construction activities are finalized by the developer, quantification of construction-related emissions shall be verified. As each individual construction phase is finalized throughout the duration of the project buildout, the mitigation fee shall be calculated based on current information, available construction equipment, and proposed construction activities. As construction activities occur over the buildout period, the developer shall work with SMAQMD to continually update mitigation fees based on actual on-the-ground emissions. The final mitigation fees shall be based on contractor equipment inventories provided by the developer to SMAQMD and shall reconcile any fee discrepancies due to schedule adjustments, and increased or decreased equipment inventories. Equipment inventories and NO_X emission estimates for subsequent construction phases shall be coordinated with SMAQMD, and the off-site mitigation fee measure shall be assessed to any construction phase that would result in an exceedance of SMAQMD's mass emission threshold for NO_X.				
Mitigation Measure 5.2-2: Implement provisions of the Air Quality Mitigation Plan to reduce operational emissions Implementation of the following measure requires compliance with the project's AQMP, which would reduce the project's operational ozone precursors by 35 percent in comparison to the unmitigated project. The final Panhandle PUD master parcel map shall include the following reduction measures, which are detailed within the AQMP (Appendix A of the Final EIR), as conditions of approval: ◢ Incorporate traffic calming measures ◢ Design project roads to reduce motor vehicle speed through the use of on street parking, planter strips, rumble strips, and other available methods. ◢ Reduce speeds at project intersections by including marked intersections, count-down signal timers, median islands, curb extensions, traffic circles, and other available methods ◢ Incorporate pedestrian network through ◢ Removal of pedestrian barriers ◢ Inclusion of sidewalks, a minimum of 5 feet wide, on all internal streets (with the exception of alleys if applicable) ◢ Inclusion of designated pedestrian routes to existing external pedestrian facilities and streets ◢ Incorporate walkable design elements by:	The Air Quality Mitigation Plan and payment of the fee identified in the Plan will be implemented with each project phase and compliance verification will be tied to small lot subdivision map submittals and improvement plans.	City of Sacramento Community Development Department/ Sacramento Metropolitan Air Quality Management District and Project applicant		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
◢ providing connections to all roadways, bicycle paths, and pedestrian facilities touching the project boundaries ◢ providing at least 36 intersections per square mile ◢ Participate in permanent trip reduction program through membership in a transportation management association ◢ Participate in SMAQMD's operational offset program for the purpose of reducing ROG, NOx, and PM emissions that would involve the funding of the replacement of existing wood-burning devices in the region. In addition to the conditions of approval required by this mitigation measure, the following text shall also be included in the Panhandle PUD: "All amendments to the Panhandle PUD Guidelines with the potential to result in a change in ozone precursor emissions shall include an analysis which quantifies, to the extent practicable, the effect of the proposed Panhandle PUD Guidelines on ozone precursor emissions. The amendment shall not increase total ozone precursor emissions above what was considered in the AQMP for the entire project area and shall achieve the original 35 percent reduction in total overall project emissions. If the amendment would require a change in the AQMP to meet that requirement, then the proponent of the Panhandle PUD shall consult with SMAQMD on the revised analysis and shall prepare a revised AQMP for approval by the City, in consultation with SMAQMD."				
BIOLOGICAL RESOURCES				
Mitigation Measure 5.3-2 1. Conduct Pre-Construction Surveys (Measure V.A.1 from NBHCP) Not less than 30 days or more than 6 months prior to commencement of construction activities on specific Authorized Development sites in the NBHCP area, a pre-construction survey of the site shall be conducted to determine the status and presence of, and likely impacts to, all Covered Species on the site. However, pre-construction surveys for an individual species may be completed up to one year in advance if the sole period for reliable detection of that species is between May 1 and December 31. The applicant seeking to develop land will be responsible for contracting with qualified biological consultants to carry out the pre-construction surveys, and as necessary, to implement specific take minimization, and other Conservation Measures set forth in the NBHCP and approved by the Wildlife Agencies. The results of the pre-construction surveys along with recommended take minimization measures shall be documented in a report and shall be submitted to the Land Use Agency, USFWS, CDFW, and TNBC. Based upon the survey results, the Land Use Permittees will identify applicable take avoidance and other site specific Conservation	Prior to (preconstruction surveys) and during construction for pre-construction and avoidance measures. Payment of the North Natomas Basin Habitat Conservation Plan (NBHCP) fees and required land dedication will be implemented with each project phase	City of Sacramento Community Development Department/Natomas Basin Conservancy and Contractor/Project applicant		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
Measures, consistent with the NBHCP, required to be carried out on the site. The approved pre-construction survey documents and list of Conservation Measures will be submitted by the developer of the Authorized Development project to the applicable Land Use Agency to demonstrate compliance with the NBHCP. Reconnaissance level surveys should be conducted prior to species specific surveys to determine what habitats are present on a specific development site and what, if any, more intensive survey activities should be conducted to accurately determine the status of the Covered Species on the site. It shall be the obligation of the developer/landowner to complete such surveys and the Land Use Agency Permitees' responsibility to ensure the surveys are properly completed prior to disturbance of habitat. Surveys shall be conducted by qualified personnel (e.g., persons with suitable biological, botanical, or related expertise). Note: negative species-specific survey results generally do not obviate the requirement to implement minimization measures prescribed in the revised NBHCP where a pre-construction survey indicates that habitat for a particular listed species exists onsite.	and compliance verification will be tied to small lot subdivision map submittals. Mitigation measures shall be included in all construction documents for implementation during construction.			
2. General Measures to Minimize Take of Vernal Pool Species (Measure V.A.4 from NBHCP) A. General Biological Survey and Information Required In the event a biological reconnaissance survey or the pre-construction survey identifies that vernal pool resources are on-site, a vernal pool species specific biological assessment must be provided by the developer to the Land Use Agency during the appropriate season (as established by USFWS) to determine the type and abundance of species present. The species specific biological assessment must address covered vernal pool plants (i.e., Sacramento Orcutt grass, slender Orcutt grass, Colusa grass, legenere, and Bogg's lake hedge-hyssop), crustaceans (i.e., vernal pool tadpole shrimp, vernal pool fairy shrimp, and midvalley fairy shrimp), and amphibians (i.e., California tiger salamander and western spadefoot toad). The vernal pool plant survey must be a USFWS-approved plant survey prepared by a USFWS-approved qualified field biologist and shall list the methods of field analysis, condition of habitat, size and acreage of direct and indirect impact (as defined by seasonal inundation and hydric soils and other appropriate characteristics), and species present. The vernal pool crustacean species survey shall be in accordance with the USFWS Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods (April 19, 1996) or the most recent approved USFWS survey guidelines for vernal pool species. This assessment must be submitted with the urban development permit application and prior to approval of an Urban Development Permit by the Land Use Agency.				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
If it is determined that wetland and/or vernal pool resources would be disturbed by a project, then take of vernal pool associated Covered Species would be covered under the NBHCP, subject to the following limitation and guidelines: (1) Where site investigations indicate vernal pool species may occur, the developer shall notify the Land Use Agency regarding the potential for impacts to vernal pool species. Such notification shall include biological data (see Section A above regarding biological information required) adequate to allow the Land Use Agency, and the USFWS and CDFW to determine the potential for impacts to vernal pool species resulting from the proposed development. (2) Following notification by the Land Use Agency, USFWS and CDFW shall identify specific measures required to avoid, minimize and mitigate impacts to vernal pool species to be implemented prior to disturbance and in accordance with adopted standards or established guidelines (e.g., the USFWS programmatic biological opinion for vernal pool species attached as Appendix G to the NBHCP as it may be amended from time to time). In some cases, USFWS and CDFW may require complete avoidance of vernal pool species, such as where Covered Species such as slender orcutt grass, Sacramento orcutt grass, Colusa grass and/or vernal pool tadpole shrimp are found to be present. Such measures shall be identified by USFWS and CDFW within 30 days or as soon as possible thereafter of notification and submittal of biological data to the agencies by the Land Use Agency. (3) The requirement by USFWS to preserve a vernal pool within development would be based on identification of an intact vernal pool with minimal disturbance where the presence of one or more of the following species is recorded: slender orcutt grass, Sacramento orcutt grass, Colusa grass, or vernal pool tadpole shrimp. Prior to requiring on-site preservation of a vernal pool area, USFWS shall consider the suitability of the vernal pool as TNBC Mitigation Lands. No such preservation requirement shall be made unless the vernal pool is a suitable site for The Natomas Basin Conservancy (TNBC) Mitigation Lands. Such vernal pool areas, including any required buffer land dedication, shall apply toward the Land Acquisition Fee component of the development project's NBHCP mitigation obligation. B. Mitigation Strategies Vernal pool resources (i.e., vernal pool fairy shrimp, vernal pool tadpole shrimp, midvalley fairy shrimp, Sacramento Orcutt grass, slender Orcutt grass, Colusa grass, legenere, and Bogg's Lake hedge-hyssop) identified through site specific investigations shall be mitigated in one of three general approaches as described				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
below. Strategies to minimize and mitigate the take of the California tiger salamander and western spadefoot toad shall be conducted according to Sections V.A.5 and V.B.4 of the NBHCP. *Avoidance and Preservation On-Site as a Means to Minimize Impacts* In the event USFWS requires on-site preservation in accordance with Section A.3 above, on-site mitigation shall be required. In the event USFWS does not require on-site mitigation, a developer or private land owner may still propose to dedicate fee title or conservation easement for that portion of the property with vernal pool resources and an associated 250-foot buffer surrounding the vernal pool resource to the TNBC. Acceptance of the offer to dedicate shall be subject to review and approval by the Land Use Agency, TNBC Board and the Wildlife Agencies. The TNBC Board and the Wildlife Agencies shall consider the location, connections, species present, condition of the proposed site to be dedicated, and may decide to accept the dedication in lieu of payment of the Land Acquisition Fee portion of the NBHCP Mitigation Fee for the affected acreage. TNBC Board may accept or decline the offer based on the balance of habitat needs and the biological goals of the HCP. If the dedication is accepted, a reduction in the Land Acquisition Fee portion of the habitat Mitigation Fee shall be granted the developer for the portion (calculated on an acreage basis) of the site permanently preserved by easement or dedication. However, habitat Mitigation Fees, in full, must be paid on the remaining developable acreage on the site, and all fees other than Land Acquisition Fees shall be paid for all acres on the site. Additional conditions to preserve the biological integrity of the site (such as reasonable drainage conditions) may be imposed by the Land Use Agency in consultation with TNBC and the Technical Advisory Committee (TAC). In the event the developer does not support on-site preservation or TNBC does not accept the offer to dedicate, then one of the following mitigation approaches shall be employed. *Construction Period Avoidance and Relocation of Vernal Pool Resources* Relocation of vernal pool resources and commencement of Authorized Development shall be subject to the following mitigation measures will be required: ◢ No grading, development or modification of the vernal pool site or the buffer area extending 250 feet around the perimeter of the vernal pool site may occur during the vernal pool “wet” season as identified by USFWS. Protective fencing shall be established around the perimeter of the vernal pool site and the buffer area during the vernal pool wet season. ◢ In consultation with TNBC and the TAC, soils and cysts from the vernal pool may				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date

be relocated as soon as practicable during the dry season to a suitable TNBC or other reserve site provided the relocation/recreation site is approved by TNBC, and the USFWS.

If it is not practicable to relocate vernal pool resources, and/or TNBC or USFWS determine that TNBC does not have a suitable reserve site for relocation of resources, then the applicant shall follow the mitigation approach outlined below.

Payment into USFWS-Approved Conservation Bank

In the event all of the above approaches are not appropriate for the site, the Land Use Agency shall require the developer to purchase credits from a USFWS-approved mitigation bank in accordance with the standards set forth in the following Table 5.3-4. USFWS shall determine the type and amount of credits to be purchased based on the impacts associated with the development. Mitigation ratios for credits dedicated in USFWS-approved mitigation banks or for acres of habitat outside of mitigation banks shall be as follows:

Table 5.3-4 Mitigation Ratios for Loss of Vernal Pool Habitat

Mitigation Type	Bank	Non-Bank
Preservation	2:1	3:1
Creation	1:1	2:1

Preservation Component: For every acre of habitat directly or indirectly affected, at least two vernal pool credits will be dedicated within a USFWS-approved ecosystem preservation bank, or based on USFWS evaluation of site-specific conservation values, three acres of vernal pool habitat may be preserved on the project site or on another non-bank site as approved by USFWS.

Creation Component: For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank, or based on USFWS evaluation of site-specific conservation values, two acres of vernal pool habitat created and monitored on the project site or on another non-bank site as approved by USFWS.

3. Measures to Reduce Take of Individual Species

A. Reduce Take of Vernal Pool Species

Measures to Reduce Take on Boggs Lake Hedge-Hyssop, Sacramento Orcutt Grass, Slender Orcutt Grass, Colusa Grass, and Legenere (Measure V.A.5.p from NBHCP)

(1) Prior to approval of an Urban Development Permit, the involved Land Use

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
Agency shall require a pre-construction survey. If such survey determines Boggs Lake hedge-hyssop, Sacramento orcutt grass, Slender orcutt grass, Colusa grass, or legenere are present, the Land Use Agency shall require the developer to consult with USFWS to determine appropriate measures to avoid and minimize loss of individuals. If Authorized Development is proposed for areas containing vernal pools, the applicant will be required to complete additional review, permitting and mitigation as described under Section V.A.4 of NBHCP. *Measures to Reduce Take of Dwarf Downingia, Ahart's Dwarf Rush, Red Bluff Dwarf Rush, Sanford's arrowhead, and Suisun marsh aster (Not Covered by NBHCP)* (1) Prior to project initiation and during the blooming period for the special-status plant species with potential to occur in the project area, a qualified botanist will conduct protocol-level surveys for special-status plants in areas where potentially suitable habitat would be removed or disturbed by project activities. (2) If no special-status plants are found, the botanist shall document the findings in a letter report to the project developer and no further mitigation will be required. (3) If special-status plant species are found that cannot be avoided during construction, the project developer shall consult with CDFW and/or USFWS, as appropriate depending on species status, to determine the appropriate mitigation measures for direct and indirect impacts that could occur as a result of project construction and will implement the agreed-upon mitigation measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include preserving and enhancing existing populations, creation of offsite populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals. A mitigation and monitoring plan shall be developed describing how unavoidable losses of special-status plants will be compensated. (4) If relocation efforts are part of the mitigation plan, the plan shall include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, success criteria, and remedial action responsibilities should the initial effort fail to meet long-term monitoring requirements. (5) Success criteria for preserved and compensatory populations shall include: ◢ The extent of occupied area and plant density (number of plants per unit area) in compensatory populations shall be equal to or greater than the affected occupied habitat.				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
◢ Compensatory and preserved populations shall be self-producing. Populations shall be considered self-producing when: (1) plants reestablish annually for a minimum of five years with no human intervention such as supplemental seeding; and (2) reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity. (6) If offsite mitigation includes dedication of conservation easements, purchase of mitigation credits, or other offsite conservation measures, the details of these measures shall be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria such as those listed above and other details, as appropriate to target the preservation of long term viable populations. *Measures to Reduce Take of Vernal Pool Fairy Shrimp, Vernal Pool Tadpole Shrimp, and Midvalley Fairy Shrimp (Measure V.A.5.m from NBHCP)* (1) Prior to approval of an Urban Development Permit, the involved Land Use Agency shall require a pre-construction survey. If such survey determine vernal pool fairy shrimp, vernal pool tadpole shrimp, and midvalley fairy shrimp are present, the Land Use Agency shall require the developer to consult with USFWS to determine appropriate measures to avoid and minimize take of individuals. Procedures for reviewing projects that could affect vernal pools and vernal pool species are discussed under Section V.A.4 of NBHCP. *Measures to Reduce Take on Western Spadefoot Toad (Measure V.A.5.l from NBHCP)* (1) Prior to approval of an Urban Development Permit, the involved Land Use Agency shall require a pre-construction survey. If such survey determines western spadefoot toad are present, the Land Use Agency shall require the developer to consult with CDFW and USFWS to determine appropriate measures to avoid and minimize take of individuals. B. Reduce Take of Giant Garter Snake (Measure V.A.5.a from NBHCP) (1) Within the Natomas Basin, all construction activity involving disturbance of habitat, such as site preparation and initial grading, is restricted to the period between May 1 and September 30. This is the active period for the giant garter snake and direct mortality is lessened, because snakes are expected to actively move and avoid danger. (2) Pre-construction surveys for giant garter snake, as well as other NBHCP Covered				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
Species, must be completed for all development projects by a qualified biologist approved by USFWS. If any giant garter snake habitat is found within a specific site, the following additional measures shall be implemented to minimize disturbance of habitat and harassment of giant garter snake, unless such project is specifically exempted by USFWS. (3) Between April 15 and September 30, all irrigation ditches, canals, or other aquatic habitat should be completely dewatered, with no puddled water remaining, for at least 15 consecutive days prior to the excavation or filling in of the dewatered habitat. Make sure dewatered habitat does not continue to support giant garter snake prey, which could detain or attract snakes into the area. If a site cannot be completely dewatered, netting and salvage of prey items may be necessary. This measure removes aquatic habitat component and allows giant garter snake to leave on their own. (4) For sites that contain giant garter snake habitat, no more than 24-hours prior to start of construction activities (site preparation and/or grading), the project area shall be surveyed for the presence of giant garter snake. If construction activities stop on the project site for a period of two weeks or more, a new giant garter snake survey shall be completed no more than 24-hours prior to the re-start of construction activities. (5) Confine clearing to the minimal area necessary to facilitate construction activities. Flag and designate avoided giant garter snake habitat within or adjacent to the project as Environmentally Sensitive Areas. This area shall be avoided by all construction personnel. (6) Construction personnel completing site preparation and grading operations shall receive USFWS approved environmental awareness training. This training instructs workers on how to identify giant garter snakes and their habitats, and what to do if a giant garter snake is encountered during construction activities. During this training, an on-site biological monitor shall be designated. (7) If a live giant garter snake is found during construction activities, immediately notify the USFWS and the project's biological monitor. The biological monitor, or his/her assignee, shall do the following: Stop construction in the vicinity of the snake. Monitor the snake and allow the snake to leave on its own. The monitor shall remain in the area for the remainder of the work day to make sure the snake is not harmed or if it leaves the site, does not return. Escape routes for giant garter snake should be determined in advance of construction and snakes should always be allowed to leave on their own. If a giant garter snake does not leave on its own within 1 working day, further consultation with USFWS is required.				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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(8) Upon locating dead, injured or sick threatened or endangered wildlife species, the Permittees or their designated agents must notify within 1 working day USFWS Division of Law Enforcement (2800 Cottage Way, Sacramento CA 95825) or the Sacramento Fish and Wildlife Office (2800 Cottage Way, Room W2605, Sacramento, CA 95825, telephone 916 414-6600). Written notification to both offices must be made within 3 calendar days and must include the date, time, and location of the finding of a specimen and any other pertinent information. (9) Fill or construction debris may be used by giant garter snake as an over-wintering site. Therefore, upon completion of construction activities remove any temporary fill and/or construction debris from the site. If this material is situated near undisturbed giant garter snake habitat and it is to be removed between October 1 and April 30, it shall be inspected by a qualified biologist to assure that giant garter snake are not using it as hibernaculae. (10) No plastic, monofilament, jute, or similar erosion control matting that could entangle snakes will be placed on a project site when working within 200 feet of snake aquatic or rice habitat. Possible substitutions include coconut coir matting, tactified hydroseeding compounds, or other material approved by the Wildlife Agencies. (11) Fences shall be constructed along the shared boundary of urban development and the North Drainage Canal and the East Drainage Canal within Sutter's Permit Area, subject to the following guidelines: (a) A minimum of 100 feet shall be provided from fence-to-fence and access to the canals shall be limited by gates. (b) A snake deterrent shall be placed along the fences on the North Drainage Canal and the East Drainage Canal (i.e., fence construction that restricts snake movement or an appropriate vegetative barrier either inside or outside of the boundary fence). The design of the deterrent shall be subject to approval by the Wildlife Agencies. (c) The specific fence/snake barrier design adjacent to a given development shall be determined within Sutter County's review of the proposed development and the fence/barrier shall be installed immediately after site grading is completed. (12) At the time of urban development along the North and East Drainage Canals, project developer shall consult with the Wildlife Agencies to determine design strategies that would enhance conditions for giant garter snake movement through the North and East Drainage Canals. Possible strategies may include expanded buffer areas and modified canal cross sections if such measures are, in the determination of Sutter and the Water Agencies, found to be feasible. C. Measures to Reduce Take on Northwestern Pond Turtle (Measure V.A.5.j from				

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NBHCP) (1) Take of the northwestern pond turtle as a result of habitat destruction during construction activities, including the removal of irrigation ditches and drains, and during ditch and drain maintenance, shall be minimized by the dewatering requirement described for giant garter snake. D. Measures to Reduce Take of Swainson's Hawk (Measure V.A.5.b from NBHCP) *Measures to Reduce Cumulative Impacts to Foraging Habitat* (1) To maintain and promote Swainson's hawk habitat values, Sutter County shall not obtain coverage under the NBHCP and incidental take permits, nor shall Sutter County grant Urban Development Permit approvals, for development on land within the one-mile wide Swainson's Hawk Zone adjacent to the Sacramento River. The City of Sacramento has limited its Permit Area within the Swainson's Hawk Zone to the approximately 252 acres located within the North Natomas Community Plan that was designated for urban development in 1994 and, likewise, shall not grant development approvals within the Swainson's Hawk Zone beyond this designated 252 acres. It should be noted that of these 252 acres of land in the Swainson's Hawk Zone, about 80 acres shall be a 250-foot-wide agricultural buffer along the City's side of Fisherman's Lake. Should either the City or the County seek to expand NBHCP coverage for development within the Swainson's Hawk Zone beyond that described above, granting of such coverage would require an amendment to the NBHCP and permits and would be subject to review and approval by the USFWS and the CDFW in accordance with all applicable statutory and regulatory requirements. Because the effectiveness of the NBHCP's Operating Conservation Program (OCP) adequately minimizes and mitigates the effects of take of the Swainson's hawk depends substantially on the exclusion of future urban development from the City's and Sutter County's portion of the Swainson's Hawk Zone, approval by the City of future urban development (i.e., uses not consistent with Agricultural Zoning) in the zone beyond the 170 (252 acres minus 80) acres identified above or approval by Sutter of any future urban development in the Swainson's Hawk Zone would constitute a significant departure from the Plan's OCP and would trigger a reevaluation of the City's and/or Sutter's Permits and possible suspension or revocation of the City's and/or County's permits. *Measures to Reduce Nest Disturbance* (1) Prior to the commencement of development activities at any development site within the NBHCP area, a pre-construction survey shall be completed by the				

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respective developer to determine whether any Swainson's hawk nest trees shall be removed on-site, or active Swainson's hawk nest sites occur on or within ½ mile of the development site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology or updated methodologies, as approved by USFWS and CDFW, using experienced Swainson's hawk surveyors. (2) If breeding Swainson's hawks (i.e., exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g., heavy equipment operation associated with construction) shall occur within ½ mile of an active nest between March 15 and September 15, or until a qualified biologist, with concurrence by CDFW, has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within one-fourth mile of existing urban development, the no new disturbance zone can be limited to the one forth mile versus one-half mile. Routine disturbances such as agricultural activities, commuter traffic, and routine facility maintenance activities within one-half mile of an active nest are not restricted. (3) Where disturbance of a Swainson's hawk nest cannot be avoided, such disturbance shall be temporarily avoided (i.e., defer construction activities until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season. For purposes of this provision the Swainson's hawk nesting season is defined as March 15 to September 15. If a nest tree (any tree that has an active nest in the year the impact is to occur) must be removed, tree removal shall only occur between September 15 and February 1. (4) If a Swainson's hawk nest tree is to be removed and fledglings are present, the tree may not be removed until September 15 or until CDFW has determined that the young have fledged and are no longer dependent upon the nest tree. (5) If construction or other project related activities which may cause nest abandonment or forced fledgling are proposed within the one-fourth mile buffer zone, intensive monitoring (funded by the project sponsor) by a CDFW-approved raptor biologist shall be required. Exact implementation of this measure shall be based on specific information at the project site. *Measures to Prevent the Loss of Nest Trees* (1) Valley oaks, tree groves, riparian habitat and other large trees shall be preserved wherever possible. The City and Sutter County shall preserve and restore stands of riparian trees used by Swainson's hawks and other animals, particularly near Fisherman's Lake and elsewhere in the Plan Area where large oak groves, tree				

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groves and riparian habitat have been identified in the Plan Area. (2) The raptor nesting season shall be avoided when scheduling construction near nests in accordance with applicable guidelines published by the Wildlife Agencies or through consultation with the Wildlife Agencies. (3) Annually, prior to the Swainson's hawk nesting season (March 15 to September 15) and until buildout of their Authorized Development has occurred, the City of Sacramento and Sutter County shall notify each landowner of any property within the permit area(s) on which a Swainson's hawk nest tree is present, and shall identify the nest tree, and alert the owner to the specific mitigation measures prohibiting the owner from removing the nest tree. *Measures to Mitigate the Loss of Swainson's Hawk Nest Trees* (1) The NBHCP shall require 15 trees (5-gallon container size) to be planted within the habitat reserves for every Swainson's hawk nesting tree anticipated to be impacted by Authorized Development. It shall be the responsibility of each Land Use Agency approving development that shall impact Swainson's hawk nest trees to provide funding from the applicable developer for purchase, planting, maintenance and monitoring of trees at the time of approval of each Authorized Development project. TNBC shall determine the appropriate cost for planting, maintenance and monitoring of trees. (2) The Land Use Agency Permittee approving a project that impacts an existing Swainson's hawk nest tree shall provide funding sufficient for monitoring survival success of trees for a period of 5 years. For every tree lost during this time period, a replacement tree must be planted immediately upon the detection of failure. Trees planted to replace trees lost shall be monitored for an additional 5-year period to ensure survival until the end of the monitoring period. A 100 percent success rate shall be achieved. All necessary planting requirements and maintenance (i.e., fertilizing, irrigation) to ensure success shall be provided. Trees must be irrigated for a minimum of the first 5 years after planting, and then gradually weaned off the irrigation in an approximate 2-year period. If larger stock is planted, the number of years of irrigation must be increased accordingly. In addition, 10 years after planting, a survey of the trees shall be completed to assure 100 percent establishment success. Remediation of any dead trees shall include completion of the survival and establishment process described. (3) Of the replacement trees planted, a variety of native tree species shall be planted to provide trees with differing growth rates, maturation, and life span. This shall ensure that nesting habitat shall be available quickly (5-10 years in the case of cottonwoods and willows), and in the long term (i.e., valley oaks, black walnut and				

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sycamores), and minimize the temporal losses from impacts to trees within areas scheduled for development within the 50-year permit life. Trees shall be sited on reserves in proximity to hawk foraging areas. Trees planted shall be planted in clumps of three trees each. Planting stock shall be a minimum of 5-gallon container stock for oak and walnut species. (4) To reduce temporal impacts resulting from the loss of mature nest trees, mitigation planting shall occur within 14 months of approval of the NBHCP and ITP's. It is estimated at this time that 4 nesting trees within the City of Sacramento are most likely to be impacted by Authorized Development in the near term. Therefore, to reduce temporal impacts, the City of Sacramento will advance funding for 60 sapling trees of diverse, suitable species (different growing rates) to TNBC within the above referenced 14 months. It is anticipated that the City will recover costs of replacement nest trees as an additional cost to be paid by private developers at the time of approval of their development projects that impact mature nest trees. (5) For each additional nesting tree removed by Land Use Agencies' Covered Activities, the Land Use Agency shall fund and provide for the planting of 15 native sapling trees of suitable species with differing growth rates at suitable locations on TNBC preserves. Funding for such plantings shall be provided by the applicable Permittee within 30 days of approving a Covered Activity that will impact a Swainson's hawk nesting tree. E. Measures to Reduce Loss of White-tailed Kite and Other Nesting Raptors (Not Covered by NBHCP) (1) If removal of a known nest tree is required, it shall be removed when no active nests are present, generally between September and February. (2) If project activity would commence between February 1 and August 31, a qualified biologist shall be retained to conduct preconstruction surveys for active nests in suitable habitat on and within 500 feet of the project site no more than 14 days and no less than seven days before commencement of project-related ground disturbance or vegetation removal activities. If this survey does not identify any nesting raptors in the area within the project site that would be disturbed, no further mitigation would be required. (3) If an occupied nest is present, a 500-foot no-disturbance buffer shall be established around the nest. The size of the buffer may be adjusted based upon observed behavior of the nesting birds. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the protective buffer shall be increased such that				

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activities are far enough from the nest that the birds no long demonstrate agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active or that the young have fully fledged. Monitoring of the nest by a qualified biologist shall be required if the activity has potential to adversely affect the nest. F. Measures to Reduce Take of Burrowing Owl (Measure V.A.5.h from NBHCP) (1) Prior to the initiation of grading or earth disturbing activities, the applicant/developer shall hire a CDFW-approved qualified biologist to perform a pre-construction survey of the site to determine if any burrowing owls are using the site for foraging or nesting. The pre-construction survey shall be submitted to the Land Use Agency with jurisdiction over the site prior to the developer's commencement of construction activities and a mitigation program shall be developed and agreed to by the Land Use Agency and developer prior to initiation of any physical disturbance on the site. (2) Occupied burrows shall not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFW verifies through non-invasive measures that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. (3) If nest sites are found, the USFWS and CDFW shall be contacted regarding suitable mitigation measures, which may include a 300-foot buffer from the nest site during the breeding season (February 1 - August 31), or a relocation effort for the burrowing owls if the birds have not begun egg-laying and incubation or the juveniles from the occupied burrows are foraging independently and are capable of independent survival. If on-site avoidance is required, the location of the buffer zone shall be determined by a qualified biologist. The developer shall mark the limit of the buffer zone with yellow caution tape, stakes, or temporary fencing. The buffer shall be maintained throughout the construction period. (4) If relocation of the owls is approved for the site by USFWS and CDFW, the developer shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include: (a) the location of the nest and owls proposed for relocation; (b) the location of the proposed relocation site; (c) the number of owls involved and the time of year when the relocation is proposed to take place; (d) the name and credentials of the biologist who will be retained to supervise the relocation; (e) the proposed method of capture and transport for the				

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owls to the new site; (f) a description of the site preparations at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control, etc.); and (g) a description of efforts and funding support proposed to monitor the relocation. Relocation options may include passive relocation to another area of the site not subject to disturbance through one-way doors on burrow openings, or construction of artificial burrows in accordance with CDFG's March 7, 2012 Staff Report on Burrowing Owl Mitigation. (5) Where on-site avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitat on TNBC upland reserves. Such habitat shall include creation of new burrows with adequate foraging area (a minimum of 6.5 acres) or 300 feet radii around the newly created burrows. Additional habitat design and mitigation measures are described in CDFG's March 7, 2012 Staff Report on Burrowing Owl Mitigation. G. Measures to Reduce Take on Loggerhead Shrike (Measure V.A.5.g from NBHCP) (1) Prior to approval of Urban Development Permit, the involved Land Use Agency shall require a pre-construction survey. (2) If surveys identify an active loggerhead shrike nest that will be impacted by Authorized Development, the developer shall install brightly colored construction fencing that establishes boundary 100 feet from the active nest. No disturbance associated with Authorized Development shall occur within the 100-foot fenced area during the nesting season of March 1 through July 31. A qualified biologist, with concurrence of USFWS must determine young have fledged or that the nest is no longer occupied prior to disturbance of the nest site.				
Mitigation Measure 5.3-3 No Net Loss of Wetlands Prior to ground-disturbing activity, the project developer shall submit a wetland delineation report to USACE for verification. For portions of the project area that have been delineated previously, the previous delineations shall be updated and re-verified by USACE. Based on the jurisdictional determination, the project developer shall determine the exact acreage of waters of the United States, if any, and waters of the state to be filled as a result of project implementation. If any of the waters to be filled are determined by the USACE to be waters of the United States, the project developer shall obtain a USACE Section 404 permit and RWQCB Section 401 certification before any groundbreaking activity. The project developer shall implement all permit conditions. If all waters in the project area are disclaimed by USACE, the project developer shall file a	Prior to and during construction. Wetland delineation and 404 permits shall be provided to the City prior to the commencement of construction. Mitigation measures shall be included in all construction documents for	City of Sacramento Community Development Department and Contractor/Project applicant		

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report of waste discharge with RWQCB prior to any groundbreaking activity within 50 feet of, or filling of, any wetland or other water, and comply with all waste discharge requirements prescribed by RWQCB. The project developer shall commit to replace or restore on a "no net loss" basis (in accordance with USACE and/or RWQCB) the acreage and function of all wetlands and other waters that would be removed, lost, or degraded as a result of project implementation. Wetland habitat shall be restored or replaced at an acreage and location and by methods agreeable to USACE and the Central Valley RWQCB, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes or the waste discharge requirements. If available, compensatory mitigation shall be provided through the purchase of credits at a mitigation bank approved by USACE and RWQCB, as appropriate depending on agency jurisdiction. If mitigation bank credits are not available and it is required by USACE, the project developer shall prepare a mitigation plan detailing how the loss of aquatic functions will be replaced. The mitigation plan shall describe compensation ratios for acres filled, mitigation sites, a monitoring protocol, annual performance standards and final success criteria for created or restored habitats, corrective measures to be applied if performance standards are not met.	implementation during construction.			
Mitigation Measure 5.3-4: Protection and replacement of trees. The following measures shall be implemented to avoid impacts to trees to be retained. These measures shall be included in the project's tree projection plans, tree replacement plans, and project improvement plans. ◢ No grade cuts greater than 1 foot shall occur within the driplines of protected trees, and no grade cuts whatsoever shall occur within 5 feet of their trunks; ◢ No fill greater than 1 foot shall be placed within the driplines of protected trees and no fill whatsoever shall be placed within 5 feet of their trunks; ◢ No trenching whatsoever shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the driplines of a protected tree, the trench shall be either bored or drilled; ◢ No irrigation system shall be installed within the driplines of preserved native oak tree(s), which may be detrimental to the preservation of the native oak tree(s) unless specifically authorized by the approving body. ◢ Landscaping beneath native oak trees may include non-plant materials such as boulders, cobbles, wood chips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.	Prior to and during construction. Protected trees to be removed, trees to be preserved, and replacement trees shall be identified in each project phase and compliance verification will be tied to small lot subdivision map submittals and improvement plans. Mitigation measures shall be included in all construction documents for implementation	City of Sacramento Community Development Department and Contractor/Project applicant		

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Where it is not possible to avoid impacts to protected trees, tree replacement shall be provided consistent with the City Tree Preservation Ordinance to the satisfaction of the City. Replacement of trees shall occur at a ratio of one inch of tree replaced for each inch of tree removed (1:1 ratio).	during construction.			
ARCHEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES				
Mitigation Measure 5.4-3a. Develop and implement a Worker Environmental Awareness Program Prior to improvement plan approval, the project developer shall design and implement a Worker Environmental Awareness Program (WEAP) that shall be provided to all construction personnel and supervisors who will have the potential to encounter and alter heritage and cultural resources. The WEAP shall be submitted to the City approval and shall describe, at a minimum: ◢ types of cultural resources expected in the project area; ◢ types of evidence that indicate cultural resources might be present (e.g., ceramic shards, trash scatters, lithic scatters); ◢ what to do if a worker encounters a possible resource; ◢ what to do if a worker encounters bones or possible bones; and ◢ penalties for removing or intentionally disturbing heritage and cultural resources, such as those identified in the Archeological Resources Protection Act.	Prior to and during construction for each phase of site development. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department and Contractor		
Mitigation Measure 5.4-3b: Stop work in the event of an archaeological discovery or Tribal Cultural Resource discovery: non-sensitive areas of the project site In the event that evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. The City and the California Museum shall be notified of the potential find and a qualified archeologist shall be retained to investigate. If the find is an archeological site, the appropriate Native American group shall be notified and consultation shall proceed as outlined in Mitigation Measure 5.4-3c. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the City shall be notified and a discovery plan and treatment plan shall be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the City and project developer to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics, and other factors,	Prior to and during construction for each phase of development. Documentation of discoveries and the discovery plan and treatment plan shall be provided to the City as specified in this mitigation measure. Mitigation measures shall be included in all construction documents for implementation	City of Sacramento Community Development Department/ Tribal monitors and Contractor/Project applicant		

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follow accepted professional standards in recording any find including submittal of the standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area (the NCIC). If a Native American tribe has been identified as interested in the discovery, the City shall confer with the tribe in implementing this mitigation measure.	during construction.			
Mitigation Measure 5.4-3c – Stop work in the event of an archaeological or Tribal Cultural Resource discovery: Environmentally sensitive areas of the project site Mitigation Measure 5.4-3c shall apply only to those areas of the project site that have been identified as "environmentally sensitive areas" (ESAs). Nothing in Mitigation Measure 5.4-3c shall eliminate or limit the responsibilities of the parties as set forth in Mitigation Measures 5.4-3a or 5.4-3b. A minimum of seven days prior to beginning ground-disturbing activities on the project site, Native American representatives from culturally affiliated Native American Tribes shall be notified that construction will commence so that monitors can be arranged for construction. The City may identify portions of the project site that are not subject to current development proposals, and those areas shall be excluded from requirements relating to current investigation. Any ESA in excluded areas shall remain subject to this mitigation measure at such time that ground disturbance in that area is initiated. Prior to any ground disturbance on the project site, and in coordination with the Native American representatives, the City and a qualified archaeologist meeting the U.S. Secretary of the Interior's Standards (SOIS) for Archeology and a Tribal Monitor shall prepare an Area of Direct Impact or Area of Potential Effect map identifying recorded archaeological resources and potential locations of Tribal Cultural Resources (ESAs) on the project site proposed for development. Potential resources may remain on the project site as documented in the NCIC records search. The map shall be subject to California law regarding confidentiality of such materials. Protective fencing shall be installed 100 feet around the specific resource, and demarcated as an ESA. The archaeologist shall ensure that fencing around the ESA remains in place. The archaeologist and tribal monitor shall be retained at the applicant's expense to monitor all construction activities that involve ground disturbance (e.g., vegetation removal, grading, excavation, disking) within the ESA. The conduct and work of any Tribal Monitor shall be consistent with the Native American Heritage Commission Guidelines for Tribal Monitors/Consultants (NAHC 2005). The Tribal Monitor has the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted, or slowed if such objects are identified. The Tribal Monitor shall prepare daily logs recording the results of monitoring. At the end of construction Tribal Monitor's daily logs shall be submitted to the City and the developer.	Prior to and during construction for each phase of development. Documentation of discoveries and the discovery plan and treatment plan shall be provided to the City as specified in this mitigation measure. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department/ Tribal monitors and Contractor/Project applicant		

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If prehistoric, historic-period archaeological, or tribal cultural resources are encountered during project implementation, either within the ESA or the remainder of the project site, the contractor shall immediately cease all work activities within approximately 100 feet of the discovery and install fencing, if not already in place. The contractor shall immediately contact the City. The City shall consult with the archaeologist and the Tribal Monitor. The contractor shall not resume work until authorization is received from the City. The archaeologist and the Tribal Monitor shall inspect the findings within 24 hours of discovery. If it is determined that the resource qualifies as a historical resource or a unique archaeological resource or a Tribal Cultural Resource (as defined pursuant CEQA Guidelines 15064.5, PRC Section 21083.2 (g) and 21074) and that the project has potential to damage or destroy the resource, a Discovery Plan and Treatment Plan, prepared in accordance with the direction below, shall be implemented. **Discovery Plan and Treatment Plan** A Discovery Plan and Treatment Plan shall be created prior to ground disturbance in anticipation of a potential discovery of prehistoric or Tribal Cultural Resources. The Discovery Plan and Treatment Plan shall be consistent with CEQA Guidelines Section 15126.4(b)(3), through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding resource site into a permanent conservation easement. If avoidance or preservation in place is not feasible, a detailed treatment plan to recover the scientifically consequential information from and about the resource, prepared by the archaeologist in coordination with the Native American Representatives, shall be prepared, reviewed, and approved by the City prior to any excavation at the resource site. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be affected by the project. The Treatment Plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals, if requested by culturally affiliated Tribes.				
GEOLOGY, SOILS, MINERAL RESOURCES, AND PALEONTOLOGY				
Mitigation Measure 5.5-2 Implement Recommendations of Geotechnical Engineering Reports	Prior to and during construction for each	City of Sacramento Public Works		

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The project developer shall retain a qualified engineering firm on site during site preparation and grading operations to observe and test the fill to ensure compliance with recommendations from the geotechnical investigation report. These recommendations at a minimum include: ◢ During project design and construction, all measures outlined in the geotechnical engineering reports for the project (Wallace Kuhl 2016a, 2016b, 2016c, 2016d, and 2016e) as well as specific design measures shall be implemented, at the direction of the City engineer, to prevent significant impacts associated with expansive soils. A geotechnical engineer shall be present on-site during earthmoving activities to ensure that requirements outlined in the geotechnical reports are adhered to for proposed fill and compaction of soils identified below. If the construction schedule requires continued work during the wet weather months (i.e., October through April), the project developer shall consult with a qualified civil engineer and implement any additional recommendations provided, as conditions warrant. These recommendations may include, but would not be limited to: 1) allowing a prolonged drying period before attempting grading operations at any time after the onset of winter rains; and 2) implementing aeration or lime treatment, to allow any low-permeability surface clay soils intended for use as engineered fill to reach a moisture content that would permit a specified degree of compaction to be achieved.	phase of development. Mitigation measures shall be included in all construction documents for implementation during construction.	Department and Contractor		
Mitigation Measure 5.5-4 Protection of discovered paleontological resources If discovery is made of items of paleontological interest, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. After cessation of excavation the contractor shall immediately contact the City. Project construction workers will be trained to identify potential paleontological resources. The project developer shall retain a qualified paleontologist to observe all grading and excavation activities throughout all phases of project construction and shall salvage fossils as necessary. The paleontologist shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. If major paleontological resources are discovered that require temporarily halting or redirecting of grading, the paleontologist shall report such findings to the project developer and to the City. The paleontologist shall determine appropriate actions, in cooperation with the project developer and the City, that ensure proper exploration and/or salvage. Excavated finds shall first be offered to a State-designated repository such as the Museum of Paleontology, University of California, Berkeley, or the California Academy of Sciences. Otherwise, the finds shall be offered to the City for purposes of public education and interpretive displays. These actions, as well as final mitigation and disposition of the	Prior to and during construction for each phase of development. Documentation of discoveries shall be provided to the City as specified in this mitigation measure. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department and Contractor/Project applicant		

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resources, shall be subject to approval by the City. The paleontologist shall submit a follow-up report to the City that shall include the period of inspection, an analysis of the fossils found, and the present repository of fossils.				
GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE				
Mitigation Measure 5.6-1a The project developer shall incorporate the following mitigation measures into the project to reduce operational emissions of GHGs to the extent feasible. <u>Transportation</u> ◢ Include adequate electric wiring and infrastructure in all single-family residential units (shown in building plans) to support a 240-volt electric vehicle charger in the garage or off-street parking area to allow for the future installation of electric vehicle chargers. This connection shall be separate from the connection provided to power an electric clothes dryer. ◢ Include electric vehicle charging stations, similar or better than Level 2, in parking areas as part of site design submittals for development of the elementary school. <u>Building Energy</u> ◢ Achieve as many residential and non-residential zero net energy buildings as feasible, which shall be implemented in the following way: ◢ Prior to the issuance of building permits for residential and private recreation centers, the project developer or its designee shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to the City of Sacramento for review and approval. The ZNE Report shall demonstrate that development within the Panhandle PUD project area subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings. ◢ Where ZNE is deemed infeasible, building energy may also be reduced in the following ways: ◢ Reduce building energy-related GHG emissions through the use of on-site renewable energy (e.g., solar photovoltaic panels) where technologically feasible and at a minimum of 15 percent of the project's total energy demand. Building design, landscape plans, and solar installation shall take into account solar orientation, and building roof size to maximize solar exposure. ◢ Provide incentives to future residents to purchase Energy Star™ appliances	As part of small lot subdivision map submittals, improvement plans, and building permits for each phase of development. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department and Project applicant		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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(including clothes washers, dish washers, fans, and refrigerators). ◢ Install high efficiency lighting (i.e., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications. ◢ Provide electrical outlets on the exterior of project buildings to allow sufficient powering of electric landscaping equipment. ◢ Install low-flow kitchen faucets that comply with CALGreen residential voluntary measures (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi). ◢ Install low-flow bathroom faucets that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi) ◢ Install low-flow toilets that exceed the CALGreen residential mandatory requirements (maximum flush volume less not to exceed 1.28 gallons per flush) ◢ Install low-flow showerheads that exceed the CALGreen residential mandatory requirements (maximum flow rate not to exceed 2 gallons per minute at 80 psi) ◢ Reduce turf area and use water-efficient irrigation systems (i.e., smart sprinkler meters) and landscaping techniques/design.				
Mitigation Measure 5.6-1b In addition to Mitigation Measures 5.6-1a and 5.2-2 (Air Quality Mitigation Plan), the project developer shall offset GHG emissions to zero by funding activities that directly reduce or sequester GHG emissions or, if necessary, obtaining carbon credits. To the degree a project relies on GHG mitigation measures, the City of Sacramento, SMAQMD, and ARB recommend that lead agencies prioritize on-site design features (Mitigation Measures 5.6-1a and 5.2-2) and direct investments in GHG reductions in the vicinity of the project, to help provide potential air quality and economic co-benefits locally. For example, direct investment in a local building retrofit program can pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting, energy efficient appliances, energy efficient windows, insulation, and water conservation measures for homes within the geographic area of the project. Other examples of local direct investments include financing installation of regional electric vehicle charging stations, paying for electrification of public school buses, and investing in local urban forests. However, it is critical that any such investments in actions to reduce GHG emissions are real and quantifiable. Where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issued by a recognized and reputable accredited carbon registry. The CEQA Guidelines recommend several options for mitigating GHG emissions. State CEQA Guidelines Section 15126.4(C)(3) states that measures to mitigate the significant effects of GHG emissions may include “off-site measures, including offsets that are not otherwise	Written verification of greenhouse gas (GHG) offsets in compliance with this mitigation measure shall be provided with each small lot subdivision map submittal.	City of Sacramento Community Development Department/Sacramento Metropolitan Air Quality Management District and Project applicant		

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required…" Through the purchase of GHG credits through voluntary participation in an approved registry, GHG emissions may be reduced at the project level. GHG reductions must meet the following criteria: ◢ Real—represent reductions actually achieved (not based on maximum permit levels), ◢ Additional/Surplus—not already planned or required by regulation or policy (i.e., not double counted), ◢ Quantifiable—readily accounted for through process information and other reliable data, ◢ Enforceable—acquired through legally-binding commitments/agreements, ◢ Validated—verified through accurate means by a reliable third party, and ◢ Permanent—will remain as GHG reductions in perpetuity. In partnership with offset providers, the project developer shall purchase carbon offsets (from available programs that meet the above criteria) of at least 20,800 MTCO2e/year. It should be noted, however, that these numbers represent an estimate based on reductions achieved through the measures included in Mitigation Measures 5.6-1a and 5.2-2, and are subject to change depending on alterations in the level of mitigation applied to the project depending on the feasibility of individual measures. Offset protocols and validation applied to the project could be developed based on existing standards (e.g., Climate Registry Programs) or could be developed independently, provided such protocols satisfy the basic criterion of "additionality" (i.e., the reductions would not happen without the financial support of purchasing carbon offsets). Purchases of offsets would occur once and remain effective throughout the lifetime of the project (i.e., 25 years per SMAQMD guidance). For an offset to be considered viable, it must exhibit "permanence." To adequately reduce emissions of GHGs, carbon offsets must be able to demonstrate the ability to counterbalance GHG emissions over the lifespan of a project or "in perpetuity." For example, the purchase of a carbon offset generated by a reforestation project would entail the replanting or maintenance of carbon-sequestering trees, which would continue to sequester carbon over several years, decades, or centuries (Forest Trends 2015). The offsets purchased must offer an equivalent GHG reduction benefit annually i.e., 20,800 MTCO2e or more GHGs reduced annually as opposed to a one-time reduction. Prior to issuing building permits for development within the project area, the City of Sacramento shall confirm that the project developer or its designee has fully offset the project's remaining (i.e., post implementation of Mitigation Measures 5.6-1a and 5.2-2) operational GHG emissions over the 25-year project life associated with such building permits by relying upon one of the following compliance options, or a combination thereof:				

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◢ Demonstrate that the project developer has directly undertaken or funded activities that reduce or sequester GHG emissions that are estimated to result in GHG reduction credits (if such programs are available), and retire such GHG reduction credits in a quantity equal to the remaining operational GHG emissions; ◢ Provide a guarantee that it shall retire carbon credits issued in connection with direct investments (if such programs exist at the time of building permit issuance) in a quantity equal to the remaining operational GHG emissions; ◢ Undertake or fund direct investments (if such programs exist at the time of building permit issuance) and retire the associated carbon credits in a quantity equal to the remaining operational GHG emissions; or If it is impracticable to fully offset operational emissions through direct investments or quantifiable and verifiable programs do not exist, the project developer or its designee may purchase and retire carbon credits that have been issued by a recognized and reputable, accredited carbon registry in a quantity equal to the remaining operational GHG Emissions.				
HAZARDS AND HAZARDOUS MATERIALS				
Mitigation Measure 5.7-3 Develop and implement a Vector Control Plan As part of site-specific design of the Panhandle PUD detention basin and other water/drainage features, a Vector Control Plan shall be developed to the satisfaction of the Sacramento-Yolo Mosquito and Vector Control District. The Vector Control Plan shall specify mosquito control measures to be used (e.g., biological agents, pesticides, larvicides, circulating water), as well as identification of maintenance program to ensure control measures are maintained. Evidence of Sacramento-Yolo Mosquito and Vector Control District's design approval shall be provided to the City of Sacramento prior to improvement plan approval for detention basin and water/drainage features.	Details of compliance with this mitigation measure shall be provided in the detention basin improvement plans.	City of Sacramento Public Works Department/ Sacramento – Yolo Mosquito and Vector Control District and Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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HYDROLOGY AND WATER QUALITY				
Mitigation Measure 5.8-1: Demonstrate compliance with Drainage Report As part of approval of each small lot final map and/or each subsequent project, the project developer shall demonstrate to the City that drainage facilities are consistent with the Drainage System Modeling Report for the Natomas Panhandle (Panhandle Owner's Group 2016), and adequately attenuate increased drainage flows consistent with City standards. The analysis will also demonstrate that existing flooding issues at the intersection of Del Paso Road/Sorento Road will not be worsen by site development. Sacramento County shall be provided the analysis regarding flooding issues at the Del Paso/Sorento Road intersection and be allowed to provide input to the City on the proper solution for any additional flooding impacts at this intersection. This demonstration may take the form of plans and/or reports.	As part of each small lot subdivision map submittals and improvement plans. Verification of adequate drainage facilities for existing flooding at the Del Paso Road/Sorento Road intersection will be required for any proposed development activity on the southeast corner of the project.	City of Sacramento Public Works Department/ Sacramento County and Project applicant		
Mitigation Measure 5.8-2: Design drainage facilities to include water quality control features Drainage facilities shall be designated to meet or exceed storm water quality requirements set forth in City Standards pertaining to regional storm water quality control in association with NPDES Stormwater Permit No. CA502597. Water quality control may consist of pollutant source control, water quality treatment through Best Management Practices or a combination of both measures. Water quality control features as part of drainage facilities shall be reviewed and approved by the City before approval of improvement plans for the site.	During construction and identified in improvement plans for each phase of development. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Public Works Department and Contractor/Project applicant		
Mitigation Measure 5.8-4: Evaluate depth to groundwater and incorporate appropriate features into detention basin design As part of the final design of the project detention basin, soil borings shall be taken at representative locations within the detention basin to analyze the subsurface soils that are present and the elevation of the subsurface water table. If these soil borings identify shallow groundwater within 2 feet of the proposed bottom elevation of the detention basin, or within the detention basin, a liner and/or additional water quality control features such as vegetation shall be incorporated into the design of the detention basin to prohibit the migration of surface water contamination into the groundwater table, subject to City review and approval.	Details of compliance with this mitigation measure shall be provided in the detention basin improvement plans.	City of Sacramento Public Works Department and Project applicant		

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NOISE AND VIBRATION				
Mitigation Measure 5.9-1a: Implement construction-noise reduction measures. To minimize noise levels during construction activities, the City shall require the project developer and their construction contractors to comply with the following measures during all construction work: ◢ All construction equipment and equipment staging areas shall be located as far as feasible from nearby noise-sensitive land uses. ◢ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer's recommendations. Equipment engine shrouds shall be closed during equipment operation. ◢ Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off-site instead of on-site) where feasible and consistent with building codes and other applicable laws and regulations. ◢ Construction activities shall comply with the requirements of the City of Sacramento Municipal Code. ◢ To the maximum extent feasible, construction activity shall take place within the City of Sacramento construction noise exemption timeframes (i.e., 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. Sunday).	Prior to and during construction for each phase of development. Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department and Contractor		
Mitigation Measure 5.9-1b: Implement construction-noise reduction measures during noise-sensitive time periods. For all construction activity that would take place outside of the City of Sacramento construction noise exemption timeframes (i.e., 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. Sunday), and that is anticipated to generate more than 50 L_{eq} or 70 L_{max} at 50 feet, the City shall require the project developer and their construction contractors to comply with the following measures: ◢ Consistent with Section 8.68.080, Exemptions, of the City of Sacramento Code, obtain an exemption to Article II Noise Standards for nighttime construction. Exemption applications for work to be performed during the hours not exempt by Section 8.68.080 shall be approved by the City's director of building inspections and shall not exceed three days. Application for this exemption may be made in conjunction with the application for work permit or during the construction process. ◢ Implement noticing to adjacent landowners and implement conditions included in the exemption, if approved by the City's director of building inspections. ◢ Install temporary noise curtains as close as feasible to the boundary of the construction site blocking the direct line of sight between the source of noise and the	Prior to and during construction for each phase of development Mitigation measures shall be included in all construction documents for implementation during construction.	City of Sacramento Community Development Department and Contractor		

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nearest noise-sensitive receptor(s). Temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious, material with a surface weight of at least one pound per square foot. ◢ Noise-reducing enclosures and techniques shall be used around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors). ◢ Operate heavy-duty construction equipment at the lowest operating power possible.				
Mitigation Measure 5.9-2: Reduce noise exposure to existing sensitive receptors from project-generated traffic. The project developer shall in coordination with the City implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources: ◢ Construct outdoor sound barriers at the following locations: ◢ Between the segment of Del Paso Road from Sorento Road to Carey Road, and the ground level receptors directly north of this segment of roadway. ◢ Between the segment of Sorento Road from Del Paso Road to East Levee Road, and the ground level receptors directly east of this segment of roadway. The applicant in coordination with the City shall offer the owners of all the residences with addresses along this roadway segment the installation of a sound barrier along the property line of their affected residential properties. At a minimum, the sound barriers shall be just tall enough to break the line of sight between vehicles traveling along this segment of roadway and the existing sensitive receptors to the east of the roadway. The sound barriers shall be constructed of solid material (e.g., wood, brick, adobe, an earthen berm, boulders, or combination thereof). The reflectivity of each sound barrier shall be minimized to ensure that traffic noise reflected off the barrier does not contribute to an exceedance of applicable noise standards at other off-site receptors. The level of sound reflection from a barrier can be minimized with a textured or absorptive surface or with vegetation on or next to the barrier. All barriers shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the character of the surrounding area, and not become the dominant visual element of the area. The owners of the affected properties may choose to refuse this offer; however, the offer shall be made available to subsequent owners of the property if change of ownership occurs before project construction is complete. If an existing owner refuses these measures, a deed notice must be included with any future sale of the property to comply with California state real estate law, which requires that sellers of real property disclose “any fact materially affecting the value and desirability of the property” (California Civil Code, Section 1102.1[a]) and shall indicate that the applicant	Noise barriers required under this mitigation measure shall be identified in small lot subdivision map submittals and improvement plans for development along Del Paso Road and Sorento Road.	City of Sacramento Community Development Department and Project applicant		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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agrees to install a sound barrier, as described above. ◢ The majority of residences along the east side of the segment of Sorento Road from Del Paso Road to East Levee Road have ingress and egress points (driveways) along the roadway of concern, thus, preventing continuous sounds barriers from being constructed. Therefore, in addition to the sound barriers described above, the applicant in coordination with the City shall offer the owners of all the residences with driveways along this roadway segment the installation of solid driveway gates to provide additional noise attenuation where sound barriers are not able to be constructed. The driveway gates must be constructed of solid material (e.g., wood, metal, or combination thereof) and designed to ensure maximum noise attenuation. The owners of the affected properties may choose to refuse this offer; however, the offer shall be made available to subsequent owners of the property if change of ownership occurs before project construction is complete. If an existing owner refuses these measures, a deed notice must be included with any future sale of the property to comply with California state real estate law, which requires that sellers of real property disclose "any fact materially affecting the value and desirability of the property" (California Civil Code, Section 1102.1[a]) and shall indicate that the applicant agrees to install a driveway gate, as described above. Because a sound wall already exists along Del Paso Road on the roadway segments that would experience an exceedance of the City exterior noise compatibility standards, no feasible mitigation measures have been identified.				
Mitigation Measure 5.9-4: Reduce transportation noise exposure to sensitive receptors For new sensitive receptors developed as part of the project and that would be located within 282 feet of the centerline of Del Paso Road, within 278 feet of the centerline of Del Paso Road, within 80 feet of the centerline of Club Center Drive, or within 90 feet of the centerline of Street "G" (i.e., the distance from the centerline that is estimated, based on the noise modelling, to result in exceedance of the City of Sacramento exterior noise compatibility standard of 60 CNEL for low density residential), any or all of the following design criteria shall be adhered to: ◢ Where feasible, locate new sensitive receptors such that the outdoor activity area (e.g., balcony or porch) is on the opposite side of the structure from major roadways such that the structure itself would provide a barrier between transportation noise and the outdoor activity areas. ◢ Locate new sensitive receptors with other buildings/structures between the sensitive land use and nearby major roadways. ◢ If new sensitive receptors cannot be oriented or shielded by other structures, then	Noise attenuation measures required under this mitigation measure shall be identified in small lot subdivision map submittals and improvement plans.	City of Sacramento Community Development Department and Project applicant		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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design and building materials shall be chosen such that, at a minimum, 25 dBA of exterior-to-interior noise attenuation would be achieved, so that interior noise levels comply with the City of Sacramento interior noise standard of 45 L_{dn}. ◢ Setback sensitive receptors from major roadways at a distance that will not result in the exceedance of the City of Sacramento exterior noise compatibility standard of 60 CNEL for low-density residential land uses. If, and only if, implementation of the above measures do not reduce transportation-related noise levels to comply with the City of Sacramento exterior noise compatibility standard of 60 CNEL for low density residential, then as part of improvement plans for land uses along Del Paso Road, Elkhorn Boulevard, National Drive and Club Center Drive, landscaped noise barriers that demonstrate compliance with City noise standards (interior and exterior) shall be implemented. The project developer will be required to demonstrate compliance with this mitigation measure and whether noise barriers are ultimately required.				
PUBLIC SERVICES AND RECREATION				
Mitigation Measure 5.10-1a Payment of fees The project applicant shall pay the necessary project-specific fire service impact fees associated with fire protection services which will be established in the Panhandle PUD Public Facilities Finance Plan.	As part of small lot subdivision map submittals for each phase of development.	City of Sacramento Community Development Department and Project applicant		
Mitigation Measure 5.10-1b Panhandle PUD Public Facilities Finance Plan The Panhandle PUD Public Facilities Finance Plan shall include all necessary public facility improvements (e.g., fire, law enforcement, water, wastewater, parks, roadways, and libraries) intended to solely serve the PUD as well as its fair-share contribution to public facilities that serve the North Natomas Community Plan area as identified in the North Natomas Nexus Study and Finance Plan 2008 Update. The Panhandle PUD Public Facilities Finance Plan shall ensure that public facilities and equipment required to service the project are in place concurrent with site development.	Prior to the approval of the first small lot subdivision map submittals.	City of Sacramento Community Development Department and Project applicant		
TRANSPORTATION AND CIRCULATION				
Mitigation Measure 5.11-1: Implement construction traffic management plan. Before the commencement of construction, the applicant shall prepare a construction traffic management plan to the satisfaction of the City's Traffic Engineer and subject to review by all affected agencies. The plan shall ensure that acceptable operating conditions on roadways are maintained. At a minimum, the plan shall include: ◢ Description of trucks including: number and size of trucks per day, expected arrival / departure times, truck circulation patterns. Truck routes will be limited to using Del	The construction traffic management plan will be required for each phase of development and will be shown on improvement plans.	City of Sacramento Public Works Department and Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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Paso Road and Elkhorn Boulevard to access and depart the project. ◢ Description of staging area including: location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, specific signage. ◢ Description of street closures and/or bicycle and pedestrian facility closures including: duration, warning and posted signage, safe and efficient access routes for emergency vehicles, and use of manual traffic control. ◢ Description of access plan including: provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses. ◢ Provisions for parking for construction workers. The traffic management plan shall address all means to minimize temporary impacts from roadway and travel lane disruptions. Adequate emergency response access shall be maintained throughout development of the project. Where the project work area encroaches on a public ROW and reduces the existing pedestrian path of travel to less than 48 inches wide, alternate pedestrian routing shall be provided during construction activities. Additionally, access to all nearby parcels shall be maintained during construction activities.	Mitigation measures shall be included in all construction documents for implementation during construction.			
Mitigation Measure 5.11-2: Intersection improvements. The project developer shall implement the following intersection improvement: ◢ Install a traffic signal at the intersection of Sorento Road/Del Paso Road. This intersection meets the peak hour traffic warrant during the a.m. peak hour. This improvement shall be incorporated in the project's public facilities financing plan and installed before deficient operations of the intersection.	The City will verify that this improvement is in the project's public facilities financing plan prior to the approval of the first small lot subdivision map submittals. The improvement shall be installed prior to deficient operation of the intersection.	City of Sacramento Public Works Department and Project applicant		
Mitigation Measure 5.11-3a: Roadway segment improvement. The project developer shall implement the following improvements: ◢ Elkhorn Boulevard – SR 99 to Marysville Boulevard – Widen to four lanes. This improvement will be incorporated in the project's public facilities financing plan for fair-	The City will verify that this improvement is in the project's public	City of Sacramento Public Works Department and		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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share contribution and in place before deficient operation.	facilities financing plan prior to the approval of the first small lot subdivision map submittals. The improvement shall be installed prior to deficient operation of the roadway.	Project applicant		
Mitigation Measure 5.11-3b: Development of a neighborhood traffic management plan. The project developer shall prepare neighborhood traffic management plans for the following roadway segments for review and approval by the City: ◢ Regency Park Circle – North of Club Center Drive ◢ Danbrook Drive – South of Club Center Drive ◢ Sorento Road – North of Del Paso Road The neighborhood traffic management plans shall be implemented to address the impacts of increased traffic volumes on this street. The plans shall be developed in accordance with City practices, including the involvement of the neighborhood. The plans will focus on travel speed and safe pedestrian crossings, and may include elements such as chokers, pedestrian islands, curb extensions, and speed humps.	Prior to project roadway connections to each of the impacted roadways identified in the mitigation measure.	City of Sacramento Public Works Department and Project applicant		
Mitigation Measure 5.11-7: Transit service improvements The project developer shall join the North Natomas Transportation Management Association and will coordinate on feasible measures to provide transit information and services to project residents that is phased with development and transit demand. The project developer will provide proof of compliance with this mitigation measure with each small lot subdivision map submittal.	As part of small lot subdivision map submittals for each phase of development.	City of Sacramento Public Works Department and Project applicant		
Mitigation Measure 5.11-11: Cumulative roadway segment improvements to Elkhorn Boulevard. The project developer shall implement the following measures within the within the study area: ◢ Elkhorn Boulevard – Sageview Drive to East Levee Road – Widen to six lanes. This improvement will be incorporated in the project's public facilities financing plan for fair-share contribution and in place before deficient operation.	The City will verify that this improvement is in the project's public facilities financing plan prior to the approval of the first small lot subdivision map submittals.	City of Sacramento Public Works Department and Project applicant		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
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	The improvement shall be installed prior to deficient operation of the roadway.			
URBAN DESIGN AND VISUAL RESOURCES				
Mitigation Measure 5.12-2: Light fixture design Outdoor lighting for community parks/sports facilities shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the improvement plans. Light fixtures for sports fields that are planned to be lighted shall be directed away from residential areas and roadways to reduce light spillover and glare. Light fixtures shall be designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles. These lighting requirements will be included in the Panhandle PUD Guidelines.	As part of small lot subdivision map submittals and improvement plans for each phase of development.	City of Sacramento Community Development Department and Project applicant		

6 REFERENCES

DKS Associates. 2017 (August 10). *Panhandle – No Commercial Alternative Trip Generation and VMT Analysis Summary*. Sacramento, CA. Letter memorandum to Judith Matsui-Drury and Aelita Milatzo of the City of Sacramento. Sacramento, CA.

City of Sacramento. 2010 (April 6). *Staff Report to City Council: Panhandle Tax Exchange Agreement.* City of Sacramento, CA.

_____. 2017a (January 24). *Staff Report to City Council: Natomas Basin Habitat Conservation Plan Fee Adjustment.* City of Sacramento, CA.

_____. 2017b (September 6). *Flood Maps for Hypothetical Levee Break Scenarios.* Available: http://www.cityofsacramento.org/Utilities/Education/Flood-Ready/Flood-Depth-and-Evacuation-Maps. Accessed September 6, 2017.

_____. 2017c (February). *Comprehensive Flood Management Plan.* Prepared by the City of Sacramento. City of Sacramento, CA.

Ferrera 2017 (June 13). Ferrera, Rob, Sacramento Municipal Utility District. *E-mail Correspondence Regarding Electrical Service for the Panhandle PUD.*

Gillespie. 2016 (September 9). Gillespie, Kathryn, Planning Director. *Written Correspondence Regarding the Panhandle Annexation.* City of Sacramento, CA.

Sacramento Area Council of Governments. 2016. *2016 Metropolitan Transportation Plan/Sustainable Communities Strategy*. Sacramento, CA

SAFCA 2017a (August 9) Sacramento Area Flood Control Agency. *2017 Urban Level of Flood Protection Adequate Annual Progress Report.* City of Sacramento, CA.

_____. 2017b (August 17) Sacramento Area Flood Control Agency. *Executive Director's Report for August 17, 2017.* City of Sacramento, CA.

_____. 2017c (July 20) Sacramento Area Flood Control Agency. *Executive Director's Report for July 20, 2017.* City of Sacramento, CA.

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