

AGENCY COMMENTS

Comment 1: Harvey Tran, California Department of Fish and Wildlife (December 23, 2025)

From: Tran, Harvey@Wildlife <Harvey.Tran@Wildlife.ca.gov>

Sent: Tuesday, December 23, 2025 3:33 PM

To: Charles Tschudin <ctschudin@cityofsacramento.org>

Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Wood, Dylan@Wildlife <Dylan.Wood@wildlife.ca.gov>; Tanya Sheya <Tanya.Sheya@wildlife.ca.gov>; Kilgour, Morgan@Wildlife <Morgan.Kilgour@Wildlife.ca.gov>

Subject: CDFW Comments on the MND for the Sutters Landing ADA River Access Trail Project (SCH No. 2025111165)

Dear Charles Tschudin:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Intent to Adopt an MND from the City of Sacramento (the City) for the Sutters Landing ADA River Access Trail Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.^[1]

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

CDFW ROLE

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

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located in the City of Sacramento, California within the North Sacramento Community Plan Area, approximately 0.25 miles north of Interstate 80 Business Loop and approximately 0.78 miles south of State Route 160. The Project site is situated south of the American River and is bound by Two Rivers/Sutter's Landing Trail to the south and northwest of Sutter's Landing Regional Park accessible by 28th Street.

The Project consists of the construction of an Americans with Disabilities Act (ADA) compliant pedestrian access trail from the Sutters Landing Park parking lot to the Sutter's Landing Beach in the City of Sacramento, California. The trail would consist of a set of concrete stairs down the face of the levee together with two ADA-compliant 8-foot-wide concrete trails located to the east and west of the stairs that would converge at a concrete landing at the base of the levee. The proposed Project also includes restoration and habitat enhancement of approximately 5 acres directly adjacent to Sutter's Landing Beach. The restoration would remove invasive plant species from approximately 0.9 acres of open grassland and 4.1 acres of riparian forest, seed open grassland and riparian areas, and rehabilitate approximately 1,500 linear feet of major social trails by decompacting soil, installing temporary and permanent barriers, and planting about 4,000 native understory plants from plugs or other small containers.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

CDFW is primarily concerned with the Project impacts to biological resources requiring Notification under Fish and Game Code 1602.

COMMENT 1: Fish and Game Code section 1600 et seq., Regulatory Framework Federal and State, pages 33-36

Issue: The draft MND lists and explains all the Federal and State environmental laws that would be applicable to this Project, including California Fish and Game Codes. However, there is no mention of Fish and Game Code section 1600 et seq. in the section which prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless they submit a Notification to CDFW.

Recommendation or Recommended Mitigation Measure: CDFW recommends that the relevant section of the MND be modified to include an explanation of FGC § 1602 because the Project will require Notification due to the permanent impacts to the riparian habitat of the American River Parkway caused by Project activities.

ENVIRONMENTAL DATA

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

FILING FEES

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

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

CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the MND for the Sutters Landing ADA River Access Trail Project to assist the City in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Harvey Tran, Senior Environmental Scientist (Specialist) at (916) 358-4035 or harvey.tran@wildlife.ca.gov.

Sincerely,

Harvey Tran

Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife
Region 2 - North Central Region
1701 Nimbus Road, Rancho Cordova, CA 95670
Habitat Conservation Program
(916) 358-4035
harvey.tran@wildlife.ca.gov

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

Response 1:

Thank you for your comment. Compliance with Fish and Game Code section 1600 is referenced within the Biological Resources section on pages 33, 38, and 47 of the IS/MND as well as in BIO-1 through BIO-5 regarding impacts to Waters of the State and riparian habitat. A Section 1602 Streambed Alteration Agreement will be obtained during final design. Final mitigation requirements will be determined in coordination with CDFW during the acquisition of the 1602 Lake and Streambed Alteration Agreement.

Comment 2: Liz Bellas, Director of Regional Parks, Sacramento County

December/23/2025

City of Sacramento Environmental Planning Services
915 I Street
Sacramento, California 95814

Subject: Draft Initial Study/Mitigated Negative Declaration for the Sutter's Landing ADA River Access Trail Projects

Dear Environmental Planning Services Team,

Sacramento County Department of Regional Parks appreciates the City of Sacramento's long-term vision for Sutter's Landing Regional Park and its commitment to creating inclusive, sustainable access to the American River Parkway. This initiative marks a significant step toward equitable access for all users, including individuals with disabilities, while preserving the Parkway's recreational and scenic qualities. The Sutter's Landing ADA River Access Trail Project closely aligns with the American River Parkway Plan (ARPP) by promoting safe, inclusive access and protecting natural resources. Through formalizing pedestrian routes, closing social trails, and removing invasive species across approximately five acres, the project addresses habitat degradation and reduces recreational conflicts in this section of the Parkway. Restoration efforts that include native understory planting, trailhead barriers, and interpretive signage support ARPP's resource protection framework and habitat management priorities. Furthermore, the project's pedestrian-only design and avoidance of nighttime lighting minimize urban intrusions and maintain the Parkway's scenic character. Collectively, these actions demonstrate consistency with ARPP policies that call for a balanced approach to recreation and conservation within the Parkway.

To further ensure consistency with the American River Parkway Plan and the Natural Resources Management Plan (NRMP), Regional Parks offers the following comments and recommendations for consideration:

1. While the Draft IS/MND identifies a constructed and fully paved ADA-compliant trail as the preferred solution, it does not indicate whether alternatives were considered that might achieve accessibility goals with less physical alteration of the landscape. The Parkway Plan's emphasis on preserving natural resources and allowing only limited, unobtrusive development provides important context for evaluating the proposed ADA River Access Trail Project. For example, many federal, state, and city agencies have implemented equipment-based and/or policy-driven approaches, such as loan programs for all-terrain wheelchairs or track chairs, which can reduce lower site-specific impacts while maintaining compliance with accessibility standards. Incorporating a brief discussion of whether such alternatives were evaluated would strengthen the environmental record and demonstrate that all feasible options were considered regarding ADA requirements and the Parkway's guiding principles for limited development.

Response 1: As part of the Sutters Landing Park improvements, a restroom/ranger station/concession stand is being constructed. It is not yet known the exact nature of the goods/services that will be tendered at this concession stand; however, the City is looking into the potential for the stand to rent all-terrain wheelchairs for use at Sutters Landing Beach. Should this be a feasible endeavor, it would not be considered a standalone alternative to providing one or both ADA ramps as discussed in the Draft IS/MND because the ramps serve many different disabilities and users, not all of whom require the use of a wheelchair.

2. The IS/MND (Section II – Project Description) identifies concrete stairs, ramps, landings, and 8-foot-wide ADA-compliant trail as key features, but additional clarity is needed on how structural components will comply with ARPP requirements for earth-toned, non-reflective finishes and visual screening. Where feasible, continuous concrete surfaces near the river interface could be softened through alternative surfacing treatments or textured finishes to reduce visual contrast. Incorporating native vegetative screening and confirming compliance with ARPP Policy 7.22.5 would help preserve scenic values and ensure the project blends with its natural surroundings.

Response 2: Understanding that standard concrete features do not blend with the natural environment of Sutters Landing Beach, it was initially the City’s plan to incorporate earth-toned coloring and aesthetic finishes that would allow the ramps to be more cohesive with their surroundings. However, at our meeting with the Sacramento County Disability Advisory Committee (DAC) on April 15, 2025, the project team was told that pavement tinting would not be allowed, as it absorbs heat and becomes too hot for service dogs to walk on. The team will work with Sacramento County Department of Regional Parks and the DAC to resolve this contradiction.

3. Given that the project area is subject to frequent seasonal inundation, with recurrence intervals ranging from 2 to 25 years, design measures should explicitly account for flood resilience. While the IS/MND acknowledges the project’s location within Zone AE floodplain (Section III – Hydrology and Water Quality), it does not provide detail on how trail surfacing, structural elements, and restoration plantings will withstand periodic flooding. Regional Parks recommends that the final design include detailed specifications on how flood resilience will be achieved, including the use of flood-tolerant materials and construction methods for stairs, landings, and trail segments. It should also confirm measures to maintain a no-rise condition and avoid berms or grading that could alter flood conveyance, in compliance with Parkway Plan policies on floodplain development.

Response 3: The City acknowledges that the project site is located within the floodplain and subject to periodic inundation. A project-specific hydraulic analysis will be prepared during final design, when grading limits, structural details, and material specifications are finalized. That analysis will evaluate potential changes to base flood elevations, confirm maintenance of a no-rise condition, and inform design refinements as necessary. At the current draft design stage, construction-level hydraulic calculations and final engineering specifications are not yet available.

Because the project is within the regulated floodplain, all design features, including trail surfacing, stairs, landings, grading, and restoration elements, will be subject to review and approval by the Central Valley Flood Protection Board through the encroachment permitting process. The Board requires demonstration that the project will not impede flood conveyance, create berm effects, adversely affect levee or flood control infrastructure, or introduce debris hazards. The project cannot proceed without satisfying these requirements.

Consistent with Parkway Plan policies and standard practice for improvements within the American River floodplain, the final design will incorporate flood-resilient materials and construction methods appropriate for periodic inundation. The IS/MND appropriately discloses the floodplain setting and commits to compliance with applicable floodplain regulations; detailed hydraulic modeling and construction-level specifications will be completed and approved during the final design and permitting phase.

4. While the project's commitment to closing unauthorized social trails and restoring degraded areas is consistent with Parkway Plan objectives, the IS/MND does not address how the remaining informal trail will be adapted for its anticipated increase in use. Currently, this path serves as the nearest alternative river access point and functions as a secondary route in the area. Plan objectives call for keeping it open, and although it currently has some structural elements, such as a wooden retaining wall, it will likely experience concentrated foot traffic once other lateral routes are decommissioned. To maintain aesthetics and reduce erosion, Regional Parks recommends alternative surfacing treatments such as decomposed granite or other naturalistic materials in this location, rather than leaving it unimproved. Incorporating durable edging and clear design measures for constrained, focused use would help prevent informal widening and minimize future maintenance needs. Clarifying these provisions in the final design would strengthen consistency with ARPP policies on resource protection and visual integration while supporting the project's accessibility goals.

Response 4: As shown in Figure 6 Habitat Enhancement Concept in the IS/MND, one existing social trail would remain available to accommodate informal river access. The remaining social trails would be closed and restored as part of the restoration component of the Project. While the City recognizes that closure of certain informal paths could redirect some foot traffic, the formalization of additional social trails is not included in the Project scope.

The Project's purpose is limited to constructing an ADA-compliant pedestrian river access trail that provides a safe, durable, and accessible connection to Sutter's Landing Beach. The river access trail has been previously approved and evaluated through multiple City planning and environmental review actions, including the 2003 Sutter's Landing Regional Park Master Plan, the 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration, and the 2025 Sutter's Landing Regional Park Site Amenities Plan Update.

By contrast, formalization of additional social trails would constitute a separate discretionary action with distinct design considerations and resource constraints. Such improvements are not necessary to meet the Project's defined purpose and need and are therefore not part of the proposed ADA access trail project at this time.

5. To ensure successful restoration on decommissioned trail corridors, the final plan should include detailed maintenance provisions and species-specific invasive control measures. In addition to temporary irrigation and survival monitoring for at least 3–5 years, Regional Parks recommends explicit protocols for non-native tree and shrub removal (e.g., tree-of-heaven, Chinese tallow, privet) and scheduled spot-spraying to control resprouts during the three-year treatment window. Because heavy herbivory from rabbits and occasional deer is expected, browse protection such as tree tubes or cages should be installed for all understory plantings, with scheduled inspections and adaptive actions when survival falls below thresholds. The plan should also define restoration hardware cleanup, i.e. remove tubes and fencing once survival targets are met, to maintain Parkway aesthetics. Finally, weed control should prioritize mulching for soil stabilization and weed suppression, supplemented by targeted spot-spraying for woody weeds, yellow star-thistle, and bull thistle. These measures should be coordinated with ongoing community efforts at Sutter's Landing to ensure consistency in species selection, timing, and restoration practices with volunteer initiatives.

The IS/MND proposes five years of biological monitoring, which is consistent with the NRMP's monitoring framework and adaptive management approach. To strengthen delivery, the final plan should

specify performance metrics, annual reporting, and identify the responsible party and funding for maintenance, including native plant establishment on decommissioned trails. These metrics should include survival targets for plantings, invasive cover thresholds, and erosion checks to ensure restoration success. Finally, to keep restoration consistent with Woodlake Area priorities and community expectations, the plan should include a coordination step, such as an annual field walk, with County staff and local partners to confirm that weed control and planting schedules remain aligned with ongoing efforts at Sutter's Landing.

The American River Parkway's adaptive management framework calls for projects to be monitored, evaluated, and adjusted to ensure they meet intended objectives under dynamic conditions. The IS/MND specifies a five-year monitoring period, which should include clear provisions for addressing unforeseen events such as extreme flooding, major structural damage, or public use exceeding the intended capacity of the site. The final plan should define what "capacity" means in measurable terms; for example, monitoring peak daily use against design assumptions and identify thresholds that trigger corrective actions. It should also specify who will be responsible for implementing these actions during the five-year term and outline measures such as periodic inspections, repairs for structural damage or erosion and replanting where survival thresholds are not met. These commitments should incorporate contingency planning for flood-related impacts and define accountability for repairs and cleanup throughout the monitoring period. Establishing these measures within the defined performance window will help ensure the project functions as intended, protects Parkway aesthetics, and avoids lingering impacts from failed infrastructure or restoration materials.

Response 5: The City acknowledges the importance of preparing a robust restoration and maintenance program for the Project, including invasive species control, irrigation, performance metrics, monitoring, and coordination with local partners including the County. These elements will be incorporated into the final Restoration and Monitoring Plan prepared for permitting and construction. However, preparation of a fully detailed, species-specific restoration plan at the IS/MND and draft design phase is not feasible for the following reasons:

1. Restoration Plan Content Is Subject to CDFW Approval During the Permitting Phase

The Project will require authorization from the California Department of Fish and Wildlife (CDFW) in the form of a Lake and Streambed Alteration Agreement (Fish and Game Code §1602). CDFW does not engage in detailed restoration plan development during the environmental review or draft design phase. Rather, CDFW's review and approval of restoration plans occurs during the final design and permitting phase, once final grading limits, disturbance areas, construction methods, and impact acreages are established. CDFW typically prescribes specific requirements for:

- Planting palettes (native species composition, container sizes, and densities)
- Invasive species treatment methods and timing
- Monitoring duration and performance standards
- Adaptive management triggers
- Reporting frequency and format
- Success criteria and contingency measures

Because these requirements are highly site-specific and are imposed as enforceable permit conditions, the final Restoration and Monitoring Plan must be prepared in coordination with CDFW to ensure regulatory compliance. Developing a detailed, species-specific plan prior to CDFW's formal involvement could result in inconsistencies with subsequent

permit requirements and necessitate revision. The IS/MND appropriately establishes the framework commitment (i.e., preparation and implementation of a CDFW-approved Restoration and Monitoring Plan with five years of biological monitoring) while reserving detailed technical specifications for the permitting stage when they can be finalized in consultation with the regulatory agencies.

2. Flood Control Constraints Must Be Integrated at Final Design

The Project is located within the American River Parkway and subject to the jurisdiction of the Central Valley Flood Protection Board (CVFPB). Any restoration activities, including planting density, tree species selection, placement of browse protection devices (e.g., cages or tubes), irrigation systems, and erosion control measures, must comply with flood conveyance and maintenance requirements to ensure that flood capacity is not impeded. The CVFPB reviews final plans to evaluate:

- Potential encroachment within the floodway
- Vegetation type, height, and density relative to hydraulic modeling
- Installation of fencing, cages, or irrigation infrastructure that could trap debris
- Access for ongoing levee and channel maintenance

As with CDFW, these requirements are applied during the final design and encroachment permitting phase. Detailed restoration hardware specifications, invasive control protocols, and vegetation density standards must therefore be refined in coordination with CVFPB to ensure that flood control performance and public safety are not compromised.

3. CEQA Does Not Require Final Construction-Level Specifications

Under CEQA, an IS/MND must identify potentially significant impacts and incorporate feasible mitigation measures to reduce those impacts to less than significant levels. CEQA does not require preparation of construction-level design documents during environmental review. The IS/MND commits to:

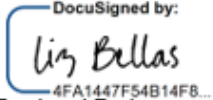
- Decommissioning and restoring informal trail corridors;
- Preparing and implementing a Restoration and Monitoring Plan;
- Conducting five years of biological monitoring consistent with the NRMP framework; and
- Implementing adaptive management as needed to achieve success criteria.

These commitments provide the performance-based framework required under CEQA. Detailed implementation protocols such as exact herbicide timing, tube removal schedules, survival thresholds, and annual reporting formats are appropriately developed in the final Restoration and Monitoring Plan, which will be subject to agency approval and enforceable permit conditions.

4. Funding

Finally, while the IS/MND commits to implementation of restoration and monitoring, the specific funding source for construction and long-term maintenance of the restoration area has not yet been finalized. Until funding mechanisms and responsible parties are confirmed, the City cannot commit to construction-level details such as exact irrigation duration, inspection frequencies, hardware removal schedules, or annual reporting formats. Those elements will be defined in the final Restoration and Monitoring Plan once funding, implementation responsibilities, and permit conditions are established.

Sacramento County Department of Regional Parks appreciates the City's commitment to improving accessibility and restoring habitat along the American River Parkway through the Sutter's Landing ADA River Access Trail Project. We value the thoughtful approach taken to balance public access with environmental stewardship and have provided these comments to help ensure full alignment with the Parkway Plan and Natural Resources Management Plan. Regional Parks looks forward to continued collaboration during design and implementation and to seeing this important project successfully completed for the benefit of all Parkway users.

Sincerely, 
Liz Bellas, 4FA1447F54B14FB...
Director of Regional Parks

GENERAL PUBLIC COMMENTS

Comment 3: Joseph Wilson and Rebekah Reynolds, Resources for Independent Living (December 31, 2025)



December 31, 2025
Mr. Charles Tschudin,
Senior Planner Community Development Department
City of Sacramento

Re: Sutter's Landing Park ADA River Access Trail Project

Dear Mr. Tschudin:

Resources for Independent Living is a local Sacramento and Yolo based nonprofit independent living center promoting the socio-economic independence of persons with disabilities by providing peer-supported, consumer-directed independent living services and advocacy.

Resources for Independent Living wishes to comment on the Draft Initial Study with Proposed Mitigated Negative Declaration (IS/MND) for the Sutter's Landing ADA River Access Trail project.

We are extremely appreciative of the City's willingness to undertake this project to establish a formalized ADA-compliant access path for recreational users to easily reach Sutter's Landing Beach as stated in the study. Nevertheless, the study does not provide the rationale for selecting Sutter's Landing Park over other preferable sites along the American River Parkway, for the construction of a new ADA-compliant river access trail. Also, the study does not identify other factors that should have been used in the selection of this site, such as:

- 1) The scenic value of the experience;
- 2) The quality of the experience, e.g., quietness, peacefulness, no large crowds;
- 3) The educational experience, e.g., the use of tactile/visual and auditory interpretive signage to augment the experience;
- 4) The quality of the recreational experience;
- 5) The impact on the site's natural resources;



- 6) The resources available to monitor and maintain the trail;
- 7) The Levee District granted support to the project.

People with disabilities have extremely limited options with respect to accessing nature trails and the City's efforts in this direction have the potential to become a model for the Sacramento area. This is why the above factors, especially the first three, are of the utmost importance to those of us with disabilities. To further achieve the City's goal, the trail design must also include appropriate universal design methods that will make the experience the most natural that it can be for those being served.

With this precept in mind, we would have to oppose the City's plan. The plan only provides the minimal accessibility needed, i.e., movement of people with disabilities from Point A to Point B. It does not take into consideration, as pointed out by the above desired factors, that the human-nature experience people with disabilities would expect to receive should be as much as our counterparts without disabilities receive.

Thus, the City's goal of a truly accessible trail would be more likely achieved by the plan submitted in a letter of June 3, 2025, by Mr. Bruce Foreman, retired interpretive/recreation planner, California Department of Fish and Wildlife; to Ms. Tin-Wah Wong, Associate Landscape Architect, City of Sacramento; recommending that the trail run not to the often crowded and noisy beach called for in the City's plan, but rather to a less used beach that will enable visitors with disabilities to hear, smell, and see more of the flora and fauna in the environment. Mr. Foreman's trail design provides a vista-type view and allows access close to the water, which is often preferred, especially by those who do not have sufficient vision to enjoy an overlook. Moreover, the plan that Mr. Foreman had submitted would include the use of compacted aggregate with clay/silt additive to match the colors of the exposed terrain soils, instead of concrete. Not only is this substance far more natural in appearance and feel than concrete, but maintenance for compacted aggregate is far easier and less costly than concrete. A big concern for people with mobility devices is the lack accessibility when waiting for repairs.



Based on the information provided by Mr. Foreman, the concerns of people with disabilities, and touring the area; Resources for Independent Living opposes the City's plan for Sutters Landing and endorses Bruce Foreman's alternative plan.

Warm regards,

A handwritten signature in black ink that reads 'JW'.

Joseph Wilson
Systems Change Advocate
Resources for Independent Living
420 I Street, Suite 3 level B
Sacramento, Ca 95814
916-446-3074 x 222
josephw@ril-sacramento.org

A handwritten signature in black ink that reads 'Rebekah D. Reynolds'.

Rebekah Reynolds
Program Manager
Resources for Independent Living
420 I Street, Suite 3 level B
Sacramento, Ca 95814
916-446-3074 x 235
rebekahr@ril-sacramento.org

Response 3:

Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.

Comment 4: Jeff Thom, ACB Capital Chapter of the California Council of the Blind (December 11, 2025)

Guillermo Robles, President

CALIFORNIA COUNCIL OF THE BLIND
EXECUTIVE OFFICE
8880 Cal Center Drive Suite 400
Sacramento, CA 95826

916 441-2100 1-800-221-6359 FAX 916-441-2188

**CALIFORNIA COUNCIL
OF THE BLIND**



December 11, 2025

Mr. Charles Tschudin,
Senior Planner Community Development Department
City of Sacramento

Re: Sutter's Landing Park ADA River Access Trail Project

Dear Mr. Tschudin:

The ACB Capital Chapter of the California Council of the Blind is the largest community-based consumer organization of blind and low vision individuals in the Greater Sacramento area. For decades, we have been the voice of those with vision loss in Sacramento.

The Board of Directors of the ACB Capital Chapter of the California Council of the Blind wishes to comment on the Draft Initial Study with Proposed Mitigated Negative Declaration (IS/MND) for the Sutter's Landing ADA River Access Trail project.

We are extremely appreciative of the City's willingness to undertake this project to establish a formalized ADA-compliant access path for recreational users to easily reach Sutter's Landing Beach as stated in the study. Nevertheless, the study does not provide the rationale for selecting Sutter's Landing Park over other preferable sites along the American River Parkway, for the construction of a new ADA-compliant river access trail. Also, the

study does not identify other factors that should have been used in the selection of this site, such as:

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- 3) The educational experience, e.g., the use of tactile/visual and auditory interpretive signage to augment the experience;
- 4) The quality of the recreational experience;
- 5) The impact on the site's natural resources;
- 6) The resources available to monitor and maintain the trail;
- 7) The Levee District granted support to the project.

People with disabilities have extremely limited options with respect to accessing nature trails and the City's efforts in this direction have the potential to become a model for the Sacramento area. This is why the above factors, especially the first three, are of the utmost importance to those of us with disabilities. To further achieve the City's goal, the trail design must also include appropriate universal design methods that will make the experience the most natural that it can be for those being served.

With this precept in mind, we would have to oppose the City's plan. The plan only provides the minimal accessibility needed, i.e., movement of people with disabilities from Point A to Point B. It does not take into consideration, as pointed out by the above desired factors, that the human-nature experience people with disabilities would expect to receive should be as much as our counterparts without disabilities receive.

Thus, the City's goal of a truly accessible trail would be more likely achieved by the plan submitted in a letter of June 3, 2025, by Mr. Bruce Foreman, retired interpretive/recreation planner, California Department of Fish and Wildlife; to Ms. Tin-Wah Wong, Associate Landscape Architect, City of Sacramento; recommending that the trail run not to the often crowded and noisy beach called for in the City's plan, but rather to a less used beach that will enable visitors with disabilities to hear, smell, and see more of the flora and fauna in the environment. Mr. Foreman's trail design provides a vista-type view and allows access close to the water, which is often preferred, especially by those who do not have sufficient

vision to enjoy an overlook. Moreover, the plan that Mr. Foreman had submitted would include the use of compacted aggregate with clay/silt additive to match the colors of the exposed terrain soils, instead of concrete. Not only is this substance far more natural in appearance and feel than concrete, but maintenance for compacted aggregate is far easier and less costly than concrete. For this, we endorse Bruce Forman's alternative plan design against the City's own plan as according to the Draft IS/MND.

Finally, whatever trail design is ultimately selected, it is essential that there be some form of tactile edging, e.g., river rock, so that those with limited or no vision can navigate the trail without a companion, as well as staying out of the adjacent vegetation. The tactile design needs to also include sufficient visual contrast to enable those who rely on limited vision to successfully navigate the trail. Also, accessible interpretive signage must be provided to augment the experience of being on the trail.

The ACB Capital Chapter of the California Council of the Blind is ready to enter into discussions with the City pertaining to any future design on this project to ensure that the needs of the blind and low vision community are met. Thus, we urge you to contact us with any questions about the comments that we have presented.

Warm regards,

Jeff Thom

President, ACB Capital Chapter of the California Council of the Blind

916-995-3967

Response 4:

Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast,

many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.



December 29, 2025

RE: Comments Regarding Sutter's Landing Regional Park ADA River Access Trail Project Draft IS/MND

Charles Tschudin,

The project as currently designed results in significant environmental impacts that are not adequately analyzed and mitigated for in the draft environmental document. The environmental document does not fully analyze the past, present and future uses of the main beach area including significant nuisance problems, and the current lack of ranger patrols and nuisance enforcement. The document does not adequately address the fact that the proposed project will aggravate existing nuisance and environment impacts. As proposed, three new access trails are intended that all lead to the main beach. Additional facilities are proposed in the beach area including a concrete ramp, plaza, picnic pads, picnic tables and accessible mats.

Modifications to the project design are needed to provide adequate access to Sutter's Landing while reducing environmental impacts to a less than significant level. Only one access point is needed to the main beach, and consideration should be given to a post and cable trail or a stairway without any new facilities (e.g., concrete ramp, picnic tables, plaza, etc.) below the levee trail. Improved ADA access is needed off the existing bikeway and I support an alternative ADA access route as has been recommended by numerous stakeholders and interested parties (Bruce Forman, Lionheart Community, Sacramento Audubon Society, Capital Council for the CA Council of the Blind, and Marshall-New Era Neighborhood Association).

While CEQA does not require an analysis of project impacts associated with environmental justice or social equity, many agencies have recently included an analysis of these project related environmental impact. We request that the City included these analyses in the final IS/MND, especially given that the funding for this project was slated for disadvantaged communities. The analysis should include an analysis of "equitable access". This is a term used to guarantee access is fair and similar for those with mobility issues when compared with an able bodied individual. For example if a project includes adding a hiking trail around a picturesque lake but only providing a picnic bench next to a handicapped parking stall with views of the lake for those with mobility issues would not be considered equitable access.

The project as presented to the Wildlife Conservation Board for funding included ADA compliant kayak launch facilities. As currently designed the project does not provide ADA compliant kayak launch facilities per US Access Board Guide to ADA Accessibility Standards, Chapter 10. The current designs do not even provide suitable, safe, nor accessible access to the river. The concrete platforms proposed do not meet ADA standards (MOBI mats that the City may be considering require high (nearly daily) maintenance and can be scoured out by river flows). The City should consider alternative sites for a proper, fully accessible kayak launching site (with floating dock) such as the Howe Avenue access. The infrastructure and space there, along with a calm inlet and current boat launch make it a very suitable site.

Therefore without providing a truly ADA compliant (and safe) accessible access to the river, the project is only providing passive access for enjoyment of river views. While we feel this is extremely valuable, it is

being built in the wrong location, and is thereby not equitable. The Sutter's Landing beach is a very popular, and often crowded location, with boats blaring music (typically very close to shore), and various watercraft launching activities occurring throughout the day, and a far less presence of birds. This will result in a very poor quality of experience for passive river viewing and little to no nature appreciation opportunities, including bird watching, that is not equitable and therefore an impact that must be mitigated.

We have previewed, in the field, an alternative trail that is currently an official trail as identified in the American River Parkway Plan (ARP Plan). The trail would be accessed via the existing bike path from the parking area. This short trail with some amendments would meet accessibility criteria and provide high quality, equitable passive access to the river for mobility and visually impaired nature enthusiasts, birdwatchers, photographers, and anglers. The alternative trail proposal has been reviewed in the field (twice) by a professional wildlands trail designer and trail construction manager (State and private - 2025). In addition, the alternative trail proposal received an encouraging field consultation by a CDFW CEQA/LSA specialist (Nov. 2025). Attached is a detailed description of this concept.

If this alternative trail is incorporated into the project, the new proposed concrete accessible ramp from the parking area down the levee could be eliminated, resulting in significant construction cost savings. In addition, the accessible concrete (which is not recommended in the ARP Plan) trail leading from the proposed staircase to the waters edge could be redesigned as non ADA, again providing a significant construction cost savings. This trail could be (and should be) designed using compacted gravel (aggregate with silt/clay additives for color matching), or other natural looking surfaces, consistent with the ARP Plan.

We have created a simple graphic (attached) showing how the new alternative passive river viewing accessible trail could be added to the project, along with showing the elimination of the accessible ramp on the levee. It is important that project decision makers have an opportunity to view this new accessible trail concept before the Draft IS/MND environmental document is finalized.

We are available to organize a field meeting, along with Bruce Forman.



Paul Miller
President & Chair of Accessibility Committee
Sacramento Audubon Society
916-768-7503



Sutter's Landing Riverfront ADA Compliant Access Concept

October 2025

Response 5:

Thank you for your comment. Limiting access to a single ADA-compliant trail connection to Sutter's Landing Beach was evaluated but determined to be infeasible due to safety, operational, and long-term use considerations. The provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts. During early public outreach, members of the public specifically requested a separate pedestrian access route due to safety concerns associated with existing conditions along the Two Rivers Trail. The Two Rivers Trail is a regional multi-use facility that supports bicycles traveling at relatively high speeds in addition to pedestrians. Planned future trail connections are anticipated to increase overall trail use, which would further elevate the potential for user conflicts if all pedestrian access to the beach were funneled through a single connection point.

In addition to recreational use, the existing access corridor is used periodically by maintenance and service vehicles associated with the U.S. Army Corps of Engineers and the adjacent railroad. These activities can involve large truck traffic that is incompatible with shared pedestrian-only access. A single access point would require pedestrians, cyclists, and maintenance vehicles to use the same route, increasing the risk of safety conflicts and limiting the City's ability to manage access during maintenance or emergency activities.

Providing two access points allows the City to functionally separate pedestrian access from vehicle and operational access where feasible, improving safety for all users. This design approach is consistent with best management practices for multi-use trail systems, particularly in high-use areas where bicycles, pedestrians, and vehicles intersect.

While the City recognizes the value of a direct eastern connection to the existing Two Rivers Trail, design constraints were identified in that area, including proximity to an existing elderberry shrub and underground utilities. These constraints limit the ability to rely exclusively on a single eastern access point without creating additional environmental impacts or operational limitations. As a result, a second access point is needed to maintain safe and reliable access while allowing flexibility in trail design and ongoing maintenance activities. Both access points will be constructed according to ADA standards.

Comment 6: Sergio Diaz, Attorney (December 31, 2025)

From: sergio diaz <sergio_diaz1911@sbcglobal.net>
Sent: Wednesday, December 31, 2025 4:01 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Cc: Sergio Diaz <sergio_diaz1911@sbcglobal.net>
Subject: Lead Agency Jurisdiction

Dear Mr. Tschudin,

This comment addresses a **threshold legal defect** in the CEQA process: namely, that the **City of Sacramento lacks the necessary jurisdiction and authority to serve as the CEQA Lead Agency** for this project.

I. CEQA Requires Lead Agency to Have Principal Jurisdiction and Responsibility

.

Under the California Environmental Quality Act (CEQA), the **Lead Agency** is the public agency “which has the principal responsibility for carrying out or approving a project” (CEQA Guidelines § 15051(a)). Where two or more public agencies are involved, the Lead Agency must either:

- Be the agency carrying out the project on its own land (Guidelines § 15051(b)(1)); or
- Be the agency with “the greatest responsibility for supervising or approving the project as a whole” (Guidelines § 15051(b)(2)).

A public agency **cannot lawfully act as the CEQA Lead Agency** if it lacks jurisdiction over the project site, is not the primary permitting authority, and does not have the ability to impose or enforce mitigation measures for the project.

II. The City Does Not Own or Control the Project Site

The **proposed trail, stairway, river access ramp, and associated features are physically located north of the American River levee**, within the **Woodlake Area of the American River Parkway**, not within the City-owned Sutter’s Landing Park. The **City’s jurisdiction ends at the flood control levee**, as noted in the **Wildlife Conservation Board Staff Report (Nov. 2023)**:

“A federal flood control levee on the northern side of Sutter’s Landing marks the park’s boundary, and the narrow riverbank on the river side of the levee is part of the Parkway and is managed by Sacramento County.” (WCB Staff Report, Nov. 15, 2023, pg. 1)

That statement is corroborated by Sacramento County’s Assessor parcel data, which shows that the **City of Sacramento’s Sutter’s Landing property terminates at the levee**, and that the riverward land (project site) lies within **County-managed public lands designated as part of the Parkway**.

Thus, the City of Sacramento **does not own, manage, or control** the land on which the majority of the project would be constructed.

III. The County, Not the City, Has Land Use Jurisdiction Over the Project Area

The American River Parkway is governed by the **American River Parkway Plan (2008)**, which was adopted by the County, City, and State pursuant to the **Urban American River Parkway Preservation Act (PRC § 5840 et seq.)**. Under that Act: “Actions of state and local agencies with regard to land use decisions shall be consistent with the American River Parkway Plan.” (PRC § 5842(b))

The Parkway Plan designates the project site within the **Woodlake Area as a “Protected Area”** and assigns management responsibility to **Sacramento County Department of Regional Parks**. According to the Parkway Plan and its Implementation Chapter:

- Development in Protected Areas must comply with strict limitations (ARPP

§ 7.8, p. 118);

- **Area Plan amendments require County Board of Supervisors approval** (ARPP § 11.4);
- Parkway Consistency Determinations must be made by **Sacramento County Regional Parks**, not the City;
- Public engagement must follow the **2009 Early Notification**

Procedures adopted by the County (County Board Resolution 2009-0153).

In short, **Sacramento County is the principal agency responsible for land use and environmental regulation within the American River Parkway**. The City of Sacramento has **no permitting authority and no zoning control** over land in the Parkway north of the levee.

IV. The City May Not Lawfully Act as Lead Agency

Because the project site is **outside the City's land use jurisdiction**, and because **the City lacks the legal authority to approve or condition development within the Parkway**, the City of Sacramento **may not serve as the CEQA Lead Agency** under Guidelines § 15051(a) or (b).

The City is instead a **project proponent**, seeking to construct an access trail on County land, for which it must secure **discretionary approvals** from Sacramento County. Under CEQA, **the agency with jurisdiction over project approval (here, the County) must be the lead**.

As held in *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 945:

"An agency lacking primary authority over a project cannot serve as lead agency simply because it initiates a project or desires to expedite environmental review." Here, the City may have initiated the project and obtained grant funding, but it cannot lawfully bypass the County's lead role in evaluating the project's environmental consequences on land it governs. Proceeding with a Mitigated Negative Declaration under the wrong lead agency is a **procedural defect that invalidates the environmental document** and any subsequent project approvals.

V. Requested Action

For the reasons stated above, Save the American River Association (SARA) respectfully requests the the City of Sacramento **refrain from adopting or certifying any CEQA document** for the proposed project and the City **withdraw its claim to be CEQA Lead Agency** and formally request Sacramento County Department of Regional Parks to serve as Lead Agency for the environmental review.

Response 6:

Thank you for your comment. Pursuant to CEQA Guidelines Section 15051(a), the lead agency is the public agency with the principal responsibility for carrying out or approving a project. In this case, the City is the public agency funding the project and is responsible for project planning, design, and implementation. The project is being undertaken to fulfill City policy objectives related to park access, trail connectivity, and ADA compliance as established in the City's adopted plans and programs. As such, the City exercises the greatest level of control and discretion over the project's scope, design features, construction, and mitigation measures. Sacramento County's role is limited to that of a landowner and cooperating or responsible agency, with jurisdiction over the American River Parkway. County approvals, if required, would be discretionary or ministerial in nature and would rely on the environmental analysis prepared by the lead agency. CEQA does not require land ownership to determine lead agency status; rather, it prioritizes which agency has primary responsibility for carrying out or approving the project. Accordingly, consistent with CEQA Guidelines Section 15051(a), the City of Sacramento is properly designated as the CEQA lead agency because it is the agency principally responsible for carrying out the proposed project, while Sacramento County acts as a responsible agency under CEQA. The City will establish a maintenance agreement with the County for maintenance of the ADA access trail in perpetuity.

Comment 7: Andrea Willey, Waterbird Habitat Project (December 31, 2025)



Waterbird Habitat Project

December 31, 2025

Charles Tschudin, Senior Planner
Department of Youth, Parks, and Community Enrichment City of Sacramento
915 I Street, 3rd Floor Sacramento, CA 95814

CC: Mayor Kevin McCarty; Council Member Pluckebaum

Regarding: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION Sutter's Landing ADA River Access Trail Project (L19913000)

Dear Mr. Tschudin,

The Waterbird Habitat Project is dedicated to protecting and restoring wildlife habitats along the American River, serving as stewards for waterbirds, fish, mammals, and riparian-dependent wildlife. We actively steward Sutter's Landing, removing abandoned fishing gear and raising awareness of its waterbird and wildlife habitat—a key habitat corridor along the Parkway.

We strongly support equitable ADA access to nature and wildlife habitats. However, we oppose the proposed project as designed due to its inconsistency with the 2008 American River Parkway Plan (ARPP). Sutter's Landing is designated primarily as a Protected Area (ARPP, p. 164), where policies prioritize preservation of naturally occurring vegetation and wildlife habitat (ARPP, p. 117). The extensive concrete ramps, paths, and pads contradict ARPP Policy 7.22.2, requiring structures to use naturalistic materials that blend with the environment (ARPP, p. 31). This project threatens habitat degradation by concentrating use in a sensitive, overcrowded area, increasing disturbance to wildlife through noise, vegetation loss, and water quality impacts—especially with the proposed watercraft concession. The Declaration understates these effects and does not provide strong assurances that proposed habitat restoration will succeed or be sustained over time.

To preserve maximum habitat while meeting accessibility goals, we recommend a redesign that minimizes concrete and paved surfaces, utilizes permeable and naturalistic materials, redirects access to less sensitive areas, and ensures full ARPP compliance through input from habitat experts, disability advocates, and accessibility groups, along with robust restoration plans.

Sutter's Landing requires protection and thoughtful management. We welcome collaboration for a balanced solution.

Sincerely,

Andrea Willey, MD
Founder, Waterbird Habitat Project
501(c)(3) Federal ID: 39-4782421

Response 7:

Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Limiting access to a single ADA-compliant trail connection to Sutter's Landing Beach was evaluated but determined to be infeasible due to safety, operational, and long-term use considerations. The provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts.

As required under Policy 7.22 of the American River Parkway Plan (ARPP), the trail design will utilize appropriate colors, textures, and scale to blend into the setting and minimize potential contrast with the natural and recreational character of the Parkway while still meeting ADA requirements.



Save the American River Association

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December 31, 2025

Charles Tschudin, Senior Planner
Community Development Department
City of Sacramento
300 Richards Boulevard, Sacramento, CA 95811
Email: ctschudin@cityofsacramento.org
Tel: (916) 808-8145

PROJECT: SUTTER'S LANDING ADA RIVER ACCESS TRAIL PROJECT
(L19913000)

SUBJECT: WRITTEN COMMENTS REGARDING THE DRAFT INITIAL
STUDY/NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE
DECLARATION

**RE: COMMENTS OF SAVE THE AMERICAN RIVER ASSOCIATION
ON THE SUTTER'S LANDING ADA RIVER ACCESS TRAIL IS/MND**

I. Introduction and CEQA Context

Save the American River Association (SARA) appreciates the opportunity to comment on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Sutter's Landing Regional Park ADA River Access Trail Project. SARA is a nonprofit organization dedicated to protecting and preserving the American River Parkway, and we have significant concerns that the IS/MND, as currently prepared, is legally and factually inadequate under the California Environmental Quality Act (CEQA).

Under CEQA, a mitigated negative declaration is only permissible if the project's potentially significant environmental impacts are fully analyzed and mitigated to a less-than-significant level. If **substantial evidence** in the record supports a "fair argument" that the project may have a significant environmental effect, the agency must prepare a full Environmental Impact Report (EIR) instead cityclerk.lacity.org/cityclerk.lacity.org. Courts strictly apply this "**fair argument**" standard, reviewing an agency's decision to adopt an MND *de novo* and without deference. In practice, this means **any concrete evidence of a potentially significant impact triggers the EIR requirement**, even if contrary evidence exists cityclerk.lacity.org. Common CEQA pitfalls that lead courts to invalidate MNDs include failure to adequately analyze certain impacts (e.g. superficially dismissing a project's cumulative or indirect effects), reliance on deferred or

ineffective mitigation measures, and failure to consider feasible alternatives that could reduce environmental harm. As the California Supreme Court has emphasized, the EIR is “the heart of CEQA,” and agencies must not evade that process through an MND when significant questions remain cityclerk.lacity.org.

In SARA’s view, this Project raises significant questions and unresolved conflicts with governing plans that **preclude reliance on an MND**. As detailed below, the Draft IS/MND (1) mischaracterizes the project description and environmental setting, (2) ignores critical regulatory constraints (notably the American River Parkway Plan and related laws), (3) understates the intensity of physical changes and use in a sensitive area, and (4) omits analysis of feasible alternatives that could lessen impacts. These deficiencies provide substantial evidence supporting a fair argument that the project **may cause significant environmental effects**, especially to the American River Parkway’s natural and recreational resources. Accordingly, SARA urges the City to **withdraw the MND** and prepare a full **Environmental Impact Report (EIR)** to address these issues and evaluate alternatives consistent with CEQA’s requirements. Furthermore, SARA believes many of the designs deficiencies could have been avoided and costs saved if the ARPP adopted Early Notification procedures had been followed.

II. Project Description and Setting

Project Summary: The proposed project, as described in the IS/MND, consists of new infrastructure to provide an ADA-accessible route from Sutter’s Landing Regional Park (a City of Sacramento park) down the adjacent riverbank to the American River. This includes construction of concrete ADA-compliant trails on the levee, a new set of concrete stairs down the face of the flood control levee, multiple landings and pathways extending north into the American River Parkway, and a terminus near the river’s edge with seasonal removable mats to facilitate water access. The project also proposes minor amenities (e.g. trash receptacles, picnic pads) and habitat “restoration/enhancement” such as closing informal social trails and revegetating disturbed areas. The stated purpose is to provide safe and equitable access to the river for users of all abilities, while reducing informal paths and improving environmental conditions in the area (Draft IS/MND, **Section II – Project Description**).

A

Omitted Context – Location in the American River Parkway: Crucially, the project’s physical footprint lies largely **within the American River Parkway**, specifically in the Woodlake Area on the north side of the levee (the narrow riverbank between the levee and the water). This area of the Parkway is owned and managed by Sacramento County and, under the **American River Parkway Plan (2008)**, is designated as a “**Protected Area**”, an environmentally sensitive land-use designation in the Parkway.

The IS/MND fails to clearly distinguish this jurisdictional and land-use setting. Instead, it frames the project as an extension of City park facilities, without clarity that once the trail crosses the levee, it enters a County-managed Parkway area subject to a restrictive land-use regime

established by state-adopted law (the Parkway Plan). This **vague characterization of the project setting and baseline** is a serious flaw. CEQA requires analysis against actual existing conditions and applicable regulatory constraints on the *project site* nrm.dfg.ca.gov/nrm.dfg.ca.gov. By discussing the river access as if it were a typical city park improvement, the MND understates the project's context and ignores the Parkway-specific standards that govern this location.

A

Parkway Combining Zone – Unanalyzed Legal Constraint: The City's project description also omits full analysis of Sutter's Landing Park (and any development extending from it into the Parkway) is subject to the City of Sacramento's **American River Parkway Corridor Combining Zone** (City Code Chapter 17.612). This zoning overlay explicitly requires that land use and development within the Parkway corridor comply with the American River Parkway Plan's policies and land-use designations. CEQA Guidelines § 15124(c) and (d) require an accurate, stable project description including the **regulatory setting** and any inconsistencies with applicable plans. By failing to mention the Parkway Plan or the combining zone, the IS/MND suppresses a key regulatory fact: **the project must be consistent with the Parkway Plan's limitations on new facilities and uses**. This omission is not just a minor procedural detail. It goes to the heart of whether the project is allowable in its proposed form. As discussed below, the project as proposed appears **inconsistent with the Parkway Plan's Protected Area designation and policies**, meaning it cannot lawfully proceed without a Plan amendment or exception. The IS/MND's diminishment of this point is misleading and violates CEQA's informational mandates.

B

Purpose and Need – Unstated Commercial Driver: The MND presents the project need as providing ADA access to the river in general terms ("safe and equitable access" for all). However, it fails to disclose the project's **genesis in a planned commercial concession** at Sutter's Landing.

The Mitigated Negative Declaration (MND) presents the project as an ADA-accessible trail to "**easily reach Sutter's Landing beach**". However, it does not clearly disclose the project's true purpose: to facilitate a new **commercial paddle craft rental concession**. In the MND's appendix (Project Summary Code 2025-0116006) and related documents, the City acknowledges plans for "**a concession stand that will include paddle board and kayak rentals**" at Sutter's Landing Park, with the "**beach**" as the launch site. The **ADA trail and boat launch are thus primarily intended to serve this rental operation**, not merely to improve general access for persons with disabilities. In fact, Save the American River Association (SARA) notes "**the project's stated purpose is to support the City's proposed commercial watercraft rental facility**", with the ADA ramp as "**an ancillary component...[but] the primary intent is to facilitate commercial usage**".

The City of Sacramento has received funding and is constructing a new concession building at Sutter's Landing (near the 28th & B Skate Park) that will offer **kayak and stand-up paddleboard (SUP) rentals** nrm.dfg.ca.gov. The American River shoreline below Sutter's Landing is explicitly anticipated to be the **launch site for users of these rentals**, but currently the riverbank access is informal and not accessible nrm.dfg.ca.gov. Thus, the City's pursuit of a formal ADA trail to the river is directly linked to serving this new concession and the **increased traffic** it will generate, rather than responding to an identified unmet need from the disability community. Nowhere does the IS/MND explain this connection. It omits the fact that the **"purpose-built" access is fundamentally to facilitate a private rental operation** (a non-trivial land-use consideration), not merely to improve general recreational access. This obscured purpose skews the analysis by assuming the project *must* occur at this precise location to meet a City objective, when in fact that objective is self-created (by siting a concession here). CEQA requires a clear statement of objectives and a reasonable range of alternatives to achieve them (Guidelines § 15124(b), § 15126.6). By **defining the project's goal so narrowly and omitting the commercial context**, the City has improperly foreclosed consideration of other alternatives (for example, an accessible river access at a different Parkway location or improving access via existing paths).

C

It is worth noting that representatives of the disability community and local environmental groups have questioned whether this is an appropriate location for ADA water access. For example, in comments submitted to the City, the Sacramento Audubon Society (whose president also chairs an Accessibility Committee and is a wheelchair user) **opposed the project as proposed**, calling it "the wrong location" for an ADA boat launch or viewing area. The Audubon letter noted that the Sutter's Landing beach is already *"very popular, and often crowded,"* with motorized boats frequently close to shore blaring music, resulting in *"a very poor quality of experience for passive river viewing and little to no nature appreciation opportunities"* for mobility-impaired visitors. Audubon and accessibility advocates recommended the City consider alternative sites where a *truly* ADA-compliant launch (with a floating dock and calm waters) could be provided or focus on improving existing trails for passive viewing instead. The Draft MND, however, contains **no analysis of project alternatives** whatsoever. This is a glaring omission given these community concerns. By failing to articulate the true project purpose and by ignoring reasonable alternatives, the MND violates CEQA's core requirement to inform decision-makers of feasible ways to avoid or reduce environmental damage.

D

Crucially, the MND fails to mention that **ADA-compliant river access already exists at this location**. An existing paved bicycle ramp from the levee down to the Two Rivers Trail currently **"serves as an ADA-compliant access point"**, allowing wheelchair users and others to reach the riverbank area. **"Cartop" kayak launching is already permitted** at Sutter's Landing informally. Thus, **the project does not create a new public access opportunity that isn't already available**; it instead formalizes a route for a **private concession's customers**. The omission of the concession stand in the main project description and the **piecemeal separation** of the river access trail from the rental facility (which will be subject to a separate approval) is misleading. It suggests improper **segmentation under CEQA**, obscuring the full

scope and impacts of the overall plan. The **Project Summary** clearly ties the trail to the rental operation, noting that without an improved trail, “**current access is informal and not ADA-compliant**” for the anticipated concession patrons. **By not evaluating the concession-driven increase in use, the MND underestimates project impacts.**

III. Conflict with the American River Parkway Plan

E

Perhaps the most fundamental problem with this project is its **conflict with the American River Parkway Plan (2008)**. The ARPP is the governing land-use and resource management plan for the Parkway, adopted by the State Legislature as law. The Lower American River from Nimbus Dam to the confluence is both a component of the State and Federal Wild and Scenic Rivers system *and* a County-administered parkway governed by the Parkway Plan sarariverwatch.org. The Parkway Plan designates every area of the Parkway for certain uses and levels of development intensity, with an overriding goal of protecting natural resources while allowing appropriate recreation. Under state law (the **Urban American River Parkway Preservation Act**, Public Resources Code § 5840 *et seq.*), **all state and local agencies’ actions affecting land use in the Parkway must be consistent with the Parkway Plan.**

Inconsistency with the American River Parkway Plan – Protected Area Land Use

The project site lies within the American River Parkway’s Woodlake Area, which the American River Parkway Plan (ARPP) designates as a “Protected Area.” Sacramento County’s ARPP Consistency Determination confirms “**the Land Use designation in the area where the project is proposed is the Protected Area**”. This is a restrictive Parkway designation, intended to **preserve natural habitat with only light recreational use**. According to the ARPP, **Protected Areas are defined as tracts of naturally occurring vegetation and wildlife capable of sustaining light to moderate use with minimal alteration**, where “**the emphasis is on protecting and restoring natural resources, with recreational activities limited to nature appreciation and light use**”. Facilities and improvements in Protected Areas “**shall be limited to those needed for public enjoyment of the natural environment,**” such as trails, water fountains, or the occasional picnic table. “**Extensive development is not appropriate**” in Protected Areas.

The proposed project **conflicts with these Protected Area requirements**. Installing a **concrete staircase down the levee, a paved switchback ramp, and a semi-permanent boat launch mat** is far beyond the minimal improvements envisioned. **The proposed staircase does not align with these permitted facilities** in a Protected Area. A large hardened ramp structure and plaza at the water’s edge would **introduce an impervious facility** where none existed, altering the natural character. In fact, the **ARPP explicitly advises that car-top boat launch facilities should have minimal environmental impact and should avoid the use of impervious surfaces**. A concrete ramp and staircase violate this policy.

Furthermore, **Protected Areas are intended for use by individuals, families, or small groups**, not crowds. The ARPP notes that in Protected Areas, recreation is mostly **passive** (hiking, nature study, etc.), and even picnicking is limited to small family groups along trails. By contrast, establishing infrastructure to serve a rental concession will **attract a higher volume of users and organized groups** to this sensitive area. The influx of customers seeking paddle rentals (including likely groups from summer camps or classes) would **exceed the “light use” intensity envisioned**. The ARPP cautions that activities drawing large numbers of users should be **“directed to Limited Recreation or Developed Recreation areas”**, not Protected Areas. **Commercial activities are outright prohibited within Protected Areas**. ARPP Table 7-3 and Policy 6.1.4 make clear that **“commercial activities...shall only be considered for location in Developed Recreation areas”** and then only as auxiliary to permitted facilities. The City’s plan to construct facilities inside the Parkway to support a **commercial enterprise** in the adjacent city park **directly conflicts with these land use policies**.

The MND fails to grapple with this inconsistency. It misleadingly refers to the site as being **“within Sutter’s Landing Regional Park”** (a City park) and treats the area as if it were a general recreation parkland. In reality, the **project footprint is on Parkway land governed by the ARPP’s strict Protected Area rules**. The MND’s discussion of plans and policies (Section XV, Recreation) mentions the Parkway Plan only in passing, and then only regarding aesthetic/visual policies. It **omits analysis of core ARPP land use policies** that are critical to determining consistency of this project. Sacramento County’s **2008 ARPP was adopted as state law** through the Urban American River Parkway Preservation Act (PRC §5840 et seq.), making its policies binding on all agencies. law.justia.com The Act explicitly states **“Actions of state and local agencies with regard to land use decisions shall be consistent with the American River Parkway Plan”** law.justia.com. By not evaluating the project against ARPP Protected Area standards, the MND overlooks a fundamental regulatory threshold. The County’s own consistency review acknowledges that **an amendment to the Parkway Area Plan map will be required** to add this facility, essentially conceding that the project is outside the scope of existing plan approvals. Such an amendment must undergo public hearings and cannot be approved if it undermines the state-adopted Parkway policies law.justia.com. However, a **Land Use designation change from a Protected Area to a Developed Recreation area to allow commercial activity would require State Legislative action**.

Protected Area Designation: The project site (Woodlake Area of the Parkway, north of the levee) is classified as a **Protected Area** on the Parkway Plan’s General Land Use Map and in the Area Plan text. Protected Areas are intended to sustain **only light to moderate usage with minimal alteration of the natural landscape**. The Parkway Plan explicitly states that in Protected Areas, *“facilities and other improvements... shall be limited to those which are needed for the public enjoyment of the natural environment. Extensive development is not appropriate.”*. The emphasis is on preservation and restoration of natural habitat; allowed facilities are generally confined to **low-intensity features** like unpaved trails, interpretive signage, drinking fountains, trail rest stops, and the occasional bench or picnic table – essentially, conveniences

that support passive recreation and nature appreciation. Large structures, paved routes, and high-use amenities are **inconsistent** with this designation.

By contrast, the **permanent concrete ramps, stairway, and paved path** proposed here are designed to accommodate not just individual visitors but a steady stream of users (including those carrying or wheeling watercraft to launch). This represents a much higher development intensity. Functionally, this project would convert a quiet, natural riverbank into a formal **boat launch area**, complete with hardened surfaces and likely crowds during summer months. Such a use is akin to a **Developed Recreation** facility or even a quasi-commercial hub, rather than a minor “nature enjoyment” improvement. This directly **conflicts with Parkway Plan Policy 7.8**, which mandates that *extensive development is not appropriate in Protected Areas* and that high-intensity activities (especially those that attract large numbers of users) be directed to less sensitive parts of the Parkway. Other Parkway policies reinforce this intent: Policy 7.12, for example, directs that activities/facilities attracting large numbers of users should be located in Developed Recreation or similarly less-sensitive areas to protect more fragile natural areas. Simply put, **this project is in the wrong place**. It proposes the kind of structural development and user concentration that the Parkway Plan reserves for developed land use designations not for a semi-wild protected corridor like Woodlake.

F

Requirement for Plan Consistency/Amendment: Parkway Plan Policy 7.1 unambiguously states: *“Facilities and improvements shall not be installed within the Parkway unless consistent with an adopted Parkway Area Plan.”* In this case, the Woodlake Area Plan (Parkway Plan Chapter 10) does **not** identify or contemplate a concrete ADA trail or boat launch at this site. To the contrary, the Woodlake Area is described as one of the largest contiguous natural habitat remnants in the lower river, with planning goals focused on habitat restoration and low-impact nature observation. New facilities in Woodlake are limited in concept and scale; there is no adopted plan showing a formal river access ramp or paved trail here. Thus, approving this project *as proposed* would effectively **amend the Parkway Plan’s land use prescription for Woodlake**, a step that cannot be taken lightly or unilaterally. The Parkway Plan (Policy 7.14) specifies that any amendment changing a land-use designation or allowing new facilities not shown in the plan must go through formal study, public hearings, approval by the County Board of Supervisors, **and subsequent approval by the State Legislature**. In other words, a fundamental change to what is allowed in a Protected Area is **beyond the discretion of a single local agency or a simple MND process**. The IS/MND glosses over this by baldly asserting that the project is “consistent with zoning and land use designations” because it “would improve river access and promote inclusivity” (Draft IS/MND, Section III – Land Use). This statement misconstrues the consistency test. A project does not become consistent with adopted plans merely by having a laudable social goal. Consistency requires alignment with the **specific policies and use limitations** of the governing plan – here, the Parkway Plan – which the project plainly lacks.

Non-Recreational (Commercial) Use Policies: Even if one viewed the project as an “improvement” within a park, the underlying **commercial nature** cannot be ignored. The

Parkway Plan treats commercial activities as **non-recreational uses** subject to strict criteria. Policy 6.1 states that commercial activities “*shall be permitted only if compatible with the goals of the Parkway*”, and further, **Policy 6.1.3** sets tests such as: (a) the service must be *necessary* to enhance permitted recreation, (b) it *shall not attract* people who wouldn’t otherwise be Parkway users, and (c) it must be dependent on the Parkway environment and consistent with Parkway purposes. Introducing a new **kayak/SUP rental operation** (even if the actual rental counter is just outside the Parkway boundary, its services directly extend into the Parkway) and building infrastructure to serve it in a Protected Area fails these tests. The rental service is not necessary for enjoyment of the natural environment; indeed, one can argue it serves a City revenue objective more than a Parkway user need. It certainly will **attract customers who are not traditional Parkway users**, namely those coming for a commercial paddling outing. And the intensive use and disturbance that accompany such activity (frequent boat launching, congregating groups, noise) are at odds with the serene nature experience that Protected Areas are meant to provide. SARA contends that this amounts to a **de facto land-use change** – effectively turning a portion of a Protected Area into a developed recreation/commercial zone – without going through the required Parkway Plan amendment process or demonstrating how the **6.1.3 criteria** are satisfied. The IS/MND does not even acknowledge this issue, let alone analyze it. This is a significant omission because a conflict with adopted plan policies designed to avoid environmental damage is itself a potential significant impact under CEQA (Guidelines § 15065(a)(1)). Here, the conflict with the Parkway Plan’s protective policies signals that the project could cause significant environmental effects (degradation of habitat, intrusion of inappropriate use), which demands full EIR analysis and **consideration of alternatives** (e.g. relocating the concession or choosing a different access point that is in a less sensitive area).

Adjacent Lands Responsibilities: In addition to governing what happens *inside* the Parkway, the Parkway Plan also imposes duties on jurisdictions for activities on **lands adjacent to the Parkway**. City-owned Sutter’s Landing Park is directly adjacent to the Parkway, so these provisions apply. Parkway Policy 7.19 directs all jurisdictions to “*use their authority to reduce, eliminate, and/or mitigate potential adverse impacts upon the Parkway caused by adjacent land uses and activities.*” Policies 7.19.1 and 7.19.2 further specify that structures shall be sited such that neither the structures **nor the activities associated with them** cause damage to Parkway wildlife or plants, nor impede recreational use of the Parkway, and that any such structures must be consistent with Parkway goals and policies. Policy 7.24 requires local jurisdictions to regulate adjacent development visible from the Parkway to minimize adverse visual impacts. By channeling a potential high volume of concession users from the city park into the heart of a Protected Area, the project *heightens* adverse impacts rather than mitigating them. The planned stairway and ramp would effectively funnel crowds (many of whom are there for a commercial recreation purpose) into a sensitive habitat zone, likely resulting in **trampling, disturbance to wildlife, litter, noise, and user conflicts** with existing passive users (birders, walkers, anglers who currently use the area lightly). The City should be exercising its authority to **protect** the Parkway from such impacts, yet here the City is the proponent of the impacting activity. There is no evidence in the MND that the City gave due consideration to these adjacency policies. For instance, by evaluating whether the structures and intensified use could harm riparian vegetation

or disrupt existing quiet recreational uses. We see no analysis of how the design might be modified or conditioned to reduce such impacts (e.g. alternate sites, limiting group size, closures to protect wildlife, etc.). This absence undercuts the City's claim of consistency with land use plans. In fact, it suggests a **significant impact on Parkway resources** that has not been mitigated.

In summary, proceeding with a paved ADA trail, new river access ramp, and associated concession-driven use **in a Protected Area contravenes the Parkway Plan's land use designations and goals**. The ARPP's overarching principle is that **"while the importance of recreational opportunities is recognized, preserving the natural qualities of the Parkway resource is essential."** *ARPP Chapter I page 9* The Plan is **"written to ensure preservation of the naturalistic environment while providing limited development to facilitate human enjoyment of the Parkway"**. This project, in contrast, represents an **overreach of development into one of the Parkway's most environmentally sensitive reaches**. It should be re-evaluated or relocated to a more appropriate designation.

G

Early Coordination and Public Process: The Parkway Plan, recognizing the Parkway's regional importance, also includes **Implementation provisions (Chapter 11)** that call for early notification and coordination on projects affecting the Parkway. Sacramento County adopted *Public Notification/Early Notification Procedures* in 2009 to ensure community groups, adjacent jurisdictions, and Parkway stakeholders are consulted at the **concept stage** of any project that could alter land use or affect the Parkway's character. SARA is formally named as an organization to be notified. In this case, however, the City and County did not follow those Early Notification procedures. The project was developed to a near-final design and funding was pursued (and even granted by the Wildlife Conservation Board) **before** Parkway stakeholders or the general public were aware of the specifics. Meaningful alternatives or modifications could have been identified through a collaborative design process. For example, local experts have since pointed out an existing trail route that could provide accessible river viewing with far less construction. Because early coordination did not occur as intended, the current proposal has generated substantial opposition and mistrust. From a CEQA standpoint, this lack of early engagement is showing up as a lack of genuine **alternatives analysis** in the MND. A well-scoped EIR process now would allow these alternatives (such as improving an *existing* trail for ADA enjoyment, or relocating the formal access to a less sensitive area) to be fleshed out and compared.

In summary, the project as proposed is **inconsistent with multiple fundamental Parkway Plan policies and designations**, a fact the IS/MND attempts to paper over. The Parkway Plan is not just an advisory document; it has the force of law (Pub. Res. Code § 5842(b)) and reflects binding environmental protection mandates for the lower American River. Pursuant to the Parkway Plan and state law, the City **cannot approve or implement a project that conflicts with the Plan** unless and until the Plan is amended via the prescribed legislative process. Approving the project in its current form, via an MND, would violate the Urban American River

Parkway Preservation Act's consistency requirement and could set a troubling precedent of piecemeal weakening of Parkway protections. CEQA provides that inconsistencies with adopted environmental plans and policies are a sign of significant impact (Guidelines § 15065). Here, the inconsistencies are stark and numerous, amounting to a strong "fair argument" that the project may have significant environmental effects on land use, biological resources, and the Parkway's wild and scenic values.

IV. Physical Environmental Impacts and Unanalyzed Issues

Beyond the policy conflicts, SARA is concerned the MND fails to adequately evaluate several **direct and indirect physical impacts** of the project:

Impacts on Habitat, Species, and Wildlife Connectivity

The Lower American River Parkway is an ecologically rich corridor that serves as the only contiguous fish and wildlife movement route through the Sacramento metropolitan area. It is often noted as the only Wild & Scenic River flowing through a major urban center in the U.S., harboring an extraordinary diversity of species. The ARPP emphasizes that the Parkway shall be managed to "preserve and enhance native vegetation [and] native fish...[maintain] habitat connectivity and travel corridors to support migratory and resident wildlife" while also providing recreation regionalparks.saccounty.gov. The project's environmental analysis minimizes the area's habitat value and **potential impacts on wildlife movement**.

H

Habitat Characteristics: The MND describes parts of the project area as "Urban" or disturbed, "**devoid of vegetation as a result of intensive recreational activity**" (MND p.32). This characterization is misleading. While the immediate footprint includes an existing informal path down the levee (worn by use), the surrounding environment is a mosaic of riverine and riparian habitats within the Parkway. The project's Biological Study Area (BSA) encompasses approximately **8.37 acres of land that would be directly or indirectly affected**, with an additional 50-foot buffer to account for adjacent resources (MND p.29). These lands lie at the interface of the **American River's aquatic habitat and the riparian forest and floodplain**. Even "urban" land covers can provide ecological function here (e.g. for ground-foraging birds or as open beach for turtles). The **MND admits that riparian woodland would be permanently impacted** by constructing the paved trail and two ADA spur paths (MND p.47). Any loss of riparian vegetation could be significant in a Protected Area when this figure **does not include a study of increased use, temporary impacts** or the effects of placing "**temporary**" **beach mats or ramps** at the water's edge. The MND notes that the exact design and location of these mats is still undetermined; meaning **the full impact to the shoreline habitat cannot be assessed** at this time. Deferring such details makes it impossible to evaluate alternatives or mitigation for those impacts, a clear CEQA inadequacy.

Wildlife Corridor: The MND asserts that the project site is “**not a priority corridor**” for wildlife movement and that adding a formal trail/ramp will not create new barriers (MND p.32). This statement **disregards the Parkway’s well-documented role as a regional wildlife corridor**. The American River Parkway is a narrow but vital greenbelt that connects habitats from the Sierra foothills (Folsom area) to the Sacramento River and Delta. It supports **over 220 bird species and more than 30 mammal species**, including sensitive and listed species that rely on its continuum of riparian and upland habitats (e.g. **Swainson’s hawk, white-tailed kite, burrowing owl, valley elderberry longhorn beetle**). Notably, the Woodlake area around Sutter’s Landing Park is home to several protected raptors – “**several protected species, such as the Swainson’s hawk (State Threatened), the white-tailed kite (Fully Protected), and the burrowing owl**” have been observed there sacramentoexpress.com. Even an occasional **bald eagle** and river mammals like **river otter and sea lion** have been recorded using this stretch of river sacramentoexpress.com. The ARPP identifies this stretch as part of the continuous riparian corridor and calls for maintaining connectivity for wildlife movement (Policies 10.16, 10.17). **Fragmentation and edge effects** are a concern anywhere the Parkway narrows, as it does in the Woodlake area (bounded closely by levees and urban development).

I

By introducing a paved path, hardscape, and increased human activity into a relatively undeveloped river edge, the project could **diminish the functional connectivity** for certain species. For example, **shaded riverine aquatic habitat** along the banks is critical for juvenile fish and other aquatic species, increasing human presence and potentially removing vegetation (or altering the bank for a ramp) can reduce its value. Terrestrial wildlife that currently traverse the area (deer, coyote, fox, etc.) may avoid a busy trail or be impacted by more constant human use. The MND’s cursory conclusion that the project won’t “create new barriers” overlooks that **human disturbance itself is a barrier** (noise, light, activity) to wildlife that would otherwise use an area freely. The ARPP underscores the importance of managing the Parkway to **protect wildlife and fisheries**, which includes limiting intrusions in sensitive spots regionalparks.saccounty.gov. The MND should have, but did not, consult the ARPP’s own EIR or habitat management policies on this point.

J

Hydrology and Riverbank Stability: The American River at this location is a dynamic system. The project entails installing hardscape (concrete) surfaces **within a FEMA-mapped floodplain and the Central Valley Flood Protection Board (CVFPB) designated floodway** of the river. The proposed ramps, stairs, and landing will sit on or adjacent to the riverbank, which is composed of highly erodible sands and silts nrm.dfg.ca.gov. During high flows or flood events, these structures could alter flow patterns and be subject to intense **scour and erosion**. The MND provides no detailed hydraulic analysis of how a concrete ramp and stair might influence local erosion or how they will be protected in floods. Experience on western rivers shows that such structures, if not engineered with substantial armoring, can be undermined or damaged, leading to **repeated repair work and potential introduction of riprap or other bank hardening** to protect them. Indeed, one foreseeable outcome is that once a concrete path and staircase are in place, any flood damage to the bank will prompt emergency measures to stabilize the site (to

preserve the public's investment and ensure user safety). This likely means future placement of rock revetment or other hard armor along the bank which would permanently degrade the natural riverside habitat. It should be noted that the Parkway Plan strongly disfavors new bank armoring in the Parkway, only allowing it in limited cases to protect vital public infrastructure and only if no bio-engineering alternative exists. Here, the **need for bank armoring is entirely project-induced** (not protecting an existing facility, but rather a new recreational structure), and it conflicts with the Plan's conservation policies. The MND glosses over these issues, merely stating that the project will be designed to withstand flooding. That is not sufficient under CEQA. A proper EIR should include a **hydrologic and geomorphic assessment**, evaluate the potential for increased erosion or redirection of flows, and consider the environmental impact of any likely bank protection measures. By ignoring this, the MND fails to disclose a potential significant impact on the river's natural geomorphology and riparian habitat.

Wildlife and Habitat Disturbance: The Woodlake Area is valued for its relatively natural habitat, supporting riparian vegetation and wildlife in an urban stretch of the river. Converting a portion of this area into a paved trail and formalized access point will inevitably lead to **habitat disturbance**. The construction process involves grading the levee and riverbank, removing vegetation (including possible tree removal or trimming on the bank), and continuous human intrusion into what is currently lightly used wildlife space. The MND's biological analysis appears cursory. It notes some common species and asserts that habitat impacts are minimal because disturbed areas will be restored. But introducing daily foot traffic (and possibly wheels, e.g. motorized wheelchairs or carts for boats) into a previously undeveloped bank is in itself a habitat impact, fragmenting what was a contiguous cover for animals. Scant assessment is given to potential impacts to Parkway species habitat, foraging, and nesting which are part of the protected Parkway natural experience. The area is part of a designated Wild and Scenic River corridor and therefore its "**natural**" condition is a value to be preserved. The project's physical changes and increased use could degrade that natural condition, an impact that is not analyzed through the lens of the Wild and Scenic Rivers Act consistency (the MND mentions the designation but does not grapple with how adding concrete structures and more crowd activity might affect the ORVs – outstandingly remarkable values – of the river). Again, a more thorough review in an EIR is warranted, with studies on Parkway species, especially any special-status species.

K

Special-Status Species: The Lower American River is federally designated critical habitat for species like **Central Valley steelhead and spring-run Chinook salmon**, and it supports fall-run Chinook and other anadromous fish. Indeed, the MND acknowledges the **Lower American River "is known to support" Chinook salmon and steelhead and is critical habitat for them** (MND p.41, 45). The river and its banks are also used by **Swainson's hawks (foraging habitat within 10 miles of nesting), white-tailed kites, Western pond turtles**, and other special-status species (MND p.32–33, 43). The MND's biological analysis focuses on **short-term construction disturbances** (e.g. avoiding nesting season, minimizing in-water work timing, etc.), and we appreciate that mitigation measures for those are identified (e.g. pre-

construction surveys, work windows). However, **the MND completely fails to analyze the long-term impacts of the change in land use intensity** on these species. **Heavy equipment use during construction is addressed, but not the permanent change** of turning a quiet, semiwild riverbank into a formal recreation access point. For instance:

- **Salmonids:** The MND notes past declines in salmon populations due to habitat loss (p.40) and correctly identifies this stretch of river as important habitat. Yet it does not consider how a new launch/ramp and likely **increase in boat traffic** (kayaks, paddleboards) could affect salmonids. Non-motorized craft can still harass waterfowl or fish if not managed; concentration of users could lead to bank erosion or trampling outside the ramp area unless carefully controlled.
- **Swainson's Hawk:** This species forages in grassland and open areas. The project's added human presence could displace hawks foraging along the river margin. If any large trees need to be removed or pruned, roosting present and future habitat could be lost (the MND claims no tree removal beyond perhaps saplings, but it's unclear).
- **Western Pond Turtle:** MND mentions potential habitat (p.43). Increased foot traffic to the water and more people at the shoreline could disturb turtles that use streambank basking sites or upland nesting areas. No mitigation is proposed for this beyond best management practices during construction.

In general, the **MND treats the project as if it has no operational impacts on biology, which is not accurate**. Facilitating higher visitation in a Protected Area **without any carrying capacity analysis or biological monitoring plan** is a recipe for gradual resource degradation. **No compensatory habitat restoration is proposed** beyond restoring the numerous "social trails" in the area (and even that is mentioned only conceptually). In fact, the area is already **in need of ecological restoration**. User-created trails and trampling have damaged vegetation on the levee slope and riverbank. The ARPP and grant funding for this project both envisioned habitat restoration as a component of improving access. Yet **the proposal as it stands devotes far more attention to new construction than to habitat restoration**. SARA's review noted **"significant restoration efforts were part of the funding request but not adequately carried out in the proposal"**, especially given the Protected Area status.

L

M

Aesthetics and Recreational Experience: The MND's aesthetics section acknowledges the project is **within the Parkway** but only evaluates visual impacts in terms of light/glare and consistency with some aesthetic policies. It concludes that because the project will use natural-colored materials and be relatively low-profile, visual impacts are less than significant. This misses the broader point: altering a natural riverbank to install a staircase and path is a **significant change in the visual and recreational character** of that site. What is currently a rustic scene (dirt trails winding through riparian vegetation) will become an engineered facility with concrete switchbacks and railings. For Parkway users who value the semi-wild experience, this is a degradation of scenic quality and sense of place. The Parkway Plan (Policy 7.24) seeks to minimize visual intrusion of development; yet here the development is within the Parkway

itself. An EIR could take a harder look at this, possibly through photo simulations, and discuss whether the design could be scaled back or made more visually compatible. Additionally, the **quality of recreation** for different user groups should be considered. The project will attract new use (including commercial paddling groups) that could conflict with existing uses like birdwatching and quiet fishing in this area. The MND does not acknowledge this at all. Recreation conflicts and crowding are part of environmental impacts (considered under CEQA's "recreation" category and "land use" compatibility). The failure to analyze whether packing an accessible boat launch into a protected nature area will diminish the experience for both new and existing users is another oversight.

N

Waterway Jurisdiction: It is also worth noting that the MND (p.31) identifies about **2.04 acres of the BSA as an aquatic feature considered Waters of the U.S. and State**. The project will affect the riverbank and potentially the bed (if any anchoring or fill is placed for the ramp mats). Any work below the ordinary high-water mark likely requires coordination with the U.S. Army Corps of Engineers (Clean Water Act §404) and Regional Water Quality Control Board (§401 water quality certification). Additionally, because the Lower American River is navigable, the bed may be subject to State Lands Commission jurisdiction. The MND does not list the State Lands Commission as a consulted agency, raising a question of whether all appropriate agencies have been coordinated with, given that a formalized river access could be considered a new use of sovereign lands (the river bed). At minimum, the City should confirm whether a lease or permit is needed for the boat ramp on state-owned riverbed.

V. Wild and Scenic River, ARPP and Public Considerations

The **Lower American River is protected under both the California Wild and Scenic Rivers Act (1972) and the federal Wild & Scenic Rivers Act (1981)**, designated for its **outstanding scenic, recreation, fish, and wildlife values**. Its classification as a "Recreational" river under those acts refers to the presence of some existing development at the time of designation, **not to the level of protection deserved**. The Wild & Scenic designation **mandates that the river's free-flowing condition and extraordinary values be protected from degradation**. The ARPP is explicitly identified as the management plan for the Wild & Scenic reach. **Any project in the Parkway must be evaluated for consistency with the Wild & Scenic values.**

The MND's analysis treats the term "Recreational River" almost as a justification that the area is already highly impacted, implying fewer constraints. This is a misunderstanding. Under the Wild & Scenic Rivers Act, **"Recreational" classified rivers are entitled to the same substantive protections as "Wild" or "Scenic" rivers**. The classification only describes the degree of existing development, not a lesser importance. The Lower American River's values, especially its fisheries and recreation, are **extraordinary in an urban context**. As the Consistency Determination notes, the Wild and Scenic status was **"specifically focused on recreation and fisheries"** and the Parkway Plan was adopted to protect those values among others that are part of the Adopted Plan. The proposed project threatens to **incrementally erode those values** by: 1)

introducing **new structures along the riverbank** (concrete and artificial materials where the river edge is now earthen), 2) **increasing human use intensity**, potentially affecting the **scenic quality** (more crowding, visible infrastructure) and **quiet recreation** experience, and 3) setting a **precedent for commercial use** in the heart of the Wild & Scenic corridor.

Notably, **the project area offers scenic river views and a sense of immersion in nature despite its urban proximity**. Formalizing it with concrete paved paths, staircase, platforms, and ramps will make it feel more like a city park facility than a natural river corridor. The ARPP contains numerous policies to **“reduce visual impacts within the Parkway”** (ARPP Chapter 7); requiring that any structures be **visually unobtrusive, screened by vegetation, and using natural materials and earth-tone colors**. Thus far the MND does not assure consistency with these aesthetic requirements beyond a cursory mention.

In summary, the Wild & Scenic status calls for a **high bar of scrutiny. No project should be approved if it will materially diminish the river’s fish, wildlife, scenic, or recreation values (PRC §5093.56)**. The ARPP is the State adopted management plan to protect those values. The State is also prohibited from assisting projects that would harm these values (PRC §5093.61). The **CNRA (California Natural Resources Agency) has a duty to coordinate** on Wild & Scenic consistency, yet it appears this project flew under that radar due to being processed as an MND. This warrants re-examination. At minimum, **formal Wild & Scenic consistency findings should be made part of the record**. It is quite ironic that at a time when agencies are spending millions to restore habitat for salmon and steelhead in the American River, the City is proposing to boost commercial recreation in a manner that could undermine the very **“anadromous fishery”** and **“quiet recreation”** values protected by law.

Recreation Analysis – Mischaracterizations and Omitted Issues

The MND’s evaluation of recreation impacts (Section XVI) is flawed and incomplete. It concludes that the project will not expand recreational opportunities or capacity beyond what has been planned, and thus has no significant recreation impact. This is **contradicted by the project’s intent and foreseeable effects**.

- **Claim of No New Recreation Opportunity:** The document states that the ADA trail **“would improve accessibility and safety for all users... but would not create new recreational opportunities or expand facilities beyond those already planned and evaluated in the 2040 General Plan Master EIR.”** (MND p.94). This is inaccurate. The City’s 2040 General Plan and its Master EIR did *not* specifically plan for a commercial boat rental concession or a new boat launch in the Woodlake area of the Parkway. Those documents are high-level; the ARPP is the governing plan for specific Parkway facilities. **The introduction of a kayak/SUP rental concession at Sutter’s Landing and associated river access was never evaluated in any prior CEQA document.** It is a **new recreational service and facility. Encouraging potentially hundreds of new paddlers** (many of whom might not otherwise visit this site) *is* an expansion of recreational capacity and use. The MND cannot have it both ways: the

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project is justified as “enhancing access” but then downplayed as having no effect on usage levels. Indeed, if the project truly didn’t attract new users, the private concessionaire would have no market. Clearly the intent is to draw more people to this location by offering rental equipment and easy access.

- **Safety and Services:** The MND asserts the project “**would not substantially increase visitation or require new or expanded police, fire, or other governmental services**” (MND p.94). Yet a key concern is the **safety of disabled or novice paddlers on the river**. The American River at Sutter’s Landing has swift currents and is unwatched by lifeguards. Increasing river access for more people, including those who may have limited swimming ability or experience (some of the “disadvantaged community” users targeted), **could very well increase the need for rescue services** or ranger patrols. The Sacramento Fire Department’s water rescue unit and Park Rangers could see more calls for service due to overturned kayaks, stranded boaters, medical incidents on the trail, etc. The MND did not analyze this at all. The statement that no increase in services is needed appears to be **unsupported by evidence**, especially given that the concessionaire will presumably be encouraging even inexperienced users to go out on the water. Sacramento Audubon Society, in its comments, underscored this issue by noting a **safe downstream take-out is critical for paddlers** (there currently is none planned) and that the proposed ramp design (a fixed concrete ramp) **would often be unusable for wheelchairs during lower water, raising safety and feasibility concerns**. These are exactly the kind of issues a proper EIR would study (e.g., requiring the project to fund additional safety measures or to implement a reservation/monitoring system for usage).
- **“Recreational River” Misconception:** As discussed, the MND’s reference to the Wild & Scenic “Recreational” classification (p.95) seems to imply the site is akin to a developed park. In truth, the **Parkway Plan’s vision for recreation is fundamentally different from a city park’s**. The ARPP’s Goal for Recreation is “**to provide...access and facilities so that present and future generations can enjoy the amenities and resources of the Parkway**” while “**preserv[ing] the natural, archaeological, historical and recreational resources of the Parkway**” regionalparks.saccounty.gov. The ARPP emphasizes **passive, nature-oriented recreation**: “**The Parkway shall be oriented to passive, unstructured water-enhanced recreational activities...appropriate in a natural environment...not normally provided by other County parks. To this end, development in the Parkway shall be minimal.**” regionalparks.saccounty.gov. It even goes on to say **facilities that are primarily visitor attractions should be placed in less sensitive areas of the park system** regionalparks.saccounty.gov. The project as proposed, with hardened concrete structures for a private rental business in a Protected Area, even if ostensibly tailored for ADA boating access, is a **textbook example of what the ARPP sought to avoid in the Parkway**. It is effectively a “**visitor attraction**” (**commercial rental amenity**) that arguably belongs in a more developed park setting. The MND never addresses this policy conflict, instead narrowing the recreation issue to a misleadingly simplistic question of whether a trail will physically induce population

growth (it will not, of course). This misses the **qualitative impact on recreation experience**: turning a semi-natural riverfront into a potential hub of commercial boating activity **detracts from the quiet solitude and nature-focused recreation** that current users seek in Protected Areas.

- **Public Demand and ADA Community Input:** It is also noteworthy that **no evidence has been presented that the disabled community or general public asked for this specific development**. Alternative approaches to improving access were not given serious consideration. For instance, **Sacramento Audubon Society (whose president is a wheelchair user) explicitly does not support a “fully ADA compliant car-top boat launching facility” at this site**, noting that a truly ADA-compliant launch would require a floating dock (which the City deemed infeasible) and that a concrete ramp will often be unusable due to fluctuating water levels. Audubon suggests focusing on accessible nature trails and providing **off-road wheelchairs or adaptive cycles** for disabled users to enjoy the Parkway on existing paths. This indicates that there are **practical, lower-impact alternatives to meet accessibility goals** without building a new ramp in the Protected Area. The MND did not explore such alternatives, because by the time of environmental and stakeholder review the project was seemingly locked into a particular concept (driven by the concession plan). This backwards approach of defining the solution before analyzing the problem has wasted public resources and foreclosed a fair consideration of options that might both improve ADA access and better protect Parkway resources.

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Finally, **the project is being proposed ahead of the City’s own master planning process for Sutter’s Landing Park**. The City is currently updating the Site Master Plan for Sutter’s Landing Regional Park (the upland park on the old landfill). Yet this river access/trail is moving forward on a separate track. **This piecemeal planning is poor practice** and potentially a violation of CEQA. Changes of this magnitude, effectively linking the City park with the American River Parkway via new facilities, should be evaluated holistically in the context of the park master plan and **in coordination with County Regional Parks**, and with Early Notification to parkway stakeholders, not rushed as a stand-alone project. It appears the driving force is the availability of grant money (from the Lower American River Conservancy program) and the interest of a concessionaire, rather than a thoughtfully vetted plan for public recreation needs. A master plan process could consider **alternate locations** for a kayak rental (e.g., upstream at an existing Developed Recreation area of the Parkway that already has boat access, such as Discovery Park, or downstream at the Sac River which is outside the Parkway). The MND is silent on why it *must* be here, in a Protected Area, other than convenience.

V. Cumulative Impact: The Parkway in Peril

CEQA requires that even if a project’s impacts are individually minor, decision-makers must consider whether **cumulatively, similar actions over time are causing significant degradation**. The MND summarily dismisses any cumulative impacts, stating the project **“would not induce growth”** and therefore has no cumulative context (MND p.112-113).

This misses the broader picture. **The American River Parkway is under unprecedented cumulative stress from multiple projects and policy changes, and each incremental encroachment, including this one, contributes to the erosion of the Parkway's values.**

For perspective, the Parkway sees over **8 million visits each year – approximately double the annual visitation of Yosemite National Park** nrm.dfg.ca.gov. Yet it comprises only approximately 4,800 acres in a linear strip, much of it only a few hundred yards wide. The ARPP explicitly acknowledges the need to **manage carrying capacity** to prevent overuse and protect resources for future generations regionalparks.saccounty.gov. Unfortunately, in recent years, **a series of actions by private interests and various public agencies have been chipping away at the Parkway's naturalness and tranquility.** Below is a non-exhaustive list of such pressures, to illustrate the cumulative context in which the current project should be evaluated:

- **Bank Armoring and Levee Projects (American River Common Features).** The U.S. Army Corps of Engineers, in partnership with local agencies, is implementing extensive bank stabilization along the Lower American River. Up to **11 miles of riverbank may be armored with rock (riprap)** under the American River Common Features program safca.org. Already, initial contracts have installed roughly **13,300 linear feet (2.5 miles) of revetment** on the river, with more to come. These projects often involve removing riverside vegetation and building launch/access ramps for construction – some of which remain as permanent scars. The result is a **significant loss of shaded riverine aquatic habitat and a more artificial-looking riverbank** along nearly half the Parkway's length. Restoration plantings are slow to succeed, and the **net effect is a reduction in wildlife habitat quality and scenic river character.** For example, the forthcoming Contract 3B alone is slated to **bulldoze over 600 trees in an especially pristine stretch of the Parkway** (near River Bend/Goethe) to install rock banks americanrivertrees.org. **Hundreds of mature oaks, cottonwoods, and willows have been or may be lost,** and the continuity of the riparian canopy, so critical for migrating songbirds and for cooling the river for fish, is being broken. This permanent alteration may be *individually* justified for flood safety, but cumulatively it **degrades the Wild & Scenic values** the ARPP is meant to protect, and should be avoided except in cases of clear necessity.
- **Commercialization and Vending Pressure.** A recent trend, facilitated by state legislation, is the push for more commercial activities in parks. The State Parks "vending in parks" law encourages allowing vendors and concessions to enhance visitor services. Without strict limits, this can **increase litter, noise, and wildlife habituation to humans/food** in natural park areas. The Parkway Plan may allow concessions in very narrow circumstances, but **only in developed recreation zones and under tight criteria** regionalparks.saccounty.gov. The City's proposal at Sutter's Landing is a case in point: **if every jurisdiction carves out exceptions for commercial uses in the Parkway, the cumulative effect will be a loss of the Parkway's peaceful, nature-centered character.** One kayak rental might not seem like much, but what happens when multiple businesses seek to offer bike rentals, food sales, or other services

along various segments? It sets a precedent that Parkway lands are open for commercial enterprise, contrary to ARPP's mandate that **public lands not be disposed of or used in ways adverse to Parkway goals** regionalparks.saccountv.gov.

- **Nearby Development and Lighting Impacts.** The integrity of the Parkway is also influenced by what happens on its perimeter. The City of Sacramento recently **removed the Parkway Corridor Combining Zone** for parts of the River District, eroding zoning protections that used to require setbacks, height limits, non-glare glass, and other design features on developments adjacent to the Parkway. Now we see proposals like **"American River One"**, a high-rise project at Bercut Drive near the confluence, which could introduce tall glass facades visible from the river and pose bird-strike hazards – **exactly the kind of adjacent land impact the ARPP tries to guard against**. Similarly, upstream in the County, projects like the **Trumark housing development (former Kassis property)** plan to build houses right up to the floodway edge, and **Rio Americano High School's stadium** is considering installing towering lights and loudspeakers near the river. Each such project **eats away at the Parkway's "dark sky" and natural viewshed qualities**. The ARPP has policies to mitigate adjacent land impacts (e.g. Policy 7.19, local jurisdictions' responsibility), but the City's weakening of its combining zone and the public entity approval of variances mean those policies aren't always enforced. The result is more **nighttime light spill, noise intrusion, and visual encroachment** into what should be a unique refuge of nature in the city.
- **Trails and Overuse in Sensitive Areas.** Demand for recreation (especially trails) is high, and projects are underway to formalize or expand trails. For example, the **Two Rivers Trail Phase II** (extending east from Sutter's Landing) and proposals like the **Rossmoor Bar trail project** in Rancho Cordova will bring more cyclists and pedestrians into currently semi-wild areas. Well-planned trail projects can concentrate use and allow restoration of rogue trails, but **poorly planned ones can create wider disturbance corridors, remove more vegetation, and introduce paving and even lighting**. We must ensure these projects truly follow **"design to blend into the natural environment"** principles. The **Sutter's Landing project at issue is essentially a new trail into a Protected Area**, thus it contributes to the *spiderweb of trails* that, cumulatively, have been expanding in the Parkway. Each new formal access can **bring more foot/bike traffic to previously quiet habitat corners** (e.g., the interior of the Woodlake section, which was historically less trammled). The cumulative effect can be wildlife retreating entirely from those areas, but because we are in a major urban area has nowhere else to go.
- **Upstream Water Management.** Though not directly caused by local entities, upstream changes affect the Parkway. There are proposals in El Dorado County to **change water diversion points or timing** on the American River system. If more water is taken upstream or at different times, **flows and cold-water pool management downstream (in Folsom/Nimbus releases) could be altered, potentially raising water temperatures or reducing flows in the Parkway** during critical fish migration and spawning periods.

Under Wild & Scenic rules, state agencies are supposed to protect designated rivers from such flow-related impacts (PRC §5093.56). While this is outside the scope of the City's project, it's part of the bigger picture of **stressors on the Parkway's fishery value**. It underscores that **now, especially with anticipated climate change, is the time to be adding protections and riparian resilience in the Parkway – not adding new disturbances.**

In light of all these factors, the City's contention that **this small project “would not be cumulatively considerable”** is untenable. **The Parkway's carrying capacity is not limitless.** We are witnessing a **“death by a thousand cuts,”** where each new encroachment (a bit more riprap here, a new access point there, a bright light or a big event over there) seems minor on its own, but collectively they **erode the very values the Parkway was established to safeguard**. The ARPP's **Goal 3.3** (Resource Management) effectively calls for cumulative stewardship: it directs managing agencies to **“protect, enhance and expand”** the Parkway's habitats (not shrink or chip away at them) and to safeguard environmental quality for future users regionalparks.saccounty.gov/regionalparks.saccounty.gov.

Approving a project that violates the Protected Area concept for the sake of a minor recreation convenience would set a troubling precedent. It would signal that even Parkway's most protected lands are open to being carved up for facilities if the project is politically attractive or promise modest user benefits. **We urge a more cautious, comprehensive review, likely an EIR, that fully accounts for these cumulative issues.** The EIR should consider alternatives (such as enhancing ADA access at an existing Developed Recreation site or scaling back the project to habitat restoration plus a viewing area rather than a boat ramp) which could achieve goals without worsening cumulative impacts.

Safety and Accessibility Efficacy: Although not a traditional CEQA impact, the very **feasibility of the ADA access** in a dynamic river setting is questionable, which has implications for sustainability and maintenance (which can become environmental issues if, for instance, frequent sediment removal or repair work is needed). As Sacramento Audubon pointed out in its letter, a truly ADA-compliant launch would require a **floating dock** to accommodate fluctuating water levels, which the City deemed infeasible. A concrete ramp to the water's edge will often end above the waterline when flows are low, making it useless for launching and potentially stranding wheelchair users in sand or mud. The City proposes seasonal **Mobi-mats** on the beach, but those are not permanent facilities and were not fully designed or analyzed in the MND. Mats can wash away or become covered in debris; they also require vehicular access (maintenance trucks driving into the Protected Area) to install and remove, which could cause repeated disturbance. None of this is discussed in the MND. If the mats prove ineffective or too labor-intensive, pressure may arise to pour more concrete further into the river (which raises additional costs, and environmental and regulatory issues, e.g. dredge/fill permits). The **uncertain efficacy** of the design means the purported benefit (ADA boating access) may not even be realized, while the economic and environmental harm (hardscape in natural habitat) will occur. This calls into question the wisdom of the project and reinforces the need to seriously

examine **alternatives**, perhaps providing ADA water access at a site with more stable conditions (like an existing boat ramp in a different area) and focusing here instead on ADA nature trails that don't involve entering the river. CEQA requires that if the project's objectives can be met in a less damaging way, those alternatives must be considered. The City's singular focus on this location and design prevented such consideration in the MND.

Conclusion and Recommendations

For the reasons detailed above, SARA asserts that the Draft IS/MND for the Sutter's Landing ADA River Access Trail Project is **inadequate and inappropriate under CEQA**. Substantial evidence in the record – including the project's inconsistency with the American River Parkway Plan, expert comments on its environmental risks, and the potential for significant unmitigated impacts – supports a fair argument that this project **may have significant impacts on the environment**. As such, the City of Sacramento **must prepare an Environmental Impact Report** to fully disclose and evaluate these impacts and explore feasible alternatives and mitigation measures. Proceeding with a Mitigated Negative Declaration in the face of these unresolved issues would not only violate CEQA, but also the letter and spirit of the state law protecting the American River Parkway.

In conclusion, we find that the Sutter's Landing ADA Access Trail project, as described in the MND, is **inconsistent with the American River Parkway Plan and raises significant economic, environmental and legal concerns** that are not adequately addressed. The Parkway is an urban gem – **"a natural treasure in the heart of Sacramento"**, as one community vision document put it midtownsac.org. It is protected by state law for good reason. While SARA supports improving access for all to enjoy nature, **such improvements must be done in a manner compatible with preserving the Parkway's natural resources and Wild & Scenic values**. This project, in its current form, fails that test.

SARA urges the City to take the following steps before moving forward:

- **Withdraw the MND:** Use of only the MND will deprive the project of the process to thoroughly assess the project's economic and environmental effects. Consult with resource agencies (such as the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and CVFPB) about permits and impacts, and incorporate scientific analysis (hydrology, biology, recreation) into the decision-making. Withdrawing the MND will also allow formal consideration of **alternatives**. For example, (a) enhancing an existing trail for ADA viewing access without new river launches, (b) relocating the ADA river access to a **Developed Recreation area** of the Parkway where infrastructure already exists (e.g. Negro Bar or Howe Avenue access, which Audubon specifically suggested as more suitable), or (c) scaling back the design to eliminate the levee-cut stairs and instead use the existing paved maintenance ramp combined with natural-surfaced trails to reach the water.

- **Environmental Review:** The City should prepare a full **Environmental Impact Report (EIR)**. As SARA and other stakeholders have pointed out in similar contexts, an EIR would allow a thorough analysis of impacts and **alternatives**, and would ensure **public transparency** regarding the true project purpose (the concession) assets.nationbuilder.com/assets.nationbuilder.com. An EIR is warranted because the project may cause substantial adverse change in the significance of Parkway resources (aesthetics, biological resources, recreation experience) and because of **controversy** and public concern indicating a fair argument of significant effect.
- **Parkway Land Use and Area Plan Consistency:** The project violates ARPP policies for Protected Areas (land use, allowed facilities, and prohibition on commercial support facilities). It effectively seeks to change the land use intensity without a proper plan amendment. **No approval should be given unless and until an ARPP amendment is obtained**, and even then the amendment would have to pass the hurdle of not undermining state-adopted goals [law.justia.com](https://www.law.justia.com). We believe it cannot meet that test as proposed.
- **Conduct a Parkway Plan Goals and Policies Consistency Review:** Any project in the Parkway should go through a formal **consistency determination** with the Parkway Plan. We note that Sacramento County's Parkway Manager and the American River Parkway Advisory Committee (ARPAC) have a role in reviewing projects for consistency. The County has, in fact, issued a **Parkway Plan consistency finding (No. 2023-004)** for this project, but SARA contends that finding is flawed because it did not follow the Plan's Early Notification procedures and did not adequately consider the Protected Area limitations and non-recreational use policies. A re-evaluation is needed, potentially rising to the level of an **Area Plan amendment** if the project proceeds. In any case, the City should **not approve the project until it can demonstrate, in writing, consistency with all applicable Parkway Plan policies** (or until the Plan is officially amended, if that path is chosen). This includes consistency with Protected Area land use limits (Policy 7.8), the prohibition on new facilities not in an adopted plan (Policy 7.1), the commercial use criteria (Policy 6.1.3), adjacent lands impact mitigation (Policy 7.19), and change in Land Use designations.
- **Engage Stakeholders and the Community in Project Redesign:** The controversy around this proposal makes it clear that a better solution might be found through collaboration. We recommend forming a **working group** with representatives from CNPS, FOSL, SARA, Sacramento Audubon Society, disability access advocates (such as The Lionheart Community), County Regional Parks staff, and the City's park planners. The goal should be to refine the project in a way that truly balances **accessibility and environmental protection**. For example, the alternative concept mentioned by Audubon/Lionheart would utilize an existing official trail (emanating from the bike trail) to provide a wheelchair-accessible vantage point of the river, **without** constructing new concrete down the levee or into the Protected Area. This could potentially meet the goal

of river enjoyment for all in a far less intrusive manner. Early coordination and field visits to evaluate such ideas can lead to a more broadly supported project.

- **Alternatives and Mitigation:** The project should be rethought. Alternatives such as: (a) **enhancing the existing ADA path** on the levee (e.g., better signage, minor grading) rather than building a new one, (b) **providing accessible nature viewing platforms or picnic sites** for disabled users instead of a boat launch, and (c) **placing any needed boat rental facility at a different location** with existing improved river access (e.g., Discovery Park or Ancil Hoffman Park) must be evaluated. If a revised project proceeds here, it must include robust mitigation: true habitat restoration in the area (beyond just closing social trails – e.g., replanting disturbed banks with native vegetation), limits on concession operations (seasonal or daily limits to avoid peak wildlife times, strict litter control as per ARPP Policies 4.7–4.8), design modifications to minimize visual impact, and **monitoring of use impacts** with adaptive management (including the ability to scale down or temporarily close the access if environmental damage occurs).
- **Master Planning and Coordination:** We recommend **delaying any final decision until the Sutter’s Landing Park master plan update is completed and until Sacramento County Regional Parks and the Parkway stakeholders can fully weigh in.** The ARPP calls for **coordination among jurisdictions (Policy 1.5)** regionalparks.saccounty.gov and for local governments to use their authority to protect the Parkway (Policy 7.19). The City should not act unilaterally on something that has regional implications. A cooperative planning effort could identify a solution that improves access for all **without sacrificing Parkway values.** For example, perhaps a modest ADA trail to a riverside **viewing spot** (for wildlife observation) could be done instead of a boat ramp, coupled with habitat enhancement. This could fulfill the grant’s spirit of expanding access to nature for disadvantaged communities *and* align with ARPP’s mandate to emphasize nature over recreation when the two conflict.

In closing, SARA emphasizes that we fully support improving access for persons with disabilities to enjoy the American River Parkway. Our organization was involved in past efforts to make the Parkway’s Jedediah Smith trail accessible and to add wheelchair-friendly facilities at parks. Our opposition to this particular project is *not* opposition to accessibility. It is rooted in the belief that **access can and must be achieved in a manner consistent with the Parkway’s ecological integrity and laws.** The current proposal, unfortunately, puts a sensitive area at risk and shortcuts the environmental review process. The City has a duty, under CEQA and the Parkway Plan, to **scrutinize** such proposals “with a scrupulous regard for the public interest” (No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68) and to prefer the more environmentally protective alternative when feasible.

SARA urges the City to fulfill this duty by preparing an EIR, reconsidering the project’s design and location, and ultimately choosing a course of action that truly ensures *equitable*

access and long-term conservation of our “crown jewel” – the American River Parkway sarariverwatch.org. We stand ready to assist in that effort and thank you for the opportunity to provide these comments.

In the words of the Parkway Plan itself, **“preserving the natural qualities of the Parkway resource is essential.”** protectsailorbar.wordpress.com We must not lose sight of that in pursuit of recreational improvements. The American River Parkway is already showing signs of strain. **Let’s not add to those strains by pushing a project that doesn’t fit.** The **natural character, wildlife habitat, and scenic beauty** of the Parkway are irreplaceable. Once gone, they are extremely difficult to restore sacramentopress.com. We urge the City and all responsible agencies to reconsider this project, fully inform the public of its impacts, and seek a balanced approach that truly **meets ADA accessibility goals while honoring the Parkway’s environmental legacy.** Thank you for the opportunity to comment, and we are prepared to assist in identifying alternatives or mitigation measures that would better achieve this balance.



Mark Berry
President, Save the American River Association

This letter of comment is intended to be part of the administrative record. All referenced and submitted materials are available for review.

Sources Referenced or Cited:

- American River Parkway Plan (2008) – relevant policies on Protected Areas, land use, and non-recreational use (see Policy 7.8, Policy 7.1, Policy 7.14, Policy 6.1 & 6.1.3, Policies 7.19–7.24).
- Urban American River Parkway Preservation Act – California Public Resources Code § 5840 *et seq.* (specifically § 5842(b) consistency requirement).
- Project planning documents, including City grant application to Wildlife Conservation Board (WCB) describing the concession and anticipated use of the ADA trail for kayak/SUP rentals nrm.dfg.ca.gov.

- Comments from Sacramento Audubon Society and accessibility advocates (Paul Miller, Charlene Vine) regarding flaws in the project's design and location.
- CEQA case law establishing the fair argument standard for requiring an EIR (e.g., *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903; *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307) cityclerk.lacity.org/cityclerk.lacity.org. The record here contains substantial evidence of potentially significant impacts, thereby necessitating an EIR.
- American River Parkway Plan (2008) – Goals, Policies, and Land Use Designations regionalparks.saccounty.gov/regionalparks.saccounty.gov (as adopted by PRC §5840 et seq. law.justia.com/law.justia.com)
- Save the American River Ass'n (SARA) Preliminary Comment Letter, Jan. 23, 2025 – Project description and ARPP policy citations
- Sacramento County Parks ARP Plan Consistency Determination No. 2023-004 – Project description and findings (Woodlake Area, Protected)
- Sacramento Audubon Society Letter, Sept. 22, 2025 – ADA launch feasibility and alternatives
- Protect American River Parkway/Sailor Bar – Letter quoting ARPP Chapter 1 and 8 policies protectsailorbar.wordpress.com
- Sacramento Press Op-Ed (2013) – Wildlife at Sutter's Landing (Swainson's hawk, kite, owl) sacramentopress.com
- SAFCA American River Common Features info – Planned bank protection mileage safca.org
- AmericanRiverTrees.org – ARMF project impacts (Contract 3B tree removals) americanrivertrees.org
- **SARA Comments City Sac re Public Comment (ADA) River Access Trail 1-23-2025-1.pdf** <file:///file-4HULMv8eB3iqiTwisHEeXS>
- [California Public Resources Code § 5842 \(2024\) :: 2024 California Code :: U.S. Codes and Statutes :: U.S. Law :: Justia](https://law.justia.com/codes/california/code-prc/division-5/chapter-10/section-5842/)
- <https://law.justia.com/codes/california/code-prc/division-5/chapter-10/section-5842/>
- [A Letter to County Supervisor Rich Desmond – Protect Sailor Bar](https://protectsailorbar.wordpress.com/2024/04/16/a-letter-to-county-supervisor-rich-desmond/)
- <https://protectsailorbar.wordpress.com/2024/04/16/a-letter-to-county-supervisor-rich-desmond/>
- <https://regionalparks.saccounty.gov/Documents/Flow%20stand%20up%20Parkway%20Impact%20Report.pdf>

- [Op-ed: Transforming Sutter's Landing Park - Sacramento Press](#)
- <https://www.sacramentoexpress.com/2013/07/29/op-ed-transforming-sutters-landing-park/>
- [Sac Co. Parks ARP Plan Consistency Determination No. 2023-004.pdf](#)
- <file:///file-VuqHVasLS2SxwQWs5ZYjaU>
- [Sutter Landing ADA River Access Trail Letter.pdf](#)
- <file:///file-YDxVku1Lwt1ovraSjZaeem>
- https://www.midtownsac.org/uploads/6/9/1/6/69160703/sutters_landing_documents.pdf
- <https://assets.nationbuilder.com/savetheamericanriver/pages/40/attachments/original/1467296673/FINAL-SARA-Comments-June-14-2012.pdf?1467296673>

cc: Wade Crowfoot, *California Secretary for Natural Resources*
Jane Dolan, *President, Central Valley Flood Protection Board*

Response 8A:

The IS/MND identifies that the proposed ADA-compliant pedestrian access trail would extend from Sutter's Landing Regional Park, cross the levee, and descend to Sutter's Landing Beach within the American River corridor. The environmental setting sections (including Aesthetics and Land Use) acknowledge that the riverbank area north of the levee is within the American River Parkway and subject to the American River Parkway Plan (ARPP). The document recognizes that this portion of the project area is subject to Sacramento County jurisdiction and applicable Parkway policies.

While the City of Sacramento is the CEQA Lead Agency for the project, implementation within the Parkway will require coordination with Sacramento County and compliance with all applicable County regulations and the ARPP. The IS/MND does not assume sole City regulatory authority over the entire footprint.

Consistency with the American River Parkway Plan

The project does not propose a new recreational use, land use designation, or expansion of park intensity within the Parkway. The project provides a formalized, ADA-compliant connection to an existing and long-used river access point at Sutter's Landing Beach. Public access to this beach area already occurs via informal and noncompliant paths. The proposed trail consolidates and formalizes this access in a manner consistent with Parkway management objectives, including controlled circulation, erosion reduction, and accessibility improvements. All applicable ARPP policies will be adhered to. The IS/MND addresses these policies in the Aesthetics and Land Use sections, including policies related to scenic resources, protection of natural features, and compatibility with the Parkway's Protected Area designation. The project's limited footprint, ADA-compliant design, and avoidance of expanded programmed facilities ensure consistency with the Parkway's environmental protection framework.

CEQA Baseline and Prior Environmental Review

CEQA requires analysis against existing physical conditions and applicable regulatory constraints. The IS/MND evaluates the project in light of current site conditions which includes an existing informal access route and an actively used river access point while also acknowledging the Parkway's regulatory context. The river access trail represents implementation of previously approved planning actions, including:

- The 2003 Sutter's Landing Regional Park Master Plan;
- The 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration; and
- The 2025 Sutter's Landing Regional Park Site Amenities Plan Update.

The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report which evaluated park improvements and supporting infrastructure at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features including this ADA access trail. The ADA- trail does not introduce a new or intensified use beyond what has previously been contemplated and

environmentally evaluated. Instead, it implements long-planned improvements to provide safe and accessible public access consistent with adopted plans.

Response 8B:

The Project description has been updated to reflect that:

The river access trail is a long-planned park circulation and access improvement intended to support public use of existing and planned park amenities. This improvement was previously approved and evaluated through multiple City planning and environmental review actions, including the 2003 Sutter's Landing Regional Park Master Plan, the 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration, and the 2025 Sutter's Landing Regional Park Site Amenities Plan Update. The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report (City of Sacramento 2024a), which evaluated park improvements and associated supporting infrastructure at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features. As such, construction of the ADA-compliant river access trail represents implementation of previously approved plans and does not constitute a new or expanded park use beyond what was already analyzed under CEQA.

Response 8C:

1. CEQA Requirements for Alternatives in an MND

Under CEQA, a detailed alternatives analysis is required in an Environmental Impact Report (EIR) when a project may result in significant environmental effects (Public Resources Code §21002; CEQA Guidelines §15126.6). An Initial Study/Mitigated Negative Declaration is prepared when the Lead Agency determines that the project would not result in significant impacts with mitigation incorporated (CEQA Guidelines §15070).

There is no requirement under CEQA to include an alternatives analysis in an IS/MND. In this case, the Initial Study determined that the ADA-compliant access trail would not result in significant environmental effects with mitigation. Accordingly, the preparation of a formal alternatives analysis is not required.

2. Project Location and Long-Range Planning Context

As mentioned in response 8A, the selected location is not arbitrary and was not newly identified for this project. The river access improvement at Sutter's Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents.

3. Project Purpose and Scope

The purpose of the project is to provide an ADA-compliant pedestrian access route to Sutter's Landing Beach, replacing informal and noncompliant paths with a safe, accessible facility. **The project does not include construction of a boat launch, floating dock, marina facility, or in-water structure.** It does not intensify river use, alter river hydrology, or introduce motorized boating activity. The IS/MND analyzes the project based on this defined scope.

4. Consideration of Alternative Concepts

CEQA does not require a Lead Agency to analyze wholly different projects that are inconsistent with the defined objectives of implementing previously approved plans at an existing access point, particularly where the proposed project would not result in significant environmental impacts.

Response 8D:

See Response 8B. The existing unpaved access path to the beach is not considered ADA-compliant pursuant to state standards.

Response 8E:

The purpose of the project is to provide an ADA-compliant pedestrian access route to Sutter's Landing Beach, replacing informal and noncompliant paths with a safe, accessible facility. **The project does not include construction of a boat launch, floating dock, marina facility, or in-water structure (see Figure 3 of the Draft ISMND).** No impacts within the ordinary high water mark of the river would occur. All applicable ARPP policies will be adhered to. The IS/MND addresses these policies in the Aesthetics and Land Use sections, including policies related to scenic resources, protection of natural features, and compatibility with the Parkway's Protected Area designation. The project's limited footprint, ADA-compliant design, and avoidance of expanded programmed facilities ensure consistency with the Parkway's environmental protection framework. Further, the selected location is not arbitrary and was not newly identified for this project. The river access improvement at Sutter's Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents.

Response 8F:

The City will be amending the American River Parkway Plan map to include the ADA access path. The Recreation section of the IS/MND has been updated to include relevant policies from the American River Parkway Plan.

Response 8G:

1. Public Outreach and Early Coordination

The City conducted extensive public outreach during the 2025 draft design phase, consistent with both the American River Parkway Plan's implementation framework and standard public agency practice. Outreach efforts included:

- Presentation to the American River Parkway Advisory Commission (ARPAC);
- Presentation to the City of Sacramento Disabilities Advisory Commission;
- Presentation to the County of Sacramento Disabilities Advisory Commission;
- Two publicly noticed Community Open House meetings;
- Presentation to the Sacramento County Recreation and Parks Commission; and
- Multiple site visits attended by stakeholders, including members of the Save the American River Association (SARA).

These outreach activities occurred during the conceptual and draft design stages. The project was not approved, nor was construction authorized, prior to public review. Securing grant funding (including from the Wildlife Conservation Board) does not constitute CEQA approval and does not limit the Lead Agency's discretion to modify or deny the project following environmental

review. Stakeholders, commissions, accessibility advocates, and environmental groups were provided multiple opportunities to review and comment on the project prior to completion of the Draft IS/MND.

2. CEQA and Early Notification Procedures

CEQA establishes specific statutory obligations for environmental review, public circulation, and comment on a Draft IS/MND. The City has complied with all CEQA noticing, circulation, and review requirements. While the ARPP includes implementation provisions encouraging coordination, CEQA does not require a separate “concept-stage” alternatives process outside the statutory environmental review framework.

3. Consistency with the American River Parkway Plan

The project is consistent with the American River Parkway Plan. The proposed project:

- Does not redesignate land use within the Parkway;
- Does not introduce a new recreational use;
- Does not construct in-water facilities or alter river hydrology; and
- Formalizes an existing, heavily used informal access route.

The project’s limited footprint and ADA-compliant design improve controlled access, reduce erosion associated with informal trails, and enhance public safety. These outcomes are consistent with Parkway objectives related to resource protection, managed public access, and scenic preservation. The IS/MND evaluates consistency with applicable ARPP policies in the Land Use and Aesthetics sections.

4. Alternatives and the “Fair Argument” Standard

As stated in prior responses, CEQA requires a detailed alternatives analysis only in an Environmental Impact Report (CEQA Guidelines § 15126.6). An IS/MND is appropriate where the Initial Study demonstrates that the project would not result in significant environmental effects with mitigation incorporated. The Initial Study evaluated potential impacts to land use, biological resources, aesthetics, and other resource areas and concluded that impacts would be less than significant with mitigation. Disagreement over project location or preference for a different recreational configuration does not constitute substantial evidence of a significant environmental impact.

Further, as referenced in Response 8A the selected location is not arbitrary and was not newly identified for this project. The river access improvement at Sutter’s Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents.

Response 8H:

1. Characterization of Existing Conditions

The IS/MND describes portions of the immediate project footprint, specifically the existing informal levee path and beach access point, as disturbed and largely devoid of vegetation due to intensive recreational use. This description applies to the currently worn access corridor and beach interface and does not characterize the entirety of the 8.37-acre Biological Study Area (BSA) as

urban. The document clearly identifies the surrounding mosaic of habitats within the BSA, including riparian woodland, riverine habitat, and associated upland areas. The purpose of identifying disturbed areas is to establish the CEQA baseline of existing physical conditions and to distinguish between previously altered areas and intact habitat communities. The IS/MND does not state that the broader Parkway setting lacks ecological value but differentiates between:

- The narrow, heavily used informal access route; and
- Adjacent riparian and riverine habitats that were evaluated for potential direct and indirect impacts.

2. Riparian Woodland Impacts

The IS/MND acknowledges that approximately 0.05 acre of riparian woodland vegetation would be permanently affected by construction of the ADA-compliant access trail. These impacts were quantified and analyzed in the Biological Resources section. The document concludes that impacts to riparian habitat would be less than significant with mitigation, based on:

- The relatively small and linear footprint of permanent disturbance;
- Avoidance and minimization measures incorporated into project design;
- Compliance with applicable regulatory permitting requirements; and
- Compensatory mitigation, where required, consistent with agency standards.

The fact that the project occurs within a “Protected Area” designation under the American River Parkway Plan does not automatically render any vegetation removal significant under CEQA.

3. Temporary Mats

The IS/MND acknowledges that temporary mats may be used to facilitate mobility access to the water’s edge. The mats would be temporary and removable, placed seasonally, and would not be designed to involve grading, excavation, or permanent shoreline alteration.

Because these elements would not involve permanent fill, structural foundations, or hydrologic modification, their potential environmental effects are limited and temporary in nature. The IS/MND evaluates potential temporary construction and operational disturbances, including impacts to shoreline habitat. CEQA permits agencies to analyze impacts at a level of detail appropriate to the stage of project design (CEQA Guidelines § 15146). The project description contains sufficient detail to evaluate the type and extent of shoreline interaction. The absence of final placement coordinates for removable mats does not prevent meaningful environmental review because the footprint would occur within an already disturbed and actively used beach area, no permanent shoreline modification is proposed and any placement would remain subject to regulatory permitting and environmental protection requirements.

4. Temporary Construction Impacts

Temporary construction impacts to biological resources are evaluated in the IS/MND and mitigated through standard measures, including pre-construction surveys, worker environmental awareness training, biological monitoring where required, and seasonal work restrictions if applicable. With implementation of mitigation measures, temporary impacts are reduced to less than significant levels.

Response 8I:

1. Regional Corridor vs. Site-Specific Impact

The American River Parkway functions as a regional riparian corridor connecting upstream and downstream habitats. However, the addition of a limited, ADA-compliant trail segment at an existing, heavily used access point would not substantially interfere with wildlife movement as it formalizes an existing informal pedestrian path that is already currently being used. The incremental change associated with paving and formalizing a narrow access route does not create a new structural barrier to wildlife movement.

2. Special-Status Species

The IS/MND evaluates potential impacts to special-status species, including:

- Swainson's hawk;
- White-tailed kite;
- Burrowing owl;
- Valley elderberry longhorn beetle; and
- Other sensitive species with potential to occur in the Biological Study Area.

Focused surveys, database review, and habitat assessments were conducted to determine species presence and habitat suitability. The analysis concludes that, with mitigation (including pre-construction surveys, avoidance buffers where required, and compliance with regulatory permitting), impacts to special-status species would be less than significant. The project does not remove extensive riparian canopy, eliminate nesting territories, or degrade large contiguous habitat patches that support corridor functionality.

3. Aquatic and Shoreline Habitat

The project does not include in-water construction, bank armoring, or channel modification. Shaded riverine aquatic habitat would remain intact except for limited, localized vegetation removal where necessary for the trail footprint. Any such removal is addressed through mitigation and regulatory compliance. Temporary or removable beach access features do not involve permanent fill or structural encroachment into the river. Therefore, the project would not impact aquatic habitat connectivity or fish passage.

4. Human Disturbance as a "Barrier"

While human activity can influence wildlife behavior, CEQA significance requires substantial evidence that the project would cause a significant adverse physical impact. Currently the site already experiences substantial recreational activity. The proposed project does not expand the overall park footprint, does not include new lighting or nighttime activity and the trail width and alignment are limited and linear. The incremental increase in formalized access at an already disturbed location does not rise to the level of corridor fragmentation or significant interference with regional wildlife movement.

Response 8J:

The City acknowledges that the project site is located within the floodplain and subject to periodic inundation. A project-specific hydraulic analysis will be prepared during final design, when

grading limits, structural details, and material specifications are finalized. That analysis will evaluate potential changes to base flood elevations, confirm maintenance of a no-rise condition, and inform design refinements as necessary. At the current draft design stage, construction-level hydraulic calculations and final engineering specifications are not yet available.

Because the project is within the regulated floodplain, all design features, including trail surfacing, stairs, landings, grading, and restoration elements, will be subject to review and approval by the Central Valley Flood Protection Board through the encroachment permitting process. The Board requires demonstration that the project will not impede flood conveyance, create berm effects, adversely affect levee or flood control infrastructure, or introduce debris hazards. The project cannot proceed without satisfying these requirements.

Consistent with Parkway Plan policies and standard practice for improvements within the American River floodplain, the final design will incorporate flood-resilient materials and construction methods appropriate for periodic inundation. The IS/MND appropriately discloses the floodplain setting and commits to compliance with applicable floodplain regulations; detailed hydraulic modeling and construction-level specifications will be completed and approved during the final design and permitting phase.

Response 8K:

The IS/MND acknowledges that the Lower American River is designated critical habitat for Central Valley steelhead and spring-run Chinook salmon and supports additional anadromous fish species. However, the project does not include in-water construction and will not place permanent fill in the river. Potential temporary construction-related impacts (e.g., erosion, sedimentation) are addressed through mitigation measures, including erosion and sediment control, work timing restrictions, and regulatory permitting compliance. Because the project does not permanently modify aquatic habitat or alter instream conditions, long-term operational impacts to critical habitat are less than significant.

Raptors and Terrestrial Special-Status Species

The Biological Resources section of the IS/MND evaluates habitat suitability for Swainson's hawk, white-tailed kite, burrowing owl, western pond turtle, valley elderberry longhorn beetle, and other special-status species. The project footprint is limited and linear. It does not remove large tracts of foraging habitat, eliminate nesting trees, or fragment substantial habitat blocks. Mitigation measures, including pre-construction nesting bird surveys, buffers if active nests are found, and avoidance protocols, address potential construction-period impacts. The site already experiences substantial human presence; therefore, the incremental change associated with formalizing an existing access route does not constitute a significant increase in disturbance sufficient to reduce regional habitat function.

Response 8L:

As discussed in the Biological Resources section, the project formalizes an existing, heavily used informal access route to Sutter's Landing Beach. The CEQA baseline includes ongoing recreational activity, vegetation trampling, and shoreline use. Because the recreational use already exists, the project is not anticipated to substantially increase foot traffic other than what was already planned for in the City's planning documents.

Further, the project will obtain a Lake and Streambed Alteration Agreement (LSAA) pursuant to Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife (CDFW). Because the project occurs adjacent to the Lower American River and may involve activities within CDFW jurisdiction, consultation with CDFW is required. Through the Section 1602 permitting process CDFW will review final design plans and compensatory mitigation will be required for any permanent impacts to riparian or jurisdictional resources under CDFW authority. The LSAA process provides an additional layer of biological review beyond CEQA and ensures that impacts to fish and wildlife resources are appropriately mitigated. Any additional restoration elements included as part of grant implementation will be developed through final design and permitting and may supplement required mitigation. The adequacy of restoration components will be reviewed and approved by responsible agencies, including CDFW, as part of the permitting process.

Response 8M:

The project is located within an existing urban park setting that already includes levees, paved trails, and informal access routes; it does not convert a pristine or undeveloped landscape. Instead, it formalizes an existing, heavily used informal path within a limited footprint while enabling restoration of surrounding social trails. The ADA access trail will be designed with materials, colors, and textures that are compatible with the American River Parkway Plan and intended to visually blend with the surrounding environment, thereby minimizing visual contrast and intrusion consistent with applicable Parkway policies. While the project introduces a defined access feature, it does not include large vertical structures, lighting, or expansive hardscape, and the beach area will remain predominantly natural in character. With respect to recreation, **the project does not introduce a new use such as a boat launch or commercial facility, nor does it expand park capacity or add new parking** (see Figure 3). It provides ADA-compliant access to an already heavily used beach.

Response 8N:

The project does not include construction of a boat launch, floating dock, marina facility, or in-water structure (see Figure 3 of the Draft ISMND). The 2.04 BSA was established to ensure an adequate study area was established; however, no work within the riverbank is being undertaken; therefore, a lease from State Lands Commission will not be required.

Response 8O:

The purpose of the project is to provide an ADA-compliant pedestrian access route to Sutter's Landing Beach, replacing informal and noncompliant paths with a safe, accessible facility. **The project does not include construction of a boat launch, floating dock, marina facility, or in-water structure (see Figure 3 of the Draft ISMND).** No impacts within the ordinary high water mark of the river would occur. All applicable ARPP policies will be adhered to. The IS/MND addresses these policies in the Aesthetics and Land Use sections, including policies related to scenic resources, protection of natural features, and compatibility with the Parkway's Protected Area designation. The project's limited footprint, ADA-compliant design, and avoidance of expanded programmed facilities ensure consistency with the Parkway's environmental protection framework. Further, the selected location is not arbitrary and was not newly identified for this project. The river access improvement at Sutter's Landing Beach has been previously planned

and evaluated in multiple adopted City planning and environmental review documents (see Response 8A).

Response 8P:

As mentioned in Response 8A, the proposed Project and associated park access improvements were previously planned and programmatically evaluated as part of the City's 2025 Sutter's Landing Regional Park Site Amenities Plan Update, which was analyzed within the scope of the City of Sacramento 2040 General Plan Master Environmental Impact Report (City of Sacramento 2024a). That prior environmental review assessed the cumulative effects of park improvements, access facilities, and supporting infrastructure within Sutter's Landing Regional Park in combination with other past, present, and reasonably foreseeable future projects. The Project would formalize an existing, heavily used informal access route to Sutter's Landing Beach. Numerous social trails and informal paths currently exist in the project area and contribute to vegetation trampling and erosion on the levee slope and riverbank. The proposed ADA access trail would consolidate these unmanaged access points into a single defined route and facilitate closure and restoration of redundant social trails. Because the beach area is already actively used by the public, the Project would not introduce a new recreational destination or substantially increase the intensity of use beyond the existing baseline conditions analyzed in the Master EIR.

The ADA access trail would be constructed within the American River Parkway concurrently with the Two Rivers Trail project, which may result in temporary and limited impacts to biological resources during construction. However, the Two Rivers Trail project and associated bicycle and pedestrian improvements were likewise planned and approved under the City of Sacramento Bicycle Master Plan and the City of Sacramento General Plan, and their environmental effects were analyzed at a programmatic level in the General Plan Master Environmental Impact Report. The Master EIR evaluated cumulative impacts to biological resources within the American River Parkway resulting from implementation of multiple trail, access, and recreation projects over time.

The Site Amenities Plan Update also conceptually identifies a potential future concession facility within Sutter's Landing Regional Park. However, the specific nature, size, and operation of any concession use are currently unknown. The building has been designed to include a ranger station, restrooms, and a flexible space that may be used as storage or a concession space. Because the nature and scope of future concessions, if any, is unknown, any potential interaction between a future concession facility and the ADA access trail, including whether the proximity of the trail to a future concession could increase pedestrian use, would be speculative at this time and cannot meaningfully contribute to a cumulative impact analysis.

The ADA access trail would be spatially limited, would incorporate avoidance, minimization, and restoration measures, and would not increase the overall intensity or geographic extent of impacts beyond what was analyzed in the Master EIR and subsequent tiered environmental documents. When considered together with the Two Rivers Trail project and other past, present, and reasonably foreseeable future projects in the American River Parkway, the Project's incremental contribution would be minor and would not be cumulatively considerable. Accordingly, the Project would not result in cumulatively significant impacts under CEQA. The Cumulative Impacts section of the ISMND has been updated with the above information.

Comment 9: Chuck Watson* (December 31, 2025) *Due to the length of the letter, attachments are not included.

Date: December 31, 2025

To: Charles Tschudin, Senior Planner
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and Community Enhancement,
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Project: Sutter's Landing ADA River Access Trail Project (L19913000)

Subject: Written comments regarding the Draft Initial Study/Notice of intent to adopt a Mitigated Negative Declaration

RE: Comments by Chuck Watson on Sutter's Landing ADA River Access Trail Mitigated Negative Declaration.

Thank you for the opportunity to comment on the City's Draft Initial Study/Notice of intent to adopt a Mitigated Negative Declaration for this proposed project.

By way of introduction to my comments, I am a private citizen, representing no agency, entity, or organization. My review of this document and my comments on it are based on my, some 45 years of consulting experience in river and river-corridor recreation management and planning for a variety of clients including various federal, state, and local agencies, hydro-based utilities, and private land developers throughout California and in parts of Oregon. I am an experienced canoeist and have boated the Lower American River (LAR) regularly since the late 1970s, and over the past 20 years or so have used Sutter's Landing irregularly for canoe access perhaps once or twice a year. While not a member of Friends of Sutter's Landing, over the past several years, I have occasionally assisted them in their native plant activities.

While my comments in the main body of this letter can be very detailed and address issues on a point-by-point basis, I provide a very brief summary of the most salient points at the end of the letter.

A: Overview to comments:

My review of this Mitigated Negative Declaration (Neg Dec) and my comments on it were developed based on; 1) my river and river-corridor recreation management and planning experience, 2) my occasional use of Sutter's Landing for canoeing access to the Lower American River (LAR), and 3) an initial assessment of patterns of existing user and user-group access to "Sutter's Landing Beach" (Attachment B) which I prepared in July 2025 after some members of Friends Sutter's Landing told me of

the City's interest in improving access by installing ADA-compliant facilities, and my initial apprehension that the possible intended facilities could adversely affect the existing users of the site.

In my consulting experiences, often entailing contentious user-group conflict situations and/or when expert testimony issues are involved, I have developed a conceptual approach which I use to guide my studies and project assessments such that, through full-disclosure, I can be assured that they are adequate with respect to possible critical review and critique by interested third parties: I refer to this concept as "fully-constrained defensibility;" or generally "defensibility."

Defensibility has two aspects, perhaps two sides of the same coin, which together constitute fully-constrained defensibility (see Attachment A for details). The two aspects are summarized as:

Defensibility: Simply means that any assessment result and any conclusions or recommendations can be defended explicitly by the study and its documentation. It does not imply that there is an expectation for perfect knowledge in any particular aspect or that there is no possibility for error. The essence of defensibility is that there is full-disclosure such that any third party can objectively evaluate assessment methods and results, and can clearly find the thread of reasoning and rationale from assessment to conclusions. This entails such attributes as all assumptions are made explicit, all background studies used are objectively evaluated for veracity and applicability and are applied appropriately, and all known uncertainties are made explicit. The intent is to avoid unstated and perhaps pre-judgmental assumptions and assumed or subconscious but unsupported speculation.

Fully-constrained: Simply means that any findings, conclusions, or recommendations do not exceed the informational limitations of a defensible assessment.

In my view, in the context of developing and responding to a NegDec, proposed as justification for substituting this process for developing a full EIR analysis, "fully-constrained defensibility" should entail the presentation of enough information such that:

- 1) The demand, need, and justification for the project is fully explained understandable,
- 2) It is explicitly demonstrated that the proposed project features are required to meet presently unmet needs under existing conditions,
- 3) The individual project features, required to address presently unmet needs, are described in sufficient detail such that impacts of these features can be defensibly determined and justified,
 - and for full disclosure and defensibility, these descriptions should include not only their installed conditions, but also;
 - the nature and extent of installation activities,
 - O&M activities [annual and occasional] activities, and
 - the methods and processes for feature decommissioning activities should the project (or specific project features) prove to be over-built with respect to actual realized demand or unmanageable ongoing O&M costs,
- 4) The nature of existing conditions is analyzed and described in sufficient detail and rigor, and variably within significant condition categories, such that a defensible assessment of possible impacts due the proposed project features (including installation actions, post-installation feature presence, ongoing [regular & occasional] O&M actions, and decommissioning actions) can be developed,
- 5) The categories of "Standards of Significance" used to evaluate impacts and identify needed mitigation are appropriate to the actual possible impacts of the project and all aspects of its individual project features,

- 6) An objective and thorough analyses for project feature impacts can be developed and are presented such that the findings and conclusions can be clearly traced and evaluated by third-party reviewers backwards through the analyses and assessments, including explication of any founding assumptions and any determined uncertainties,
- 7) The reasoning and rationale which defensibly demonstrate the proposed project and its features represent the most optimal configuration for realizing the justified unmet needs with the least mitigable and unmitigable impact consequences,
- 8) Possible but rejected alternatives are realistic possibilities, and their rejection(s) are justified by objective assessments such that the preferred and rejected alternative are evaluated on equal footings.

I conclude from my review of this NegDec for this proposed project that it does not meet my criteria for a full-disclosure, “fully-constrained defensible” document.

B: Comments:

This section contains my comments of this NegDec document and follows its section format and its pagination.

Section I: Background (p.2-3):

Discussion:

It is stated that this NegDec was to identify any potential new or additional Project-specific significant environmental effects that were not analyzed in the 2040 General Master Plan EIR and to identify any mitigation measures and alternatives that may avoid or mitigate the identified effects to a level of insignificance, if any.

Comment:

Section II: Project Description (p.4-12)

A: Project Location: (p.4)

B: Surrounding Land Uses: (p.4)

C: Project Description: (p.4)

D: Purpose and Need: (p.4)

Discussion:

It is stated that the purpose of the proposed project is to provide safe access to Sutter's Landing Beach for recreational users of all ages and abilities. There is no reference to the need for the Project.

Comments:

-a) Project purpose: There are several aspects of Project purpose which are of concern and which should be considered by this NegDec document:

1) While the origin for the proposed ADA access development at Sutter's Landing Park to the Lower American River Parkway was with the Sutter's Landing Revised Park Site Amenities Plan Update document (2025), I find no general or specific statement in that document which indicates that ADA-compliant access will, or is intended to, meet the needs of "users of all ages and abilities."

Surely there is some set of potential access users with disabilities that could be different from, and perhaps more debilitating with respect to activities within an undeveloped portion of the Parkway (e.g. the sight-impaired) than the wheelchair-bound which seems to be the emphasis of this proposed project. In addition, there could be disabled users whose limitations do not reach the level by which a wheelchair is required for mobility (e.g. the very young in strollers, or injured or more elder individuals requiring walkers, etc). Access for these users could be made more difficult and effort-demanding if the access routes are limited to either steep stairs for the fit, or exceptionally long ADA-compliant low-gradient routes.

As a result, it seems that the mix of proposed project features of this proposed project could be significantly different depending on the stated goals of ADA access versus access for "users of all ages and abilities." Which of these is the actual goal of this proposal? If it is for wheelchair-based ADA access, then what are the impacts to other disabled users (all ages/abilities); if it is all age, all ability access, then what facilities are required in addition to wheelchair-based ADA-compliant features?

2) While the origin for the proposed ADA access development at Sutter's Landing Park to the Lower American River Parkway was with the Sutter's Landing Revised Park Site Amenities Plan Update document (2025), I find no general or specific statement in that document which directs this access is to be provided to "Sutter's Landing Beach."

As I understand it, this objective to provide ADA access to "Sutter's Landing Beach" and then on to the "river's edge" originated in the City's grant proposal to the Wildlife Conservation Board which appears to be largely predicated on the desire to pair the proposed ADA river access with a possible commercial paddleboard and kayak rental concession operation in the City's Sutter's Landing Regional Park. While a Concession Building is delineated in Fig 6 "Site Amenities Plan" of the Sutter's Landing Revised Park Site Amenities Plan Update document (2025), I find no general or specific statement in that

document which indicates that concession operation was to include providing paddleboard and kayak rentals. Therefore, I interpret this ADA access to the “river’s edge” as an ad hoc purpose-expansion of this proposed project beyond that contained in the Sutter’s Landing Revised Park Site Amenities Plan Update document (2025).

The possibility of a viable ADA/disability paddleboard and kayak rental operation in conjunction with these activities along the Lower American River at this location is inherently questionable given the travel distances between the proposed concession building, which would also be the location of other ADA/disability support facilities such as restrooms, etc, and the river. Using Fig 6 and Google Maps I estimate the distance from the indicated location of the Concession Building to the southern edge of the proximal parking area near Sutter’s Landing Beach as about 130 ft and the distance to the levee top at the location of the head of the proposed “Stairs” project feature as about 350 ft. Therefore, the total travel distance from the Concession Building to a typical summer season waterline along the proposed westward downstream ADA access route is about 1,200 ft, and about 1,425 ft along the proposed eastward upstream ADA access route. These distances should make the use of the Sutter’s Landing Beach area by ADA/disability users very uncomfortable and problematic, and could create significant downward pressure on any potential and actual demand.

As I understand it, the present viability-status of this possible commercial paddleboard and kayak concession rental is very problematic. I understand that feedback to the City from several potential rental operation vendors was that they anticipated that rental demand here would not be sufficient to warrant their time and effort. In light of these responses, it is possible that to save the overall intent of the City’s proposed project, in the absence of commercial vendors, the City may elect to take on the paddleboard and kayak rental operation itself. However, in the face of likely very low demand, I think it inevitable that the City would operate this concession in the red, and sooner or later will abandon operations to cut costs.

Since the paddleboard and kayak rental leg of this paired proposed project as described in the grant proposal is likely to fail, the remaining leg, the need for the proposed ADA access to the “river’s edge,” is in some question. Without ADA-based paddleboarding and kayaking activities, is ADA access to the “river’s edge” as proposed in the NegDec necessary? If not, what is an appropriate and reasonable destination target for ADA/disability access to the Parkway and/or “Sutter’s Landing Beach” (e.g. the waterline, the entrance to the “beach” area, to points in the Parkway where the “river setting” and environment could be incorporated into their desired recreational experiences, etc)?

Not only would the absence of a viable paddleboard and kayak rental operation call into question the appropriate and reasonable ADA/disability access destinations, but also would call into question the elaborate and extensive ADA access facilities of the proposed project in this NegDec.

A

It is concluded here that in light of the problematic nature of paddleboard and kayak rental operations viability, proceeding with the proposed access plan presented in

this NegDec is not reasonable. This is particularly true when considering the significant impacts the access project features of this project may have on the existing mix of shoreline and boating users, as discussed in detail below. Therefore, there needs to be an objective, defensible, and fully-disclosed reevaluation of project purposes using appropriately rigorous methods which should result in explicit statements as to the disabled community to be served, and the recreational experiences, ambiance settings, and activities of these users to be accommodated.

-b) Review of Project need: Any evaluation of project need should start with the defensibly established goals and objectives (discussed above), and then should develop an objective, defensible, and fully-disclosed demonstration of;

- 1) how existing site conditions both can and cannot meet the identified goals and objectives,
- 2) how other local facilities (those within a reasonable travel distance from the users to be served) both can and cannot meet the identified goals and objectives,
- 3) the potential demand and visitation of the intended users at the project site, and
- 4) the required type and capacity of on-site facilities necessary to meet any unmet demand and visitation from the intended users considering other capacity limiting site factors.

It is concluded here that no effort has been made to establish the need for the proposed project. As a result no specific needs for, or the capacity of, any of the individual project features described below, nor for the proposed mix of all the proposed project features to Sutter's Landing Beach are provided in the NegDec. Therefore, there should to be an objective, defensible, and fully-disclosed reevaluation of proposed project needs using appropriately rigorous methods.

E: Project Features: (p.4)

In this section I discuss in detail the potential adverse consequences for each of the project feature identified in Section II 2 of the NegDec. I only summarize these impacts in my comments in Section III. Here, along with impact assessments, I discuss possible impact-reducing alternatives, as appropriate. The order of project features discussed are based on the order they were presented in the NegDec discussion.

1) Stairs:

Discussion:

This feature is described as a set of concrete stairs down the face of the levee, and is depicted on Fig 5 “Project Features” and Fig 8 “Project Impacts” in plan-view. The indicated position is shown with a head-location directly across the levee top from an informal access location (Access Point B in Attachment B) with the toe-location depicted as extending under the canopy and within the drip-line of a valley oak, and connected to the “Concrete Landing” by a short diagonal concrete trail segment (estimated at about 15 ft long from Fig 5).

While this NegDec document does not contain important stairway design configuration details which could influence existing and possible future recreational access conditions, Fig 5 and 8 indicate the “Stairs” are to be composed of a set of wide steps with two mid-slope landings. Some other salient design details were presented during at least one of the public outreach sessions. Those “Stairs” details included several elements; 1) a set of steps with a rise over run equal to the 33% fall-line slope of this levee face [possibly with 6 inch risers and 18 inch runs, such as is found at the steps on the water-side 3:1 levee face slope at the Ashton Access to the Parkway, or something similar), and 2) a set of rollers adjacent to the steps by which various hard-shell recreational watercraft could be lowered and raised along the levee face slope. In addition, to my knowledge there has been no consideration of a smooth ramp element in the stairway on a 3:1 slope to accommodate wheeled access devices (which presumably would be considered unsafe), and it is unclear if a handrail element will be included. The following comments on the possible consequences of this project feature are predicated on the plan-view presented in this NegDec and on the details of the stairway configuration presented during public outreach sessions on the presumption that this configuration is still under active consideration.

Also not included in this NegDec document is any information on existing users and existing access use activity patterns that may be affected by this project feature, nor any indication that any assessment of existing recreational patterns had been developed for this proposed project at all. Any ‘best fit’ access plan for Sutter’s Landing Beach area should be predicated on a thorough understanding of the existing users and their access user patterns and behaviors, and that understanding is also necessary to evaluate the potential impacts any proposed access improvement plan could have on existing users.

While the findings of my initial 2025 assessment of user access and activity patterns (Attachment B at the end of these comments [all references to Access Points and Access Routes in these comments are described in detail, and all statements concerning user activity patterns found in these comments are presented in Attachment B]) for that portion of the Sutter’s Landing addressed by this NegDec, can only be considered as preliminary and subject to refinement by way of suitably regimented application of appropriate protocols, they apparently are all that is presently available for the purposes of adequately evaluating possible project impacts. Assuming that the first approximation findings for existing user access patterns in the proposed project area of Sutter’s Landing developed in Attachment B are reasonable, it appears that this project feature is intended to replace existing informal Access Routes 3 and 4 which are presently used for access by about 90% of total recreational users including about 99% of all boaters, and will be placed such as to be physically adjacent to Access Route 3 and to physically overlay upon Access Route 4.

Comments:

- a) General comments:

(1) While the location and plan-view of this project feature are depicted in this document, it may not include all the salient attributes of this stairway which could importantly determine its functionality with respect to existing and expected future recreational users. As such, this project feature may not be described in sufficient detail and specification such that an adequately thorough discussion of possible consequences could be developed.

(2) In addition, this document does not provide any evidence that the existing and potential recreational user and activity patterns along various access routes between the parking areas and Sutter's Landing Beach have been assessed by the project proponent either in the form of detailed site field observations and/or detailed user interviews. Such assessments are necessary to develop an understanding of important user pattern attributes which could allow for the analysis of potential adverse consequences of this project feature. The absence of adequate information of existing user patterns precludes the possibility that an adequately thorough analysis of possible adverse impacts of this project feature and appropriate mitigation actions, could be developed. Of particular importance is the existing user patterns associated with how the existing levee face is negotiated by users and user patterns of different user-groups (particularly Access Routes 3 and 4, but also Access Routes 1, 2, and 5 as discussed in Attachment B).

3) Therefore, the following specific comments are based on; a) a project feature description that lacks sufficient details for a full analysis of possible impacts, and b) only an initial assessment (Attachment B) of existing recreational access user patterns and behavior which was not developed by the project proponent.

- b) Likely adverse impacts on shoreline users and access: Since this project feature will eliminate existing unformal Access Routes 3 and 4 which presently are used by about 90% of the Sutter's Landing Beach shoreline users, it may be an expectation of the project proponent that after installation the "Stairs," with a set of steps, will continue to provide access for about 90% of these users in the future. There are two attributes of existing shoreline users and user group configurations which indicate that this project feature could result in adverse effects to existing uses and users; 1) a significant proportion of shoreline users rely on various wheeled transport devices to move recreational equipment between the parking areas and Sutter's Landing Beach, and 2) a smaller proportion of shoreline users, those older, younger, and weaker individuals, or those hand-carrying loads of recreational equipment to the beach area may be adversely affected by the imposition of the set of steps themselves.

1) Since it is estimated that about 75% of shoreline users access Sutter's Landing Beach employ various forms of wheeled transport devices (small wagons, rolling coolers, strollers, etc), and about 99% of all shoreline users with wheeled access device use the existing informal Access Routes 3 and 4, it is likely that this project feature could affect essentially all shoreline users who employ wheeled

access devices at Sutter's Landing, and about 90% of all Sutter's Landing Beach shoreline users, those who presently use informal Access Routes 3 and 4.

The existing use of various wheeled access devices by shoreline users who use informal Access Routes 3 and 4 currently reflects the most efficacious access pattern to Sutter's Landing Beach given the user groups involved and their desired recreational accoutrements within the premises of the Principle of Least Action (PLA: see Introduction section in Attachment B for details). Given that these wheeled access devices are inherently incompatible with the steps, it appears that this project feature will make access to Sutter's Landing Beach more difficult for these users and their continued access will be significantly adversely impacted by this project feature.

It is concluded here that the intended project feature design will not improve the accessibility conditions for essentially all of the shoreline users that employ wheeled access transport devices, and will in fact actually make their access to the beach area more difficult. Because the demonstrated preference for the use of these wheeled devices is due to the distances between the parking areas and the beach and the transport of young children in strollers, and because of the demonstrated desire of many groups to use the beach with a wide range of accoutrements (e.g. chairs, tables, coolers, food, drink, floatation devices, etc), it is assumed here that these users will not change their use pattern and abandon the use of wheeled access devices simply because the set of steps will preclude access via this route; nor is it likely that they will hand-carry these loaded wheeled devices through the set of steps. It is also assumed here that these wheeled access device users will continue to be attracted to Sutter's Landing Beach for its recreational resource values in spite of reduced accessibility entailed by this project feature as designed.

Based on the forgoing observations and assumptions, it is here concluded that the adjustments to the adverse accessibility impacts of the "Stairs" on shoreline users employing wheeled access devices will be in the form of dislocation to alternative access routes. From Fig 5 and 8 and employing Google Maps, I estimate the distance from the levee top at the head of the "Stairs" to the end of "Concrete Path/Trail" at the entrance to Sutter's Landing Beach via the "Stairs" at about 250 ft, about 670 ft via the "West (downstream) ADA trail" project feature, and about 1075 ft via the "East (upstream) ADA trail" project feature. Given these relative distances, and following the premise PLA, it is expected that user access route dislocation from the "Stairs," entailed by the proposed project, will likely occur in two phases:

i) Initial access route dislocation phase will likely entail the use of the "West (downstream) ADA trail" project feature because at about 670 ft long it is about half the length of the "East (upstream) ADA trail" project feature (~1,075 ft long).

ii) Following close in time from the start of initial access route dislocation, a second phase will likely begin to develop. Because the most likely initially adopted alternative access route is about three times the length of the "Stairs" access route (~ 670 ft vs ~250 ft) and about three times the existing informal and organically developed access routes

currently in use (Access Routes 3 and 4), and because the installed slope ($\leq 5\%$) of this ADA route will be far too shallow to warrant their use of this route in its entirety, and following PLA, it is likely that a series of informal cut-off trails will develop on the fill-slope placed to support this ADA trail, such that the proposed long switchback loop of the ADA trail is avoided. It is possible that over time any series of individual informal cut-off trails which may develop, will eventually evolve to a single informal cut-off trail. While the location and configuration of any final informal cut-off trail cannot be firmly defined prior to its organic development, there is every reason to anticipate that the final form of any cut-off trail which develops in response to the proposed project and project features, and within the framework of PLA, will most likely closely replicate the present configuration of the existing diagonally oriented Access Route 4. If so, it will likely develop so as to transit the new fill-body slope from the toe of the “Stairs,” diagonally upslope in a downstream direction to intersect with the “West (downstream) ADA trail” at a point possibly about 25 ft from the head of that ADA trail at the top of the levee.

It is further anticipated that once this possible PLA alternative organically developed access trail becomes well established, many if not most shoreline users will adopt it for access as it would represent the most effort-minimizing route, all things considered, for nearly all shoreline users who presently use existing informal Access Routes 3 and 4.

Over time, the organic development of this informal access route will induce erosion at the edge of the ADA trail where the routes bifurcate leading to higher than anticipated maintenance requirements necessary to maintain the integrity of the ADA trail and to reduce erosion of the newly placed levee fill material.

2) There is a smaller segment of shoreline users (not specifically discriminated in Attachment B) who could be adversely affected by the imposition of the set of steps of this project feature, replacing the organically developed informal access routes (Access Routes 3 and 4). These users include those who may be a few members of larger user groups who may be older, younger, injured, or weaker individuals, or those otherwise normally fit individuals hand-carrying recreational equipment to the beach area (where elevated safety risks may be in the form of reduced or occluded visual access to individual step risers, and tripping, balance, and recovery uncertainties). However, due to limited information it is presently uncertain what the proportion these users are of the total shoreline users or what the proportion of groups to which these individuals may belong are of the total shoreline user groups. For these users, some may be deterred from using the set of steps due to the imposition of discrete, likely 6” step risers which constitute dead-weight efforts to both descend and ascend these stairs. These risers, although relatively low, could be viewed by these few individuals as entailing too much effort or too high degree of safety risk to use for access, and further, the step risers impose a fixed discrete lift-height, whereas on a continuous ramp surface, such as on Access Routes 3 and 4, there is the

flexibility for users to adjust step-length and thus lift-height along a continuum such as to meet their particular needs and desires. Therefore, these users, and likely the entire user group of which they may be a part, may be dislocated to other access routes. Similar to the dynamics discussed above for shoreline users employing wheeled access devices, given the relative lengths the proposed project alternative access routes, and following the premise of PLA, it is expected that access route dislocation from the “Stairs” by these users will occur in two phases, essentially the same as for shoreline users employing wheeled access devices, discussed above, including:

i) Initial access route dislocation phase, which should be the same as for shoreline users employing wheeled access devices discussed above.

ii) Following close in time from the start of initial access route dislocation, a second phase of trail consolidation will likely occur resulting in possibly a single informal trail which should be the same as for shoreline users employing wheeled access devices discussed above.

It is further anticipated that once this possible PLA alternative organically developed access trail becomes well established, many if not most shoreline users will adopt it for access as it would represent the most effort-minimizing route, all things considered, for nearly all shoreline users who presently use existing informal Access Routes 3 and 4.

B

It is concluded here that the intended project feature design will not improve the accessibility conditions for many of the shoreline users, and will in fact actually make access to Sutter’s Landing Beach more difficult for both that proportion of shoreline users that employ wheeled access transport devices and many of that proportion of users that do not employ wheeled access devices. It is likely that eventually many if not most of all shoreline users will dislocate from the “Stairs” project feature due to increased access difficulties imposed by it, and will adopt an alternative informal route to minimize overall effort which is likely to develop adjacent to the proposed stairway. Thus, it is concluded here that this project feature will have significant impacts on existing and future shoreline user access.

- c) Likely adverse impacts on boating users and access: As discussed in Attachment B boating activities include paddleboarding, kayaking, and canoeing. As a group these users are roughly estimated to be about 10% of the total general Sutter’s Landing Beach area recreational uses. Of all the boaters the initial access assessment (Attachment B) concluded that about 60% are paddleboarders, 30% are kayakers, and about 10% are canoeists. Further it was estimated that no paddleboarders utilized wheeled access devices while about 10% of kayakers and about 50% of canoeists use these devices therefore it is estimated that about 8% of all boaters use wheeled access devices $[(0.60 \times 0.0 = 0.0) + (0.30 \times 0.10 = 0.03) + (0.10 \times 0.50 = 0.05) = 0.08]$. Since this project feature, presumed here to include both a set of steps and a set of rollers, it was likely proposed with the intent that the rollers would be used by boaters using hard-shelled

watercraft, while others, mostly paddleboarders, most kayakers, and some canoeists, would hand-carry their boats using the steps. Also, the location and design of this project feature will eliminate the existing informal Access Routes 3 and 4 which are presently used by ~99% of all boater, so it has the potential to affect accessibility for essentially all boating users to the LAR at Sutter's Landing.

1) Since it is estimated that about 10% (~8%) of boating users access Sutter's Landing Beach employ various forms of wheeled transport devices and about 99% of all boating users with wheeled access devices use the existing informal Access Routes 3 and 4, it is likely that this project feature could affect essentially all boating users who employ wheeled access devices at Sutter's Landing. Further, since it is estimated that about 99% of all boaters presently use the informal Access Routes 3 and 4, this project feature, in potentially impacting that 8% which use wheeled access devices, could affect about 8% [$0.99 \times 0.08 = 0.079$] of all Sutter's Landing Beach boating users.

The use of various wheeled access devices by boaters using the existing informal Access Routes 3 and 4 currently reflects the most efficacious access pattern to the LAR given craft type and weight etc in accord with PLA. It appears that it is assumed by the project proponent that these users will either use the set of rollers or the set of steps for negotiating this project feature.

i) If the set of rollers were to be used by those that employ wheeled access devices then; 1) the wheeled access devices would have to be removed at the start of the rollers, 2) boats would have to be lifted on to the set of rollers, 3) a line would have to be attached so that boats could be lowered or raised through the set of rollers, 4) at the end of the set of rollers, boats would have to be lifted off the rollers and placed on the ground, and 5) the wheeled access device would have to be re-attached to complete the access process. Comparing this sequence to the existing access conditions of a continuous ramp slope along the informal Access Route 4, the use of the rollers would represent a significant increase in access effort.

ii) If the set of steps were to be used by those with wheeled access devices then either; 1) they would have to follow the above approach for the use of the set of rollers except after detaching the wheeled devices at the start of the steps they would have to hand-carry the watercraft and the wheeled devices through the set of steps in separate trips and re-attach them at the end of the set of steps, or 2) they would have to hand-carry the watercraft through the steps with the wheeled access devices still attached. Even for fit individuals, hand-carrying of watercraft, which were otherwise transported by wheeled devices, could result in elevated safety risks in the form of reduced or occluded visual access to individual step risers, and tripping, balance, and recovery uncertainties. For these users, some may be deterred from using the set of steps due to the imposition of discrete, likely 6" step risers which constitute dead-weight efforts to both descend and ascend these stairs. These risers, although relatively low, could be viewed by these few individuals as entailing too much effort or entailing too high a degree of safety risk to use for access. Further, the step risers impose a

fixed discrete lift-height, whereas on a continuous ramp surface, such as on Access Routes 3 and 4, there is the flexibility for users to adjust step-length and thus lift-height along a continuum such as to meet their particular needs and desires.

In either the case of using the set of rollers or the set of steps, the access transit of boats on wheeled devices between the parking areas and the river represents a significant increase in access effort and reduced access efficacy. Therefore, given the premises of PLA it is not at all likely that these users will use either the set of rollers or the set of steps of this project feature.

It is concluded here that the intended project feature design will not improve the accessibility conditions for about 10% (~8%) of that proportion of boating users that employ wheeled access transport devices these users, and will in fact actually make their access to the beach area more difficult. Because the use of these wheeled devices is due to both the type and weight of watercraft used, and the distances between the parking areas and the river, it is assumed here that these users will not change their use pattern and will not abandon the use of wheeled access devices simply because these rollers and steps entail a much greater level of effort required on the part of these users to access Sutter's Landing Beach. It is also assumed here that these wheeled access device users will continue to be attracted to Sutter's Landing Beach for its proximity to the recreational resource value of the LAR in spite of reduced accessibility entailed by this project feature as designed.

Based on the forgoing observations and assumptions, it is here concluded that the adjustments to the adverse accessibility impacts induced by these steps and rollers to those boaters employing wheeled access devices will be in the form of dislocation to alternative access routes. The distance to the levee top at the head of the "Stairs" to the end of "Concrete Path/Trail" project feature via the "Stairs" route is about 250 ft, about 670 ft via the "West (downstream) ADA trail" project feature, and about 1,075 ft via the "East (upstream) ADA trail" project feature. Given these relative distances, and following the premise of PLA, it is expected that user access route dislocation from the roller and step elements included in the "Stairs," entailed by the proposed project, will occur in two phases:

i) Initial access route dislocation phase will likely entail the use of the "West (downstream) ADA trail" project feature because at about 670 ft long it is about half the length of the "East (upstream) ADA trail" project feature (~1,075 ft long).

ii) Following close in time from the start of initial access route dislocation, a second phase will likely begin to develop. Because the most likely initially adopted alternative access route is about three times the length of the "Stairs" access route (~ 670 ft vs ~250 ft) and about three times the existing informal and organically developed access routes currently in use (Access Routes 3 and 4), and because the installed slope ($\leq 5\%$) of this route will be far too shallow to warrant their use of this route in its entirety, and following PLA, it is likely that a series of informal cut-off trails will develop on the fill-slope placed to support this

ADA trail, such that the proposed long switchback loop of the ADA trail is avoided. It is possible that over time any series of individual informal cut-off trails which may develop will eventually evolve to a single informal cut-off trail. While the location and configuration of any final cut-off trail cannot be firmly defined prior to its organic development, there is every reason to anticipate that the final form of any cut-off trail which develops in response to the proposed project and project features, and within the framework of PLA, will most likely closely replicate the present configuration of the existing diagonally oriented Access Route 4. If so, it will likely develop so as to transit the new fill-body slope from the toe of the “Stairs,” diagonally upslope in a downstream direction to intersect with the “West (downstream) ADA ramp and trail” at a point possibly about 25 ft from the head of that ADA trail at the top of the levee.

It is further anticipated that once this possible PLA alternative organically developed access trail becomes well established, many if not most other boating users will adopt it as an access route as it would represent the most effort-minimizing route, all things considered, for nearly all boating users who presently use existing informal Access Routes 3 and 4.

Over time, the organic development of this informal access route will induce erosion at the edge of the ADA trail where the routes bifurcate leading to higher than anticipated maintenance requirements necessary to maintain the integrity of the ADA trail and to reduce erosion of the newly placed levee fill material.

2) Following from the above discussion of wheeled access device boating uses, and the finding of the initial access assessment (Attachment B) it is estimated that about 90% (~92%) of all boaters hand-carry their watercraft to and from the parking areas and the river, and since 100% of those boaters use the existing informal Access Routes 3 and 4, this project feature could affect access conditions of all hand-carry boating uses to Sutter’s Landing Beach. Also, from the initial access assessment (Attachment B) the likelihood of hand-carrying varies by watercraft type and weight, etc: It was estimated that hand-carrying occurred for 100% of paddleboarders, about 90% of kayakers, and about 50% of canoeists.

Boating access by way of hand-carrying watercraft using the existing informal Access Routes 3 and 4 currently reflects the most efficacious access pattern to the LAR given craft type and weight etc within the premises of PLA. However, given the PLA, it is not at all clear if these users would use or prefer to use either the roller or the step elements of this project feature.

i) If the set of rollers were to be used; 1) boats would have to be lowered to and placed on the rollers at the start of the set of rollers, 2) then a line would have to be used to either raise or lower the boats through the rollers, and 3) boats would have to be picked back up at the end of the set of rollers to complete the access back and forth between the

parking areas and the river. Comparing this sequence to the existing access conditions of a smooth ramp slope along the informal Access Route 4, the use of the rollers would to represent a significant increase in access effort. This increased effort would be substantially aggravated when canoe hand-carrying is by way of overhead transport in which the greatest increment of effort is in picking up and setting down the canoe which would be multiplied by using the rollers.

ii) If the set of steps were to be used for hand-carrying watercraft then there is some concern for safety. Even for fit individuals, hand-carrying of watercraft could result in elevated safety risks in the form of reduced or occluded visual access to individual step risers, and tripping, balance, and recovery uncertainties; this is particularly true for kayakers and canoeists. For these users, some may be deterred from using the set of steps due to the imposition of discrete, likely 6" step risers which constitute dead-left efforts to both descend and ascend these stairs. These risers, although relatively low, could be viewed by these few individuals as entailing too much effort or entailing too high a degree of safety risk to use for access. Further, the step risers impose a fixed discrete lift-height, whereas on a continuous ramp surface, such as on existing Access Routes 3 and 4, there is the flexibility for users to adjust step-length and thus lift-height along a continuum such as to meet their particular needs and desires.

Whether hand-carry boaters use the set of rollers or the set of steps, it appears that the "Stairs" project feature, as currently designed, will represent an increase in access effort and in safety insecurity compared to the existing informal Access Routes 3 and 4. Therefore, similar to the dynamics discussed above for boaters employing wheeled access devices, given the relative lengths the proposed project alternative access routes, and following the premises of PLA, it is expected that access route dislocation from the stairs by these users will likely occur and occur in two phases, essentially the same as for boats employing wheeled access devices, discussed above, including:

i) Initial access route dislocation phase, which should be the same as for boating users employing wheeled access devices discussed above.

ii) Following close in time from the start of initial access route dislocation, a second phase of informal trail consolidation will likely occur resulting in possibly a single informal trail which should be the same as for boating users employing wheeled access devices discussed above.

It is further anticipated that once this possible PLA alternative organically developed access trail becomes well established, many if not most boater users will adopt it for access as it would represent the most effort-minimizing route, all things considered, for nearly all boating users who presently use existing informal Access Routes 3 and 4.

It is concluded here that the intended project feature design will not improve the accessibility conditions for any of the boating users, and will in fact actually make access to the river more difficult for both that proportion of boaters that employ wheeled access transport devices and that proportion that hand-carry boats and equipment. It is likely that eventually nearly all boaters will dislocate from the “Stairs” project feature due to increased access difficulties, and will adopt an alternative informal route to minimize overall effort which is likely to develop adjacent to the proposed stairway. Thus, it is concluded here that this project feature will have significant impacts to existing and potential future boating access.

- d) Likely unintended adjustments of user access behavior patterns and possible adverse impacts: In the above discussions of shoreline and boating user access behavior patterns and their likely response to the proposed “Stairs” project feature, as based on the premises of the PLA, it is concluded here that; 1) most of these users will eventually abandon the use of the “Stairs” as designed in favor of one or more informal organically developed trails in order to reduce the aggravated level of access effort imposed by the proposed “Stairs” design, 2) these informal trails will be on the newly placed fill-slope under the “West (downstream) ADA trail” (discussed below) and, in accord with the PLA, will be oriented such as to cut-off the long switchback loop intended for this ADA trail alignment so as to shorten the overall access distance to Sutter’s Landing Beach, 3) initially there could be several informal cut-off trails based on both the individual needs of users with varying physical capabilities and the use of wheeled access devices or loads hand-carried by users, and 4) it is possible that the several initial informal trails will over time evolve to the use of a single informal organically develop trail which is likely to closely replicate the existing configuration of the existing diagonally oriented Access Route 4.

If this single informal trail develops, it will likely develop so as to transit the levee face slope from the toe of the “Stairs,” diagonally upslope in a downstream direction to intersect with the “West (downstream) ADA trail” at a point possibly about 25 ft from the head of that ADA trail at the top of the levee. Over time, the organic development of this informal access route will induce erosion at the edge of the ADA trail where the routes bifurcate, leading to higher than anticipated maintenance requirements necessary to maintain the integrity of the ADA trail and to reduce erosion of the newly placed levee fill material.

On the other hand, if the several initial cut-off trails do not evolve into a single trail, each will become more prominent over time and each will be subject to erosion eventually leading to increase O&M requirements in the form of on-trail erosion protection and sediment production, repair and protection along the edge of the ADA trail where the head of the informal trails bifurcate, and sediment management on the surface of the ADA trail at the base of the informal trails where eroded material is delivered. It is even possible that these individual informal cut-off trails could develop into minor gullies as they become the preferential route for excess runoff from the impermeable ADA trail surface (which is currently occurring along the existing bike trail portion of the “East (upstream) ADA trail” project feature).

C

It is concluded here that the user access dislocation from the designed “Stairs” to alternative informally developed trails, in accord with the precepts of PLA, will result

in either about the same degree of levee face erosion as is presently the case (if a single informal trail develops), or greater levels of levee face erosion if several informal trails develop and remain in long-term use.

- **e) Possible impacts to vegetation:** Although not discussed in any detail in the NegDec document, the “Stairs” is depicted on Fig 5 “Project Features” and Fig 8 “Project Impacts” in plan-view. The indicated position of the “Stairs” is shown with a head-location directly across the levee top from an informal access location (Access Point B in Attachment B), the toe-location is depicted to extend under the canopy and within the drip-line of a valley oak, and is shown to be connected to the “Concrete Landing” by a short diagonal concrete trail segment (estimated at about 15 ft long from Fig 3).

It is concluded here that given the proximity of these “Stairs” components to this valley oak it is uncertain to what degree the proposed project feature will impact this tree nor what long-term adverse impacts the roots of this tree could have on the integrity of the concrete portions of the “Stairs” and associated pathways. It does appear that these potential impact issues are addressed by the NegDec.

- **f) Possible impacts existing petroleum pipeline:** Based on Fig 5 and 8, and ground-truthing the site, it appears that the alignment of the “Stairs” overlaps a buried petroleum pipeline. Covering this pipeline with the permanently built concrete “Stairs” would seem to significantly aggravate any maintenance or repair operations on this pipeline.

D

It is concluded here that this could represent a significant impact of the “Stairs” should at any time excavation of the pipeline would be required. This is not addressed by this NegDec document. It does not appear that these potential impact issues are addressed by the NegDec.

E

- **g) Possible impact-reducing alternative:** It is assumed here that the intended purpose of the “Stairs” project features was to enhance access to Sutter’s Landing Beach for those shoreline and boating users who may not require ADA-level facilities, and also to reduce foot-traffic erosion impacts to the levee face along the existing informal access routes (primarily Access Routes 3 and 4). However, it is the conclusion of the above comments that this project feature will actually lead overall to an increase in access effort on the part of these users. Therefore, in the context of PLA, these users will become displaced from this feature and will adopt the use of alternative organically formed informal access routes which would result in the reduction of access effort essentially back to those under the existing, non-project conditions, however, this would also induce foot-traffic levee face erosion similar that which presently exists. The “Stairs,” as presently configured, would also adversely impact the existing large valley oak tree, and could significantly adversely impact the existing petroleum pipeline should it ever need to be excavated for maintenance or repair actions.

Considering the foregoing discussion, and the analyses of likely user access behavior pattern responses to the design of the “Stairs” project feature, it seems that there

may be an easily installed alternative design approach which could achieve the assumed intended objectives of the project proponent for the “Stairs” while reducing the impacts and unintended consequences entailed by the design of the “Stairs” as presently conceived to nearly zero. This alternative approach would be to reconstruct, improve, and “formalize” the existing diagonal sloping Access Route 4, which in the context of PLA, presently represents the most efficacious access route for the existing recreational user population by;

- Constructing a new (about five feet wide) access trail pad basically following the existing diagonal Access Route 4 alignment along the levee face which currently has about a 20% slope,
- Relocating the head location of this trail at the levee-top in a downstream direction 10-15 ft so that the head of this new trail is centered on Access Point C, the main access into the Sutter’s Landing Beach area, which would lower the slope of this new trail to about 18%,
- Underlaying and supporting this new constructed trail pad with a thin (~2 ft thick [$5 / 3 = 1.67 \text{ ft}$]) prism of fill against the levee face such that the new trail surface cross-section could be nearly level instead of the existing trail out-sloping surface of ~33%.
- Surfacing this new access trail with manufactured relatively fine grained open-celled plastic box-forms and in-filled with compacted fractured rock, such that the surface is permeably and malleable so that rainfall runoff at its surface is minimized, and is resilient to minor settling within the thin fill-prism, allowing the fill-prism to be placed with minimal compaction, further enhancing rainfall infiltration with attendant reductions in potential erosion

2) East (upstream) ADA trail:

Discussion:

This project feature is described as an ADA-compliant concrete trail to the east of the “Stairs,” and is depicted on Fig 5 “Project Features,” and Fig 8 “Project Impacts” in plan-view. In Fig 5 and Fig 8, this ADA access route appears to entail two segments: 1) the use of about 480 ft of an existing bike trail surface in an upstream direction from a point at the top of the “Stairs” to the levee toe, which includes about a 380 ft long diagonal run of the existing bike trail across the levee slope face at a slope which has a slope apparently suitable for ADA activities; and 2) the installation of about 440 ft of ADA-compliant 8-foot concrete trail segment, “designed to accommodate pedestrians only,” in a downstream direction along the levee toe to the “Concrete Landing,” enroute to the entrance to the Sutter’s Landing Beach. From Fig 8 and Google Maps, the total length of this proposed ADA access route is estimated here to be about 1075 ft (“Concrete Landing” plus “Concrete Path/Trail” = ~155 ft) from the top of the “Stairs” at the levee crest to the end of the “Concrete Path/Trail” at the entrance to Sutter’s Landing Beach.

Details on Fig 5 and Fig 8 indicate that the only newly proposed element of this project feature is an 8 ft wide concrete trail surface on an elevated fill surface, with no changes to the existing bike trail ramp between the levee top and toe. Based the delineation in Fig 8, and the scale-bar provided, it appears that this fill element is to extend about 10 ft from the edge of the proposed concrete trail surface and, assuming that there is the intent for a finished 3:1 slope, a fill height of about 3 ft is inferred. Together this proposed trail segment and the associated fill material, as depicted on Fig 8, and using its scale-bar, this fill-body may extend about 20 ft from the existing levee toe location along about 440 ft of levee face, and, since the proposed trail is a rigid concrete element, it is assumed here that the proposed placed fill will be mechanically compacted such that sufficient support is provided.

Comments:

-a) Possible installation work area impacts: In general, project installation and construction methods and processes are not addressed in this NegDec document. Comparing Figs 5 “Project Features” and 8 “Project Impacts” it appears that the extent of impacts associated with this project feature in the NegDec only considers the extent of the fill-body footprint and does not include construction activities outside that perimeter. Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint.

These impacts could be significant particularly considering that the bounding vegetation along this newly proposed element, as delineate on Fig 7 “Vegetation Communities,” includes about 240 ft of “Native Planting Area” about 140 ft of “Annual Grassland” (which is actually an area of native plantings installed and is maintained by Friends of Sutter’s Landing), and two large un-delineated blue elderberry shrub complex crowns totaling about 60 linear feet. All of these vegetation zones should be considered as environmentally sensitive and if impacted by construction activities these impacts would be considered as significant adverse consequences.

What, then, is the likely spatial extent of construction activities outside the project feature footprint, what is the like degree of construction-related site disturbance in that area, and what site restoration actions and the restoration success standards will be required for that disturbed area?

F

It is concluded here that there are significant unaccounted for impacts associated with project construction-related activities outside the project footprint which apparently are not considered for mitigation or restoration. There needs to be appropriate disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation. It appears these issues are not addressed by the NegDec document.

-b) Possible erosion impacts: It can be anticipated that this project feature as designed will induce erosion mostly due to the 8-foot wide concrete surface of this trail will be impermeable and will generate excess rainfall runoff, and may be edged with narrow (~2

ft wide) strips composed of decomposed granite (DG). As this trail will likely be gently out-sloped, any rainfall runoff generated in its surface will flow across it to the downslope edge onto the DG strip material which, when saturated, is easily eroded by surface-flowing water. This has been the experience at existing bike and ADA trails in the American River Parkway with similar configurations such as the upstream oriented bike trail at Sutter's Landing as it descends the levee face, or the newly installed ADA ramp at Glenn Hall Park.

The outcome of this runoff and erosional process will be sheetflow across trail surface onto the outboard DG strip surface, the rapid development of rills and gulying in that DG material as the excess runoff flows directly down the adjacent fill-body slope, and the gulying can head-cut into the trail's DG strips, and left unattended, could eventually head-cut into the trail itself.

The upslope side of the trail is composed of the compacted levee slope material which results in reduced rainfall permeability and excess rainfall runoff and erosion, which is empirically demonstrated. While the excess rainfall runoff on the levee slope causes some erosion of the surface and will deliver eroded material to the upslope DG strip along the trail, the main effect will be the delivery of surface runoff water to the DG surface. The excess runoff will flow across the DG strip, and along with sediment, across the trail to the outboard DG strip. Therefore, these upslope levee slope runoff and erosion processes exacerbate the erosional processes downslope of the trail.

It is concluded here that this project feature will likely induce significant erosion if constructed similarly to other bike and ADA trail ramps in similar situations, and will require regular and annual O&M attention to arrest ongoing erosional dynamics, to avoid long-term damage of this project feature, and to regularly remove sediment from the trail surface during the winter season.

-c) Possible biking user conflict impacts: The use of this access route by ADA visitors entails two distinct project elements which could result in conflicts with biking users; 1) conflicts associated with the co-use of the existing unmodified bike trail between the levee top and the levee toe, and 2) conflicts associated with the co-use of the new ADA trail element along the levee toe to the "Concrete Landing."

1) For ADA/disability access use on the existing and unmodified Two Rivers Bike Trail segment between the levee top and toe, it is assumed here that the project proponent expects these users are to co-share this trail with the full range of existing user-groups and their activities including bikers. This trail is about 12 ft wide, paved with asphalt, and bordered with 2-ft wide decomposed granite (DG) and small-gravel strips. Given its present configuration it seems that co-use of this bike trail segment would represent a real and perceived safety risk to the ADA/disability community, and if ADA/disability use levels were high enough, its use by these users would probably be considered an imposition by the biking community.

2) For the new ADA trail element along the levee toe, while the NegDec describes this 8-ft wide concrete ADA trail as "designed to accommodate pedestrians only," there is no discussion as to how other users, such as bikers,

will be precluded from incorporating it into their recreational experiences. Absent some physical barrier that precludes biking uses, this new concrete trail segment is likely to be adopted as an extension of the presently installed Two Rivers Bike Trail, and may also be used as an access route for the existing but unauthorized off-designated trail biking uses of the Parkway area at Sutter's Landing. Whether or not the "West (downstream) ADA trail" is installed, there will be some portion of the biking community who adopt this newly proposed ADA trail as part of their recreational experience, at least to access the proposed picnic tables of the "Concrete Path/Trail" project feature.

While it may be uncertain what level of biking uses this project element could experience in the future, short of some kind of an effective physical bike-barrier, its use for that purpose can be assured. As a result, with this co-use, there will be potential conflicts (e.g. conflicting recreational experience expectations) and safety issues between the ADA/disability users of varying degrees and kinds (i.e. "recreational users of all ages and abilities"), and biking users. I have nothing to offer as a solution, but these potential conflicts should have been addressed by this NegDec document.

It is concluded here that the co-use of the two trail segments of this project feature by ADA/disabled and bikers will result in possibly significant conflicts, and that either these potential conflicts and safety issue should be accepted as an unavoidable consequence of the proposed project (and thus an unavoidable impact), or realistically addressed by some design solution alternative.

-d) Possible impacts to on-going levee maintenance: Figs 5 and 8 show that the existing levee toe O&M and inspection access road will be replaced by the proposed concrete ADA trail, and the NegDec document states that the ADA trail is "designed to accommodate pedestrians only," but there is no indication that the existing levee O&M access road will be accommodated by the project feature. Unless the local levee district is willing to abandon this access road, used for levee inspection and various O&M activities, it seems that either; a) O&M and inspection vehicles will use the ADA trail, or b) a new segment of this road will be needed around the perimeter of the fill-body of this project element.

Is it known that the local levee district is willing to forgo this access road to this portion of the American River levee system, and if not, what alternative access road options are available and viable? If levee O&M vehicle access is to be provided by the ADA trail, will it have the competence to handle typical inspection traffic loads as well as the heavier vehicle loads which may associated with serious levee maintenance actions? If the ADA trial will not have sufficient competence, will there need to be a new 440 ft long levee O&M road established adjacent to the fill-body of this project element? Then if so, what will be the impact to the existing vegetation?

G

It is concluded here that there could be additional and unaccounted for impacts associated with a new levee access road segment placed adjacent to the proposed new trail and fill-body, which would impact a large area of existing vegetation, with no apparent mitigation compensation. There needs to be appropriate

disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation. It appears these issues are not addressed by the NegDec document.

-e) Possible impacts to vegetation: Based on Fig 5 and Fig 8, it appears that there are three aspects of the project feature which could adversely affect vegetation which may not have been addressed in this NegDec document including; 1) impacts associated with the required fill-body, 2) impacts entailed by construction activities, and 3) impacts associated with additional levee O&M access road requirements..

1) The intended fill-body is shown as including areas under the canopies of two large blue elderberry shrub complexes and about 3,800 sq ft [*340 long x 10 ft wide*] of vegetated area currently planted in native vegetation and maintained by the Friends of Sutter's Landing (some of which is mis-designated on Fig 7 as "Annual Grassland). While the intended depth of fill within the canopy areas of the two blue elderberry shrub complexes is not specified almost any fill depth, and the associated disturbance during machine fill placement and compaction could adversely affect their ongoing long-term viability. It is unclear if these vegetation features and the associated impacts have been considered in the NegDec, but they could be considered significant and avoidable adverse consequences.

2) Comparing Figs 5 and 8, it appears that the extent of vegetation impact associated with this project feature in the NegDec only considers the extent of the fill-body footprint and does not include construction activities outside that perimeter. Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint. The size and extent of any fringe of construction activities outside the project footprint is not indicated, and it is assumed that these impacts to vegetation have not been considered in the site restoration and mitigation aspects of the NegDec. If these construction-related vegetation impacts are to be address by site restoration, rather than through mitigation, there needs to be very specific and appropriate post-construction restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation.

3) Figs 5 and 8 show no indication that the existing levee O&M access road along the levee toe will be accommodated by the project feature. Unless the local levee district is willing to abandon this access road used for levee inspection and various O&M activities, it is possible that a new segment of this road will be required around the perimeter of the fill body of this project feature. Assuming an effective road width of about 10 ft, this could entail an additional road and zone of vegetation impact area of about 4,400 sq ft [*440 x 10 = 4,400*]. This vegetation impact is interpreted here as an unmitigated project impact.

It is concluded here that there could be additional and unaccounted for project feature vegetation impacts with no apparent restoration actions or mitigation compensation. It appears these issues are not addressed by the NegDec document.

-f) Possible impact-reducing alternatives: There are two possible alternatives which could reduce expected impacts:

1) To eliminate possible conflicts entailed by the co-use by bikers and the ADA/disability community along the existing segment of bike trail on the levee slope face could be ameliorated by some trail widening. This could include:

- Replacing the bike trail DG strips with curbs,
- Adding an ADA-compliant section (8-ft wide?) outboard to the new curb along the existing bike trail,
- Bordering the new ADA trail with an outboard curb,
- Supporting the additional overall trail width (~9 ft?) with a new levee face fill-wedge, about 3 ft thick along the edge of the newly widened structure, and tapering downslope to a thinner fill resulting in a finished slope somewhat steeper than 3:1,
- Adding runoff control structure at the levee toe to manage rainfall runoff generated on the trail surfaces.
- And optionally, adding a French drain on the upslope side of the inboard curb to direct excess rainfall runoff water generated on the upslope levee face to the levee toe.

2) Another possible alternative could address a wide range of impact issues along the proposed new ADA trail segment at the levee toe. Specifically addressed would be; 1) possible conflicts entailed by the co-use by bikers and the ADA/disability community, 2) induced erosion, and 3) impact to vegetation and other resources, within and outside the project feature footprint.

This alternative would be to eliminate this element of this project feature and to re-direct ADA/disability access to the LAR by way of modifying the presently designated boat launch trail. This alternative is discussed in detail below in 5) Seasonal accessible mat: c) Possible impact-reducing alternatives.

ADA access to this new location could be further enhanced by modifying the existing bike trail segment along the levee slope as discussed in 1) above.

This alternative could eliminate the need for any of the other proposed ADA-compliant project features, eliminating their identified adverse consequences, while meeting the putative goals and objectives of the Project.

3) West (downstream) ADA trail:

Discussion:

This project feature is described as an 8 ft wide ADA-compliant concrete trail to the west of the “Stairs,” “designed to accommodate pedestrian uses only,” and is depicted on Fig 5 “Project Features” and Fig 8 “Project Impacts” in plan-view. In Fig 5 and Fig 8, this ADA access route, as estimated using Google Maps, is about a 550 ft long, with a downstream, downslope oriented limb of about 220 ft, to a relatively broad switchback loop, and then an upstream, downslope limb of about 260 ft on the return back to the “Concrete Landing” enroute to the entrance to the Sutter’s Landing Beach. From Fig 8 and Google Maps, the total length of this proposed ADA access route, from the top of the “Stairs” at the levee crest to the end of the “Concrete Path/Trail” at the entrance to Sutter’s Landing Beach (the beginning of the shoreline loose sand surface), is estimated here to be about 670 ft (“Concrete Landing” plus “Concrete Path/Trail” [$\sim 120 + 550 = 670$]).

As depicted in Fig 5 and 8, it appears that this trail is to be constructed on a large area of fill placed against the levee face with variable thickness but with an unspecified intended finished fill-body surface slope. Based on the delineation on Fig 8, and its scale-bar, this fill-body may extend from about 35 to 50 ft from the levee toe along about 260 ft of the levee face. While unspecified in this NegDec, based on the proposed fill and trail geometry depicted in Fig 5 and Fig 8, it is assumed here that the finished fill slope will be substantially less than 3:1, except possibly along the fill margin along the trail on its upstream leg toward the “Concrete Landing” where the intended finished slope is assumed here to possibly be about 3:1. Since the trail is a rigid concrete element, it is assumed here that the proposed placed fill will be mechanically compacted such that sufficient support is provided.

Comments:

-a) Possible installation work area impacts: In general, project installation and construction methods and processes are not addressed in this NegDec document. Comparing Figs 5 “Project Features” and 8 “Project Impacts” it appears that the extent of impacts associated with this project feature in the NegDec only considers the extent of the fill-body footprint and does not include construction activities outside that perimeter. Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint. These impacts could be significant.

What, then, is the likely spatial extent of construction activities outside the project feature footprint, what is the like degree of construction-related site disturbance in that area, and what site restoration actions and the restoration success standards will be required for that disturbed area?

It is concluded here that there are significant unaccounted for impacts associated with project construction-related activities outside the project footprint which apparently are not considered for mitigation or restoration. There needs to be appropriate disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation. It appears these issues are not addressed by the NegDec document.

-b) Possible biking user conflict impacts: While the NegDec describes the proposed ADA trails as “designed to accommodate pedestrians only,” there is no discussion as to how other users, such as bikers, will be precluded from incorporating these 8-foot wide concrete trails into their recreational experiences. Absent some physical barrier that precludes biking uses, this project feature is likely to be adopted as an extension of the existing Two Rivers Bike Trail, and may also be used as an access route for the existing but unauthorized off-designated trail biking uses of the Parkway area at Sutter’s Landing Beach. Whether or not the “East (upstream) ADA trail” is installed, there will be some portion of the biking community who will adopt this project feature as part of their recreational experience.

While it may be uncertain what level of biking uses this project feature could experience in the future, short of some kind of an effective physical bike-barrier, its use for that purpose can be assured. As a result, with this co-use, there will be potential conflicts (e.g. conflicting recreational experience expectations) and safety issues between the ADA/disability users of varying degrees and kinds (i.e. “recreational users of all ages and abilities”), and biking users. I have nothing to offer as a solution, but these potential conflicts should have been addressed by this NegDec document.

It is concluded here that the co-use of the two trail segments of this project feature by ADA/disabled and bikers will result in possibly significant conflicts, and that either these potential conflicts and safety issue should be accepted as an unavoidable consequence of the proposed project (and thus an unavoidable impact), or realistically addressed by some design solution alternative.

-c) Possible erosion impacts: It can be anticipated that this project feature as designed will induce erosion mostly from four sources; 1) the mechanically compacted fill-body, 2) the impervious nature of the trail surface, 3) unintended informal trail development by pedestrians, and 4) unintended informal trail development by bike uses.

1) Fig 5 and 8 indicate the placement of a large fill-body against the existing levee face required to support the grade and length of this project feature. Since this fill-body will provide support for the rigid ADA trail element it is assumed that it will be mechanically compacted in lifts during installation. Typically, this installation process leads to a fill-body with limited infiltration capacities. As a result these surfaces, with limited rainfall infiltration, can lead to excessive rainfall runoff and lead to unexpectedly elevated erosion rates.

While under normal circumstances such a mechanically compacted fill-body, with presumably a relatively shallow finished slope, would not be considered a significant issue, when this fill-body is traversed by a rigid trail feature the compaction-altered soil-water conditions of such a fill-body can have significant consequences.

To ameliorate some of these consequences adding coarse organic material to at least the upper-most several feet the fill-body should be considered.

2) The 8-foot wide concrete surface of this trail will be impermeable and will generate excess rainfall runoff, and may be edged with narrow (~2 ft wide) strips of decomposed granite (DG). As this trail will likely be gently out-sloped, any rainfall runoff generated in its surface will flow diagonally to the downslope edge onto the outboard DG strip material which, when saturated, is easily eroded by surface-flowing water. This has been the experience at existing bike and ADA trails in the American River Parkway with similar configurations such as the existing upstream oriented bike trail at Sutter's Landing as it descends the levee face, or the newly installed ADA ramp at Glenn Hall Park.

The outcome of this runoff and erosional process will be downslope, diagonal sheet flows across trail surface onto the outboard DG strip surface, the rapid development of rills in the DG, and even small-scale gullying in the DG material (typically against the edge of the more resistant trail surface material) which can run for considerable distances before spilling out from the DG strip surface onto the downslope mechanically compacted fill-body. This runoff on this downslope surface can lead to micro-gullying which could eventually progress into gullying. The gullying can head-cut into the trail's DG strips, and left unattended, could eventually head-cut into the trail itself.

The upslope side of the trail will also be composed of the mechanically compacted fill-body, which, as discussed above, will also generate excess rainfall runoff because of limited infiltration capacity. While this excess rainfall runoff will cause some erosion of the fill-body surface and will deliver eroded material to the upslope DG strip along the trail, the main effect will be the delivery of surface runoff water to the DG surface. The excess water will flow downslope along and diagonally across the DG strip resulting in rilling and small-scale gullying of the DG material which can extend to a considerable run. Typically, at some slope-dependent spacing, runoff water can break out of the DG strip onto the trail surface flowing diagonally, along with sediment, across the trail to the outboard DG strip. Therefore, these upslope runoff and erosion processes exacerbate the erosional processes downslope of the trail.

It is concluded here that if this trail is constructed similarly to other bike and ADA trail ramps in similar situations, regular and annual O&M attention will be required to arrest ongoing erosional dynamics, to avoid long-term damage of this project feature, and to regularly remove sediment from the trail surface during the winter season.

As with the mechanically compacted fill-body, discussed above, the key to erosion suppression is drainage management through design. Design adjustments to this trail which could ameliorate potential erosion could include: 1) as above, the use of a minimal compaction approach for the fill-body and to add coarse organic material to maximize, as possible, rainfall infiltration, 2) replace the DG strips with raised curbs on the upslope side to preclude runoff and sediment flux to the trail surface from upslope sources, and on the downslope side to prevent surface flow on the trail from exiting to downslope portions of the fill-body, 3) add a buried French drain along the edge of upslope curbs to route excess water to the base of this project feature, and 4) add a drainage control design element at the bottom of the project feature by which accumulated runoff

from all elements of the project feature can be safely managed with drainage to lower topographic areas adjacent to the trail.

3) As discussed in detail in the “Stairs” project feature section above, it is likely that; 1) both shoreline and boating users will be displaced from the “Stairs” for access to Sutter’s Landing Beach due to imposed additional access-effort due to its design, 2) that the dislocation will be primarily to the “West (downstream) ADA trail,” and 3) that these uses will shorten their dislocated access route by establishing perhaps several informal cut-off trails across the fill-body surface to avoid the long switchback loop in the ADA trail.

These informal and organically developed cut-off trails will likely develop in several locations in accord with the particular needs of various user-group categories as functions of physical capacities and methods of transporting recreational equipment to the beach (hand-carry; employing wheeled devices) , etc. such as to balance slope-related levels of effort with overall access route distance.

Over time these informal cut-off trails will become more prominent and each will be subject to erosion eventually leading to increase O&M requirements in the form of on-trail erosion protection and sediment production, repair and protection along the edge of the ADA trail where the head of the informal trails bifurcate, and sediment management on the surface of the ADA trail at the base of the informal trails where eroded material is delivered. It is even possible that these individual informal cut-off trails could develop into minor gullies as they become the preferential route for excess runoff from the impermeable ADA trail surface (which is currently occurring along the bike trail portion of the “East (upstream) ADA trail” project feature).

4) As discussed above, this project feature is likely to be adopted as an extension of the existing Two Rivers Bike Trail, and may also be used as an access route for the existing but unauthorized off-designated trail biking uses of the Parkway area at Sutter’s Landing. Whether or not the “East (upstream) ADA trail” is installed, there will be some portion of the biking community who adopt this proposed ADA trail as part of their experience.

Associated with biking uses of this project feature will be the inevitable development of informal cut-off bike trails along the ADA trail to either; 1) avoid the long switchback loop in the ADA trail alignment by typical bike-trail users, and 2) to shorten unauthorized off-trail biking access to the various existing informal trails in the downstream portion of the Sutter’s Land Beach area by developing an informal cut-off trail bifurcating from the ADA trail at the long switchback loop.

Similar to the informal foot-traffic trails discussed above, over time these informal biking cut-off trails will become more prominent over time and each will be subject to erosion eventually leading to increase O&M requirements in the form of on-trail erosion protection and sediment production, repair and protection along the edge of the ADA trail where the head of the informal trails

bifurcate, and sediment management on the surface of the ADA trail at the base of the informal trails where eroded material is delivered. It is even possible that these individual informal cut-off trails could develop into minor gullies as they become the preferential route for excess runoff from the impermeable ADA trail surface.

It is concluded here that this project feature will result in increased erosion and increased O&M requirement due to two attributes; 1) the design itself by increasing and concentrating rainfall runoff, and 2) by the development of informal trails resulting from new users of the ADA trail and from dislocated shoreline and boater users from the “Stairs” due to elevated access effort entailed by the design of that project feature.

-d) Possible impacts to on-going levee maintenance: Figs 5 and 8 show no indication that the existing levee O&M access road along the levee toe will be accommodated by the project feature. Unless the local levee district is willing to abandon this access road, used for levee inspection and various O&M activities, it seems that a new segment of this road will be needed around the perimeter of the fill-body of this project feature. Is it known that the local levee district is willing to forgo this access road to this portion of the American River levee system, and if not, what alternative access road options are available and viable?

Figs 5 and 8 show no indication that the existing levee O&M access road along the levee toe will be accommodated by this project feature. Unless the local levee district is willing to abandon this access road used for levee inspection and various O&M activities, it seems that a new segment of this road will be required around the perimeter of the fill-body of this project feature. Assuming an effective road width of about 10 ft, this could entail an additional road and zone of vegetation impact area of about 3,000 sq ft $[(260 + 40 = 300) \times 10 = 3,000]$, and depending on local existing topography, could also entail some minor fill to establish a surface necessary for this new access road alignment. This vegetation impact is interpreted here as an unmitigated project impact.

It is concluded here that there could be additional and unaccounted for impacts associated with a new levee access road segment placed adjacent to the proposed new trail and fill-body, which would impact a large area of existing vegetation, with no apparent mitigation compensation. There needs to be appropriate disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation. It appears these issues are not addressed by the NegDec document.

-e) Possible impacts to vegetation: Based on Fig 5 and Fig 8, it appears that there are four aspects of the project feature which could adversely affect vegetation which may not have been addressed in this NegDec document including; 1) impacts associated with the required fill-body, 2) impacts entailed by construction activities, 3) impacts associated with additional levee O&M access road requirements, and further, 4) the possibility that the installation of this project feature and possibly a new levee O&M access road will

encroach into areas which now are dedicated for mitigation for the City's Two Rivers Trail.

1) The intended fill-body is shown as including areas under the canopies of three valley oaks of moderately size, the largest with three main stems from near the ground, and a large blue elderberry shrub complex. While the intended depth of fill at the locations of these plants is not specified almost any fill depth, and the associated disturbance during machine fill placement and compaction could adversely affect their ongoing long-term viability. It is unclear if these vegetation features and the associated impacts have been considered in the NegDec, but they could be considered significant and avoidable adverse consequences.

2) Comparing Figs 5 and 8, it appears that the extent of vegetation impact associated with this project feature in the NegDec only considers the extent of the fill-body footprint and does not include construction activities outside that perimeter. Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint. The size and extent of any fringe of construction activities outside the project footprint is not indicated, and it assumed that these impacts to vegetation have not been considered in the site restoration and mitigation aspects of the NegDec. If these construction-related vegetation impacts are to be address by site restoration, rather than through mitigation, there needs to be very specific and appropriate post-construction restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation.

3) Figs 5 and 8 show no indication that the existing levee O&M access road along the levee toe will be accommodated by the project feature. Unless the local levee district is willing to abandon this access road used for levee inspection and various O&M activities, it seems that a new segment of this road will be required around the perimeter of the fill-body of this project feature. Assuming an effective road width of about 10 ft, this could entail an additional road and zone of vegetation impact area of about 3,000 sq ft $[(260 + 40 = 300) \times 10 = 3,000]$, and depending on local existing topography, could also entail some minor fill to establish a surface necessary for this new access road alignment. This vegetation impact is interpreted here as an unmitigated project impact.

4) It is my understanding that along a short section of the proposed fill-body there are some plantings that were part of the City's Two River Trail requirement. Figs 5 and 8 are not at a scale nor specificity that could show the location of these plants and it is not clear if they are outside of the indicated fill-body perimeter. Even so, considering the additional but unspecified construction-related disturbance fringe and the need for a new levee O&M access road adjacent to the fill-body, it seems very likely that these plants will be adversely affects. It is my understanding that the subsequent disturbance of an existing and formalized mitigation site, developed to compensate for the impact

of some previous project, is not allowed by responsible mitigation oversight agencies. This could be a significant impact issue which is not addressed by the NegDec.

It is concluded here that there could be additional and unaccounted for project feature vegetation impacts with no apparent restoration actions or mitigation compensation. It appears these issues are not addressed by the NegDec document.

-f) Possible impact-reducing alternatives: There are several possible alternatives which could reduce expected impacts:

1) Redesign with runoff/erosion issues in mind. This, as discussed in detail in c) Possible erosion impacts above, would entail treating the proposed fill-body so as to enhance rainfall infiltration capacities and to add drainage control elements to the design.

2) Replace proposed “Stairs” design with an alternative approach using a constructed diagonal continuous pedestrian ramp justified and discussed in detail in 1) Stairs, above. This alternative would reduce unintended dislocated pedestrian traffic on the “West (downstream) ADA trail” which would be induced by the “Stairs: as presently designed.

2) Another possible alternative could address a wide range of impact issues along the proposed new ADA trail segment at the levee toe. Specifically addressed would be; 1) possible conflicts entailed by the co-use by bikers and the ADA/disability community, 2) induced erosion, and 3) impact to vegetation and other resources, within and outside the project feature footprint.

This alternative would be to eliminate this project feature entirely and to re-direct ADA/disability access to the LAR by way of modifying the presently designated boat launch trail. This alternative is discussion in detail below in 5) Seasonal accessible mat: c) Possible impact-reducing alternatives.

ADA access to this new location could be further enhanced by modifying the existing bike trail segment along the levee slope as discussed in 2) East (upstream) ADA trail: f) Possible impact-reducing alternatives: #1, above.

This alternative could eliminate the need for any of the other proposed ADA-compliant project features, eliminating their identified adverse consequences, while meeting the putative goals and objectives of the Project.

5) Concrete landing & Concrete path/trail to beach entrance with tables and pads:

Discussion:

Here these two project features, the “Concrete Landing” and the “Concrete Path/Trail” are addressed together. The “Concrete Landing” is not addressed in detail in the NegDec but is depicted on Fig 8, “Project Impact” which I estimate to be about 55 ft long and about 13 ft wide using the associated scale-bar. The “Concrete Path/Trail” is described as a single 8-foot wide concrete trail “designed to accommodate pedestrians only,” heading toward the river and ending at the entrance to the beach, and providing two lateral concrete access trails to concrete pads that will support picnic tables. This project feature is depicted on Fig 6 “Project Features” and Fig 8 “Project Impacts,” and based on Fig 8, and the scale-bar, I estimate its overall length as about 100 ft, with the two lateral concrete trails/pads extending about 30 ft from the main trail. Since on Fig 5 and 8 there is no indication that this project feature will entail any cut and/or fill, it is assumed here that it is to be installed essentially at grade with the existing topography.

Comments:

-a) General comments:

It is important to note that using delineation of the “Concrete Path/Trail on Fig 8 “Project Impacts,” its scale-bar, and the configuration of informal social trails depicted on that figure, along with ground-truthing, it appears that it is intended to extend about 30 ft past an existing distinct slope break along the main Access Route 6. At this slope break the existing trail transitions from an essentially level tread to a trail slope of about 15% [*estimate based on comparing I St gage water surface elevation readings against observed waterline position on this trail segment relative to the elevation and location of the slope break during the 12/25/25 to 12/27/25 period: 7.5 ft (horizontal change) vs 1.13 ft (vertical change) = 15.6%*] as it drops toward the beach. Not only does it appear that the distal end of this project feature is intended to extend into areas of steeper slopes and lower elevations, but so also are the proposed lateral paths and table pads. Therefore, there appears to be a significant discrepancy in the description and characterization of this project feature in the NegDec document.

To facilitate the installation of these project feature elements of the “Concrete Path/Trail as indicated while meeting ADA compliance parameters, it seems that at its distal end either; a) a considerable area of fill, to perhaps significant depth, or b) an extensive area of cut & fill extending back toward the “Concrete Landing” and out toward the river would be required to gradually lower trail elevations toward its distal end. On the contrary, there are no indications of fill or cut & fill actions on Fig 5 and 8, and these discrepancies are not noted or addressed in the NegDec document.

Therefore, it is not possible to adequately address the impacts of this project feature on the natural environment.

It is concluded here that there could be significant impacts from this feature if, in resolving the discrepancies in the descriptions presented in this NegDec, the actual intent is for it (along with the picnic table pads) to extend about 30 ft beyond the well-defined slope break. This slope break results from channel dynamics and forms the interface between the active LAR channel and a more stable overbank area. Therefore, if the actual intent is to extend past the slope break, then this portion of the project feature

would extend into lower elevations the active channel portion of the LAR and significant grading and fill should be required. Under these conditions this portion of this project feature would be subjected to repetitive erosion and deposition events associated with elevated LAR flows. This will result in either significant long-term O&M action costs or the eventual abandonment of this portion of this combined project feature in the future as representing an unsustainable long-term maintenance issue. The same outcomes would eventually occur even if any necessary fill-body was to be 'protected' by some form of fill-slope hardening.

-b) Possible installation work area impacts: In general, project installation and construction methods and processes are not addressed in this NegDec document. Comparing Figs 5 "Project Features" and 8 "Project Impacts" it appears that the extent of impacts associated with this project feature in the NegDec only considers the extent of its footprint and does not include construction activities outside that perimeter. Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint. These impacts could be significant.

What, then, is the likely spatial extent of construction activities outside the project feature footprint, what is the like degree of construction-related site disturbance in that area, and what site restoration actions and the restoration success standards will be required for that disturbed area?

It is concluded here that there are significant unaccounted for impacts associated with project construction-related activities outside the project footprint which apparently are not considered for mitigation or restoration. There needs to be appropriate disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation. It appears these issues are not addressed by the NegDec document.

-c) Possible biking and shoreline user conflict impacts: There are aspects of these project features which could result in user conflicts between the ADA/disability community and both shoreline and biking users; 1) the trail itself, and 2) the picnic tables.

1) While the NegDec describes the proposed ADA trails as "designed to accommodate pedestrians only," there is no discussion as to how other users, such as bikers, will be precluded from incorporating the concrete ADA trails into their recreational experiences. Absent some physical barrier that precludes biking uses, these project features are likely to be adopted as an extension of the presently installed Two Rivers Bike Trail, and may also be used as an access route for the existing but unauthorized off-trail biking uses of the Parkway area of the Sutter's Landing Beach. There will be some portion of the biking community who will adopt these project features as part of their recreational experience.

While it may be uncertain what level of biking uses these project features could experience in the future, short of some kind of an effective physical bike-barrier, its use for that purpose can be assured. As a result, with this co-use, there will be potential conflicts (e.g. conflicting recreational experience expectations) and safety issues between the ADA/disability users of varying degrees and kinds (i.e. “recreational users of all ages and abilities”), and biking users. I have nothing to offer as a solution, but these potential conflicts should have been addressed by this NegDec document.

2) A second possible user-group conflict is associated with the picnic tables in that they are likely to be used by shoreline and biking users as well as by the ADA/disability users. If the intent of the project proponent is that these tables are to be used exclusively by ADA/disability users, and they are to be so designated by signage, conflicts over table occupation among all the various user-groups should be expected.

It is concluded here that the co-use of these two project features by ADA/disabled and bikers will result in possibly significant conflicts, and that either these potential conflicts and safety issue should be accepted as an unavoidable consequence of the proposed project (and thus an unavoidable impact), or realistically addressed by some design solution alternative.

-d) Possible impact-reducing alternatives: There are several possible impact-reducing alternatives which could reduce impacts to varying degrees.

1) Significant construction impacts and potentially very significant long-term O&M requirements could be avoided if all ‘hard’ elements of the project feature (e.g. portions of the concrete access path/trail, picnic pads and side trails) are limited to areas upslope from the well-defined slope break which defines the edge of the LAR active channel.

2) Potential user-groups conflicts over occupation, particularly between ADA/disability use (which could be the intended use) on the one hand and other shoreline and bike users on the other could be reduced by eliminating the side trails and the picnic tables from this project feature. It would also significantly reduce the footprint size of this project feature thus reducing vegetation and habitat impacts associated with the footprint as well impacts associated with the larger but unspecified construction work area necessary for installation. In turn this alternative reduces mitigation and site restoration needs.

3) All identified impacts associated with this project feature could be avoided by eliminating this entire project feature in favor of the alternative, presented in the 5) Seasonal accessible mat discussion below, which shifts ADA/disability access to the existing boat launch access trail (Access Route 1a), as appropriately modified.

In conjunction with this alternative, all the potential conflict impacts associated with the presence of the intended seasonal accessibility mat on the main beach area in the context of other shoreline users and use activities would be avoided. Also this alternative implies that there would be no need for either the “West (downstream ADA access trail” or the new ADA trail segment of the “East (upstream) ADA access trail” and their associated impacts would be avoided, reducing mitigation and site restoration needs.

5) Seasonal accessibility mat:

Discussion:

This project feature is described as an “Accessibility Mat” installed/removed seasonally to provide access from the end of the “Concrete Path/Trail,” at the entrance to beach, to the “river’s edge.” However, this project feature is not depicted on Fig 5 “Project Features” nor on Fig 8 “Project Impacts,” and the NegDec document does not make the goals and objectives for this project feature explicit, and provides no salient descriptive details about it. However, the base photo image of Fig 5 shows an arbitrary summer season LAR waterline on that particular photo-date, and I estimate a straight-line distance from the end of this project feature to the waterline at about 80 ft using the scale-bar provided; this is inferred here to be the possible intended direct distance to be spanned by this project feature.

Important missing elements are explicit statements of the goals, objectives, and the intended function of this project feature including: the intended target user-type for which access it to be provided (e.g. ADA; or “recreational users of all ages and abilities” [which presumably could include users with greater or significantly different disabilities than implied by ADA-compliant conditions], etc); the intended recreational experience to be provided to the intended target user-type (e.g. short-term visits [sight, smell]; medium-term visits [angling, water emersion, casual floatation device use]; long-term visits [extended beach area social group-activities]); and the functional meaning of “river’s edge” (e.g. degree of proximity to the water sufficient to provide the intended experience of the river setting; directly adjacent to the waterline and if so how close considering varying water surface elevations at this site from both daily tidal fluctuations and backwater effects from the Sacramento River). The foregoing factors would influence the nature and configuration of any “Accessibility Mat.”

Important missing descriptive “Accessibility Mat” information includes: the material-type of this mat; the intended elevation of the end of the mat at the “river’s edge;” the necessary installed slope of this mat so as to provide the access for the targeted user-type; its length, width, and height dimensions; its alignment through Sutter’s Landing Beach to what is the yet unspecified “river’s edge;” the calendar or water surface elevation criteria to be used to determine when seasonal installation and removal would occur (and “season length”); the mechanical processes and equipment needed for seasonal installation and removal activities; the time required for seasonal installation and removal activities; and, the need and methods for grading the beach surface prior to annual installation which may be required to meet the slope criteria for the intended target user-type.

Another important element missing from the NegDec document is a discussion as to how the ongoing annual installation/removal of this “Accessibility Ramp” would be modified when and if in the future low actual use levels become such as to make the annual O&M costs unreasonable, not to mention the likely significant impacts of this project feature to existing users and activity types at Sutter’s Landing Beach (see discussions below). It is not an unreasonable position to hold that the expected demand and potential for ADA activities for the proposed project at large, and for this project feature in particular, may be over-estimated, and that actual future use-levels will not meet current expectation and may be disappointingly low. Considering this possibility, there is no estimated annual O&M cost for installation/removal in this NegDec document and no consideration of a threshold use-level criteria which would be used to trigger the decision to end its annual installation.

Also not included in this NegDec document is any information on existing users and use activity patterns on Sutter’s Landing Beach that may be affected by this proposed project feature. Nor is there any evidence in the NegDec document that the existing recreational user and activity patterns at Sutter’s Landing Beach has been objectively assessed by the project proponent, by detailed and rigorous on-site observations. Any ‘best fit’ temporary “Accessibility Mat” configuration in the beach area should be predicated on a thorough understanding of the existing users and their user patterns and activity behaviors, and that understanding is also necessary to evaluate the potential impacts and this project feature could have on existing users.

Comments:

-a) General comments:

(1) In terms of its various intended installed characteristics as well as annual O&M requirements and activities, this project feature is not described in sufficient detail and specification such that an appropriately adequate discussion of possible consequences could be developed.

(2) In addition, this document does not provide any evidence that the existing recreational user and activity patterns at “Sutter’s Landing Beach” has been objectively assessed for the purposes of this NegDec evaluation by which an adequate determination of impacts of this project feature on existing recreation uses could be developed in the NegDec, and by which any determination of significance, alternatives to reduce impacts, and residual needed mitigation could be developed.

3) In order to adequately evaluate the possible adverse consequences of this project feature, the following specifics need to be made explicit in the discussion and description of the proposed “Accessibility Mat:”

- the intended target user-group,
- the required slope grade of the mat,
- an explicit functional definition of what is considered the “river’s edge”
- the elevation of what is considered the “river’s edge,”
- the elevation difference between the end of the “Concrete Path/Trail” and what is considered the “river’s edge,”

- the required mat length to span elevation interval considering the grade requirements,
- the intended mat material, width, thickness, and finished height above the native sand surface as installed,
- the intended recreational activity opportunities to be provide to the target use-group,
- the additional mat attributes necessary to facilitate the intended recreational activities (e.g. necessary mat length run along the water's edge, necessary area of mat enlargement at the end of the mat)
- an example of, and possible alternative, mat alignment and configuration needed to met the needs of the target user-group and any additional mat configuration attributes needed to facilitate intended activities,
- an adequate description of existing shoreline users, and user activity or behavior pattens which should include;
 - a discrimination between;
 - peak and off-peak use levels,
 - and typical daily duration of peak use levels
 - waterline and in-water uses & activities within the area of the proposed feature and other accessible portions of Sutter's Landing Beach,
 - beach-area uses & activities within the area of the proposed feature and other accessible portions of Sutter's Landing Beach,
 - user-group occupation area sizes and locations by user-group sizes,
 - user-group activity pattens (e.g. running, playing, ball or frisbee play, water contact and access routes to the river), locations, and areal extent by user-group configurations (e.g. age distribution),
 - inventory of residual space in other portions Sutter's Landing Beach, and its recreation quality, available for accommodating possible user dislocation,
- the methods, processes, and equipment needs for annual mat installation and replacement,
- the need for pre-installation site grading required to re-establish suitable mat alignment grades on the seasonally changeable sandy beach surface,
- the duration of necessary site closure during installation and removal activities,
- the need for partial or complete visitor closure of Sutter's Landing Beach during annual installation and removal activities,
- the threshold criteria to be used to determine if and when ongoing O&M cost and impacts to shoreline users due to this project feature no longer justify providing for unexpectedly low future actual uses by the target user-group.

4) Therefore, the following specific comments are based on; a) a project feature description that lacks sufficient details for a full analysis of possible impacts, and b) only on a most general view of use patterns, activities, and behavior as casually observed by me over the years that I have used this area. Thus, the following comments are conjectural and need verification by way of viewing a

much more complete description of this project feature within the context of a site-specific assessment of existing shoreline user and use patterns using suitably regimented application of appropriate protocols.

- b) Likely adverse impacts to existing shoreline users, and use patterns and activities: The possible adverse consequences of this “Accessibility Mat” to existing shoreline users of Sutter’s Landing Beach are likely to have three aspects: 1) the presence of the mat during the main recreation season, 2) the annual installation and removal activities, and 3) possible user-group incompatibility with respect to conflicting recreation experiential expectations.

1) The presence of the “Accessibility Mat,” after installation and through the main summer recreation season is likely to have direct adverse effects to the existing users, and user patterns and behavior. However, both the likely configuration of the “Accessibility Mat” and the existing character of uses and user patterns and behavior are not presented in the NegDec document and are presently not known in sufficient detail.

There are two aspects of the undefined “Accessibility Mat” which could be important in assessing the potential adverse consequences to existing recreational uses at Sutter’s Landing Beach.

i) The first aspect concerns the possible plan-view configuration of the “Accessibility Mat.” For this aspect, some rough assumptions could be adopted in this critique of the NegDec document to develop some vision of the possible mat configuration for the purposes of impact evaluation. Based on Fig 5 and 8, which indicate no fill or cut limits at the end of the “Concrete Path/Trail,” it is assumed here that the intended distal end of the “Concrete Path/Trail” would logically be located at the top of a well-defined slope break above the beach, and can be assumed here to represent the location of the “entrance to Sutter’s Landing Beach” as mentioned in this NegDec. Based on these assumptions, and the base photo image of Fig 5 showing an arbitrary summer season LAR waterline on that particular photo-date, I estimate a straight-line distance from the end of this project feature and the waterline at about 80 ft based on the scale-bar provided (this distance could be about 100 ft from the well-defined slope break). If it is further assumed here that ADA compliance is the targeted use-access criteria ($\leq 5\%$ grade [$\geq 20:1$]), and further that during the summer season when this project feature is installed and functional, there will be about a 10 ft elevation difference between the end of the “Concrete Path/Trail” and the river’s edge, then at a minimum, the “Accessibility Mat” would need to be about 200 ft long [$\geq 20/1 \times 10 = \geq 200$] (and longer if the height difference is greater). As a result, the length of the installed “Accessibility Mat” will need to be about 2.5 times longer than the direct distance to the summer waterline. However, this length estimate does not accommodate any additional mat length or mat enlargement area which may be installed near or along the “river’s edge” to facilitate any unspecified short-, medium-, and long-term activities by the target user-group. These additional mat

configuration attributes could include an unknown 10s of feet of additional mat length aligned along a summer waterline to facilitate a variety of possible activities, and/or an area of enlarged mat surface (of an uncertain size) to facilitate larger group disabled-user social activities.

Given the foregoing discussion of the possible installed configuration of the “Accessibility Mat,” some potential adverse consequences to existing users and use patterns and behavior could be anticipated. First, it is apparent that the “Accessibility Mat” alignment will traverse and perhaps bisect the main use-activity beach area of Sutter’s Landing possibly several times and will likely be aligned along the waterline for some unknown distance of the main beach area. Although this mat feature will be of an unknown width, it cannot avoid covering portions of the beach area that; a) are sites occupied by shoreline use groups as their social center during extended visits, and b) are extended beach areas used by the more active members of the shoreline user groups for spatially extensive activities (e.g. extended child-play, ball-catch, frisbee games, etc), which also includes the highly used access routes between the occupied social-center locations and the waterline where much of the spatially extended activities occur.

ii) The second aspect concerns the material of which the mat will be composed, the dimensions of the mat itself (width, thickness), and how high the mat surface will be above the native sand surface in its installed condition. These aspects are not revealed in the NegDec document and cannot be reasonably developed by assumption here for the purposes of impact evaluation. However, it can be reasonably presumed that if this mat surface is raised above the native sand surface elevation it will represent a tripping hazard to other shoreline users. In particular these hazards would preferentially affect those participating in spatially extensive active pursuits, particularly active child-play. Also adversely impacted could be users who are engaged in hand-carrying loads of recreational equipment and other accoutrements (e.g. coolers, chairs, food/drink, etc) where visual access to the ground surface may be impaired.

In addition, should the portions of the “Accessibility Mat” become submerged from time to time due to higher water conditions, or if aligned too close to the typical summer waterline, wave cut action (wind waves, boat wake) would result in under-cutting of the edge of the mat by sand erosion which would aggravate tripping hazards. Tripping hazards could also be aggravated simply resulting from child-play activities which could include digging into the sand along the edge of the mat for whatever reason.

Together, the spatial occupation of the “Accessibility Mat” itself of the beach area, its layout and plan-view configuration of the mat, and its inherent tripping hazard potential, the mat could; 1) significantly alter the existing and future shoreline users in terms of use patterns, behavior, and activities, and 2) significantly alter the space available to existing and future shoreline users which could reduce the carrying capacity for these users at this location. While these

long-term effects could be significant, it is impossible to defensibly quantify both because of unspecified characteristics of this proposed project feature and because there is no adequate specific understanding of existing shoreline users and use patterns, including such aspects as an inventory of available space at Sutter's Landing Beach, outside of the main beach activity area, which could accommodate displaced shoreline users escaping the possible adverse consequences at the main beach area resulting from the proposed project feature.

Therefore, in spite of insufficient project feature description and existing shoreline user patterns, it is concluded here that the project feature could result in significant adverse consequences to existing and future shoreline users.

2) The annual O&M actions involved in the installation and removal of the seasonally temporary "Accessibility Mat" could constitute short-term but repetitive adverse impacts to other shoreline users. The NegDec document does not include any information on the methods and processes for installation/removal nor on the equipment required for those activities, and does not address the possible need to re-grade the beach surface prior to installation in order to reset the needed slope-grade of the mat after a winter of higher flows which could alter the surface topography of the beach.

The NegDec document also does not address the expected work-time necessary for installation and removal but it must be assumed to entail at least several days each. During those work-days, and given unspecified methods and processes, it must be assumed that there would be at least a partial closure, and perhaps a full closure, of Sutter's Landing Beach to ensure visitor safety.

The partial or full closure of Sutter's Landing Beach twice a year for several days each (perhaps a total of as many as 4-6 days, or more, each year) for the annual seasonal installation and removal of the "Accessibility Mat," into the foreseeable future, could be considered as a significant adverse consequence.

3) More subjective and elusive, but no less important, is the potential that the "Accessibility Mat" could induce user conflicts at the main beach area of Sutter's Landing Beach in the form of incompatible recreation experiential expectations between other shoreline users and the target user-groups.

The present recreational ambiance in the main beach area of Sutter's Landing Beach during peak recreation periods tends to be rather high-energy with a concentration of active and often loud child-play of various kinds along the waterline and in adjacent shallow-water areas with wading, swimming, and causal floating activities. Also, in other portions of this area, spatially extended recreational activities (general child-play, ball-play, frisbee, etc) can be common. To the contrary, it is possible that the recreational ambiance desired by the targeted ADA/disabled community could be a quieter one, one with less noise and less high-energy activity, and one providing a more intimate connection with a more natural setting where sounds of nature may be more evident. It is presently unknown to me, and not addressed in the NegDec document, whether or not the ambiance expectations of potential ADA and otherwise disabled

visitors who may use the “Accessibility Mat” would be compatible with the existing high-energy setting in the beach area where this project feature is proposed.

If there is such an incompatibility, it is uncertain if this would lead to dampen demand and visitation on the part of the ADA/disabled community, or would add more pressure on the existing shoreline users to displace their activities to other, less desirable, portions of Sutter’s Landing Beach, if such excess space is available.

While the actuality of this impact is presently uncertain it is potentially significant, and its consideration should be part of the design and planning approach for the proposed project at large and this project feature in particular. In the absence of defensible information, these incompatibility impacts should be considered as a real possibility and potentially significant.

It is concluded here that this project feature will have significant adverse consequences to the other shoreline users when considering the various physical attributes of the “Accessibility Mat” and its installed influence on existing recreation, including reduced physical carrying capacity, the impacts associated with site closures associated with annual installation and removal activities, and the possibility for inducing user conflicts via incompatible ambiance expectations. It does not appear that these potential impact issues are addressed by the NegDec.

-c) Possible impact-reducing alternative: There are two possible alternatives which could reduce expected impacts:

1) Eliminate the “Accessibility Mat” in the main beach area of Sutter’s Landing Beach, ending the extent of ADA/disability access at picnic table area of the “Concrete Path/Trail” project feature. The approach would not be incompatible with the ADA access issues discussed in Section II, D: Purpose, above, in which access to the “river’s edge” may not be essential.

2) Another possible alternative ADA/disability access route to or near the waterline which would avoid essentially all the above discussed potentially significant adverse impacts to existing and future shoreline users at the main beach area. The alternative is the existing designated boating launch trail (Access Route 1a in Attachment B) which is presently only used by about 1% of shoreline users (due to the longer distance from the parking area to the water compared to Access Routes 3 and 4 [~320 ft vs ~790 ft] and the distance from this water-access point along the shore to the main beach use area [~400 ft]), and about 1% of boating users (due to the longer total distance to the water from the parking area compared to Access Routes 3 and 4 [~320 ft vs ~790 ft]).

Presently this existing access route includes about a 90 ft run of nearly level slope from the existing bike trail to a well-defined slope break, and about a 50 ft long pitch of about 12% slope to the edge of the shoreline sandy surface.

With some minor grading of the existing boating access trail (to increase the existing slope length to about 130 ft, resulting in a modified overall trail slope of about 4.6%), and with trail surface improvements, ADA/disability access to the river could be provided. Using Google Maps, I estimate this alternative route to be about 630 ft long between the top of the levee at the head of the “Stairs” and the beginning of the shoreline loose sandy surface (as opposed to ~670 feet for the “West (downstream) ADA trail” route and ~1075 ft for “East (upstream) ADA trail” route between the head of the “Stairs” and the end of the Concrete Path/Trail at the entrance to Sutter’s Landing Beach).

Further, since Fig 5 and 8 show no cut or fill actions at the end of the “Concrete Path/Trail,” it is assumed here that the end of that project feature will be at the discrete slope break along the existing informal access trail (Access Route 6) above the beach area where the existing topography transitions from nearly level surface to a steeper slope I estimate at about 15% [*estimate based on comparing I St gage water surface elevation readings against observed waterline positions on this trail segment relative to the elevation and location of the slope break during the 12/25/25 to 12/27/25 period: 7.5 ft (horizontal change) vs 1.13 ft (vertical change) = 15.6%*]. In addition, at this location, I estimate the elevation of the existing informal trail at the top of the slope break at about 24.5 ft [*estimated by the measured height difference [1.33 ft] between a recorded I St gage water surface elevation of 23.21 ft and the slope break [1.33 + 23.21 = 24.54 ft]*]. Also based on known water surface elevations and observed waterline locations along the possible alternative ADA access trail, I estimate that a ‘fixed’ ADA trail surface could be extended to about elevation 15 ft; 9 ft lower than the elevation of likely end of the “Concrete Path/Trail” for either of the two proposed project ADA routes. As a result, the length of any seasonal “Accessibility Mat” needed to reach the waterline at this alternative location could be about half that for the project-proposed “Accessibility Mat;” perhaps about 100 vs. about 200 ft.

From the foregoing, I estimate the total travel distance from the head of the “Stairs” to the LAR waterline along this possible alternative access route is about 730 ft, as opposed to about 870 ft for the “West (downstream) ADA trail” route, about 1275 ft for the “East (upstream) ADA trail” route.

This alternative access route would avoid essentially all of the identified potentially significant adverse consequences to existing and future shoreline users and user patterns and activities, and avoids any potential user-group conflicts resulting from incompatible recreation experiential and ambiance expectations. The shoreline area accessed by this alternative route has relatively low existing shoreline user activity levels, has a more intimate riverside setting, and has a more natural character than the high-use, high-energy activity area of the main beach.

Compared to the two other proposed routes, not only will this alternative reduce impacts to existing shoreline users at the main beach area, and possibly improve the recreation experiential values of the ADA/disabled community, but also, construction will be less expensive, will entail a shorter travel distance, will reduce the spatial extent of any required annual “Accessibility Mat” installation/removal visitor closures, will reduce impacts to vegetation, and will reduce the potential for adverse consequences to levee O&M access as well.

ADA access to this new location could be further enhanced by modifying the existing bike trail segment along the levee slope by widening it to accommodate both biker and ADA uses to reduce inter-group conflicts by reducing levels of actual and perceived safety risk.

This alternative could eliminate the need for any of the other proposed ADA-compliant project features, eliminating their identified adverse consequences, while meeting the putative goals and objectives of the project. Their associated impacts would be avoided, reducing mitigation and site restoration needs.

6) Restoration and Habitat Enhancement: (p.10)

Comments:

1) While the decommissioning of informal social trails can be laudable, it should be remembered that their presence on the landscape, particularly in open-access and low visitor management-oversight recreational settings such as the Parkway, is the organic expression of PLA as recreational visitors select the most efficacious routes to sites of desired recreational activities, balancing levels of effort with returns on investment.

Therefore:

- It should be an expectation that any decommissioned informal social trail is a temporary condition. Eventually, near-term future recreational use will either re-establish the trail or another close-by route will be developed into a new informal social to best meet the needs and desires of visitors.

- As temporary conditions, these decommissioned trails should not be counted as mitigation for impacts of permanent project feature impacts nor given credit as permanent site improvements.

- As these decommissioned trails are temporary, no permanent elements, such as boulders, or pedestrian-proof fencing such as cyclone fences, should be employed in the futile attempt to make these closures permanent. The use of temporary large complex woody debris or large tree trunks could be effective in the initial establishment of trail closures.

- Further, cyclone fencing should not be used to protect the initial trail closures or restoration/mitigation areas as sufficiently motivated visitors can easily circumvent them and create new informal trails.

- Further, individual boulders should not be used for the purposes of trail closure, or for any other purpose, anywhere along the LAR channel or its overbank flow areas. The concern is that when subjected to high flows and high water velocities,

they will create focused hydraulic force-differentials resulted in scour-hole erosion around their bases creating hazardous pedestrian conditions which will far outlast any temporary trail closure.

2) The 0.9 ac “star thistle covered area” is delineated for mitigation. In that regard it should be noted that this area is currently under active native plant management by Friends of Sutter’s Landing, but unrecognized as such in the NegDec and presently has native plants which can be densely scattered across the surface of this area.

- Therefore:

- To use this area for project impact mitigation, the City must work with Friends of Sutter’s Landing to develop the most effect approach to realizing the needed mitigation while respecting the ongoing native plant management effort. This could involve moving some existing native plantings to create ‘blank’ areas which could be made available for project mitigation.

- This situation would entail that the actual surface area that the City could claim for mitigation or restoration credits must be smaller than what may be expected.

3) Since any project mitigation or restoration activities undertaken by the project proponent on the 0.9 ac “star thistle covered area” will involve equipment of varying character, site disturbance will result. Therefore, following the completion of any mitigation and/or restoration activities there needs to be site condition restoration actions and there needs to be appropriate disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation.

F: Project Construction and Timing: (p.10)

Comments:

- I find no depiction in the project plans or the NegDec document which indicates any spatial extended areas of construction-related disturbance outside depicted project feature footprints.

- Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint. These impacts could be significant, particularly with respect to erosion sand vegetation.

- What, then, is the likely spatial extent of construction activities outside project feature footprints, what is the likely degree of construction-related site

disturbance in that area, and what site restoration actions and the restoration success standards will be required for that disturbed area?

- There are significant unaccounted for impacts associated with project construction-related activities outside project feature footprints which apparently are not considered for mitigation or restoration. There needs to be appropriate disturbed site restoration success standards which should include, at a minimum, topography, soil-water relations, and vegetation. It appears these issues are not addressed by the NegDec document.

G: Project Funding: (p.10)

Section III: Environmental Checklist and Discussion (p.12-113):

A: Biological Resources: (p. 29-51)

Comments:

As discussed in detail in various locations of Section II above I find no depiction in the project plans or the NegDec document which indicates any spatial extended areas of construction-related disturbance outside depicted project feature footprints. Since there is no explicit statement in the NegDec that installation activities are to be limited to the installed project footprint, and no discussion as to how that would actually be accomplished, it is assumed here that, as with many other similar projects, installation activities will extend beyond the project footprint. These impacts could be significant.

Therefore, there may be significant unaccounted for impacts associated with project construction-related activities outside project feature footprints which apparently are not considered for mitigation or restoration. Thus, 1) the total vegetation area potentially impacted by the project may be greater than the specified mitigation obligations specified by the NegDec, and 2) there is no discussion in the NegDec which would guide requirements for construction-related disturbed site restoration.

B: Geology and soils: (p. 63-66)

Comments:

As discussed in detail in various parts of Section II above, there are aspects of many of the individual project features, and their particular designs, which are likely to initiate or aggravate soil erosion from uncontrolled excess rainfall runoff. The NegDec does not address this issue and therefore makes no accommodation for managing the resulting erosion and sediment production.

Therefore, during ongoing detailed designs, these project features need to be considered within the context of soil-water relation, excess runoff, and excess sediment

product: how these issues could be ameliorated by design adjustments or ongoing long-term on-site management.

C: Recreation: (p. 96-97)

Comments:

1) As discussed in detail in various parts of Section II above, the potential adverse consequence of the project features could have on the existing recreational uses and user-group patterns have not been addressed. There is no evidence that the project proponent has developed an evaluation of ongoing existing recreational uses, user patterns and behavior for either existing access portals or in the areas presently used for active recreation at Sutter's Landing Beach, and no evidence that the project proponent used that information as a basis for developing a 'best fit' proposed project. As for design, considerations of existing users and user-group activity patterns and behavior have not been addressed for project impacts.

I have concluded in Section II above that conflicts between the proposed configurations of all the project features have the potential for adverse consequences to existing users and user-groups but particularly, the "Stairs" and the "Accessibility Mat" have the potential for significant impacts to existing recreational activities.

Therefore, before proceeding to advanced design steps, it is essential that the project proponent conduct an analysis of existing user and user-group patterns and behavior, employing appropriately rigorous methods, to provide a full-disclosure, fully-constrained defensible basis for developing a 'best fit' project proposal.

2) Following from the foregoing issue, the "Standards of Significance" used in this Recreational impact section needs to be expanded to include adverse impacts to existing users and user-group patterns and activities and that specific parameters and threshold criteria must be developed in order to objectively identify when impacts are within acceptable limits and when not.

From the foregoing detailed point-by-point comments on elements of this NegDec, a summary of the most salient points includes that this NegDec;

- does not demonstrate that ADA-compliant access at Sutter's Landing needs to extend to the "river's edge" as opposed to access into the Parkway,
- does not demonstrate that the potential demand for ADA-compliant facilities, and visitation, is sufficient to warrant the elaborate and extensive proposed project feature elements,
- does not consider the substantial long-term City O&M cost obligations entailed by the proposed project as designed and does not consider the potential adverse consequences of

the possible eventual future cessation of some O&M activities to the stated project purposes and on long-term ADA/disability access,

- does not identify the full range of potentially significant impacts to the natural environment and to existing recreational users,

- does not address how the unidentified significant impacts would be mitigated to less than significant magnitudes, and

- does not identify or analyze viable alternative access configurations which could provide for the stated objectives while entailing reduced impacts.

Based on the foregoing general summary of the most important points on the shortcomings of this NegDec and the detailed comments in the main body of this letter, I conclude that this NegDec cannot serve as a substitute for a full EIR analysis.

With the inclusion of Attachments A and B, this concludes my comments on the City's Draft Initial Study/Notice of intent to adopt a Mitigated Negative Declaration for this proposed project. Thank you for your attention in this matter.

Cordially;

Chuck Watson
1110 Arroyo Grande Dr
Sacramento CA 95864

Cc:

Response 9A:

Thank you for your comment. As stated on page 4 of the Draft IS/MND, The City proposes to construct an ADA compliant pedestrian access trail from the Sutters Landing Park parking lot to the Sutter's Landing Beach in the City of Sacramento, California. The proposed Project also includes restoration and habitat enhancement of approximately 5 acres directly adjacent to Sutter's Landing Beach. The purpose of the Sutter's Landing ADA River Access Trail Project is to provide safe access to Sutter's Landing Beach for recreational users of all ages and abilities. The proposed Project also includes restoration and habitat enhancement of approximately 5 acres directly adjacent to Sutter's Landing Beach. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities. The proposed improvements implement previously planned and approved uses. The purpose and need for this project is independent from any potential concession stand that may or may not operate in the park in the future.

Response 9B: The existing social trail and levee down to Sutters Landing Beach is not currently ADA accessible. The proposed ADA access trail will consist of a set of concrete stairs down the face of the levee together with two ADA-compliant concrete trails located to the east and west of the stairs. The trails and the stairs converge at a concrete landing at the base of the levee. The concrete trails have been designed according to ADA standards which have been determined appropriate for recreational users of all ages and abilities. Therefore, accessibility to Sutters Landing Beach will be improved as a result of the Project.

Response 9C:

The purpose of the Sutter's Landing ADA River Access Trail Project is to provide safe, accessible access to Sutter's Landing Beach for recreational users of all ages and abilities while minimizing impacts to the riverbank. The Project is designed to formalize and consolidate existing informal access routes, which are already contributing to localized erosion. By providing a single, properly designed ADA-compliant trail and removing existing social trails as part of the restoration component, the Project would reduce the proliferation of informal paths and associated erosion. The City will restore disturbed areas and install natural deterrents, such as wild rose, to discourage creation of new social trails. While some informal use of the riverbank may continue, erosion associated with the ADA access trail would not exceed existing conditions and is expected to be less than current levels due to improved trail design, bank stabilization, and ongoing use of natural deterrents where feasible.

Response 9D:

A Kinder Morgan pipeline runs directly through the Project area; however, the Project is being designed to avoid impacts to the pipeline. The stairs are not being constructed over the pipeline; however, the easterly ramp would be constructed within proximity to the pipeline. As discussed in Section 8 of the Draft IS/MND, coordination with Kinder Morgan has been initiated and will continue throughout final design and construction. In order to further minimize impacts, a Kinder

Morgan representative will be on-site during all construction activities within 10 feet of their pipeline. With implementation of HAZ-1, impacts would be less-than-significant.

Response 9E:

Limiting access to a single ADA-compliant trail connection to Sutter's Landing Beach was evaluated but determined to be infeasible due to safety, operational, and long-term use considerations. The provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts.

During early public outreach, members of the public specifically requested a separate pedestrian access route due to safety concerns associated with existing conditions along the Two Rivers Trail. The Two Rivers Trail is a regional multi-use facility that supports bicycles traveling at relatively high speeds in addition to pedestrians. Planned future trail connections are anticipated to increase overall trail use, which would further elevate the potential for user conflicts if all pedestrian access to the beach were funneled through a single connection point.

In addition to recreational use, the existing access corridor is used periodically by maintenance and service vehicles associated with the U.S. Army Corps of Engineers and the adjacent railroad. These activities can involve large truck traffic that is incompatible with shared pedestrian-only access. A single access point would require pedestrians, cyclists, and maintenance vehicles to use the same route, increasing the risk of safety conflicts and limiting the City's ability to manage access during maintenance or emergency activities.

Providing two access points allows the City to functionally separate pedestrian access from vehicle and operational access where feasible, improving safety for all users. This design approach is consistent with best management practices for multi-use trail systems, particularly in high-use areas where bicycles, pedestrians, and vehicles intersect.

While the City recognizes the value of a direct eastern connection to the existing Two Rivers Trail, design constraints were identified in that area, including proximity to an existing elderberry shrub and underground utilities. These constraints limit the ability to rely exclusively on a single eastern access point without creating additional environmental impacts or operational limitations. As a result, a second access point is needed to maintain safe and reliable access while allowing flexibility in trail design and ongoing maintenance activities. Both access points will be constructed according to ADA standards; therefore, compacted fractured rock is not a feasible trail option.

Response 9F:

Construction impacts are shown in Figure 8. Project Impacts of the Draft IS/MND (below). The project would result in 0.05 acre of temporary impacts to riparian woodland and 0.05 acre of permanent impacts to riparian woodland. Under CEQA, construction activities are evaluated based on the physical scope and geographic limits disclosed in the project description. Construction for the Project would not expand beyond the footprint disclosed in the Draft IS/MND because all ground-disturbing activities including grading, equipment staging, access, and material stockpiling

are explicitly confined to the defined project limits analyzed in the document. The Project description identifies the maximum extent of disturbance, and construction plans and specifications are required to adhere to those limits. Any expansion of construction beyond the analyzed limits would constitute a change to the project description and would require additional environmental review under CEQA. As a result, construction activities would remain confined to the project footprint disclosed in the Draft IS/MND and would not result in impacts beyond those already evaluated.



Response 9G:

The existing easterly access path is used periodically by maintenance and service vehicles. These activities can involve large truck traffic that is incompatible with shared pedestrian-only access. This access point will be formalized and continue to be used for maintenance activities. Providing two access points allows the City to functionally separate pedestrian access from vehicle and operational access where feasible, improving safety for all users. This design approach is consistent with best management practices for multi-use trail systems, particularly in high-use areas where bicycles, pedestrians, and vehicles intersect.

Comment 10: Trevor Fagerskog, Trout Unlimited (November 14, 2025)



Date: 11/14/2025

To: City of Sacramento

Attn: City Officials and Stakeholders

Sacramento, CA

Subject: Opposition to the Current Preferred Alternative Trail Plan at Sutters Landing Park

Dear City Officials and Stakeholders,

As the California Representative of Trout Unlimited's National Leadership Council, I am writing to formally express our opposition to the current preferred alternative trail plan at Sutters Landing Park, specifically regarding the proposed accessible boat launch. Our organization is committed to fostering inclusive access to nature and recreation for all residents, including individuals with disabilities and those from disadvantaged backgrounds. We firmly support efforts to expand accessible outdoor opportunities and appreciate the City's dedication to this important cause.

However, after careful review and recent site visits, we have significant concerns about the suitability of Sutters Landing Park for an accessible boat launch. The beach area is already subject to heavy use, which raises the risk of further overuse and crowding. Additionally, the angling experience at this location is notably poor due to shallow water and limited fish habitat, which would undermine the intended benefits for accessible fishing. The site also faces ongoing habitat degradation, and introducing new infrastructure would likely exacerbate these impacts. Lastly, we foresee substantial future maintenance challenges, which could compromise the long-term viability and accessibility of the facility.

In light of these challenges, we strongly recommend the City consider alternative sites that offer superior existing infrastructure and environmental conditions. During a recent visit to a nearby trail route, our members—including disabled and disadvantaged residents—found the location to be far more conducive to accessible fishing and passive recreational uses. The alternative site features deeper waters, healthier fish populations, and less environmental strain, making it a more sustainable and enjoyable destination for all.

Our organization's membership includes a diverse cross-section of Sacramento residents, with a particular focus on those who face barriers to outdoor recreation. As advocates for equitable access, we believe it is essential to select sites that genuinely support the needs of these communities without compromising ecological integrity or long-term feasibility.

We respectfully urge the City to thoroughly evaluate alternative locations and trail routes before initiating the California Environmental Quality Act (CEQA) process. By doing so, Sacramento can ensure that future investments in accessible nature recreation deliver meaningful benefits to all residents while preserving our shared natural resources.

Thank you for your attention to this matter and for your continued commitment to inclusive recreation. We welcome further dialogue and are available to provide additional information regarding our recommendation.

Sincerely,

Trevor S. Fagerskog



**Every River
Needs A Champion**

TREVOR S. FAGERSKOG

National Leadership Council, California

TU Life Member

8833 Creekstone Cir

Roseville, CA 95747

tfagerskog@gmail.com

c: (925) 605-8831

Response 10:

Thank you for your comment. The proposed Project would construct an ADA compliant pedestrian access trail from the Sutters Landing Park parking lot to the Sutter's Landing Beach in the City of Sacramento, California. The proposed Project also includes restoration and habitat enhancement of approximately 5 acres directly adjacent to Sutter's Landing Beach. A boat launch is not a project feature at this time. No impacts to Waters of the U.S. or salmonid habitat would occur.

Comment 11: Marshall-New Era Neighborhood Association (December 26, 2025)



December 26, 2025

Charles Tschudin, Senior Planner
Department of Youth, Parks, and Community Enrichment
City of Sacramento
915 I Street, 3rd Floor
Sacramento, CA 95811

CC: Mayor Kevin McCarty; Councilmember Pluckebaum

Regarding: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION Sutter's Landing
ADA River Access Trail Project (L19913000)

The Marshall-New Era Neighborhood Association (MNENA) represents neighbors who live near and enjoy Sutter's Landing Park (SLP). We are very concerned about the proposed alternative for ADA River Access Trail that is being planned within the boundaries of the American River Parkway (ARP). Please consider our comments below and add this email to any further notifications that may be disseminated: info@marshallnewera.org.

We understand that the impetus to improve access to Sutter's Landing Beach began with the proposed concession in the area of the Skateboard Park to rent kayaks and personal flotation devices, which will increase the number of visitors to the park. SLP has certainly become more popular over the years. Unfortunately, the increase in visitors has resulted in unsafe trails down the levee and degradation of the natural areas within the ARP.

In general, MNENA strongly supports efforts to provide ADA compliant parkway access, ensure equal access to our communities important natural resources, improve safety, and restore the natural vegetation. However, we have strong objections regarding the proposed project alternative as described in the November 2025 Initial Study/Mitigated Negative Declaration (IS/MND).

The City recently designated parts of SLP as open space/natural area. The proposed ADA River access trail project alternative involves extensive use of concrete ramps and sidewalks that would be completely out of place serving as trails in a natural area. Our specific concerns and suggestions for improving this project are outlined below.

Westside Primary Ramp

We do not support the inclusion of the "Westside Primary Ramp" for the following reasons:

A

Redundancy: The existing maintenance road/bike trail already provides an ADA accessible ramp down to the toe of the levee, as also echoed in the letter you received on January 23rd from the Save the American River Association. It would be costly and redundant to provide two ramps and the IS/MND provides no rationale for the need for this. Some respondents to the KMP project survey indicated a preference for a shorter more direct river access; however, this alone does not justify the significant expense and visually intrusive structure that this ramp would create.

B

Resiliency: Peak flood flows in the American River are expected to significantly increase in the future. Installing a concrete structure in the floodway will require additional earthen fill that will need Central Valley Flood Protection approval. This structure would be subject to erosion if not consistently maintained. Concrete ramps constructed at other locations along the American River Parkway have been undercut and failed.

C

Expense: The proposed alternative appears to prioritize one design approach without adequate cost-benefit analysis. As proposed, the costs for permitting, design, and construction of the Westside Primary Ramp will likely consume most of any available budget and would be much more expensive than modifying the existing bike trail/maintenance road ramp down to the toe of the levee.

D

Public Outreach: The City provided very limited information for public review of the proposed project alternatives. The KMP Strategies survey included an “overview of the alternatives” (i.e., an aerial showing the ramp alignment) and a short list (i.e., 4-5 bullets) of the features and considerations for each alternative. If this project continues, to facilitate informed public input, we request future project materials include visual renderings, cost estimates, and material specifications for each alternative. From our perspective, the materials provided did not inform residents and stakeholders about the final look of the proposed structures and the materials to be used.

E

Aesthetics: The proposed 8-foot-wide concrete ramp will create a large structure that mars the riverbank and sits out of context in a parkland setting. The American River Parkway Plan (ARPP) establishes aesthetic values for the Parkway and identifies policies to reduce visual impacts within the Parkway. The ARPP policies state that “*structures shall be constructed of naturalistic materials which blend with the natural environment*”. Since this structure is within both the ARP boundaries, as well as sections of SLP that the City recently designated as an open space/natural area, the proposed concrete ramp would be completely out of place. To the extent possible, the project should conform to the AARP guidelines.

Therefore, MNENA recommends eliminating the Westside Ramp from the project in favor of a reimagined eastside ramp.

Eastside Ramp

The proposed eastside ramp is located along primarily flat topography along the toe of the levee. Therefore, the proposed structure really is not a ramp but rather a concrete sidewalk which is incompatible with ARPP guidelines as described above. We suggest re-designing this as an

accessible trail and considering other trail alignments and extensions to serve residents with disabilities. If the Westside Primary Ramp is eliminated from the project, additional funds would be available for ADA trail improvements at the base of the levee.

Stairway

The proposed stairway would occupy an area that is very steep and slick. Safety hazards including slips and falls are a frequent occurrence along the shortcut paths that were created. **Our preferred alternative would be to use railings or posts and cables to block people from sliding down the levee and encourage them to use the bike path.** If this is infeasible then some type of stairs on the levee would be a safety improvement we would support.

We do not support extending the 8-foot concrete pathway from the base of the stairs through the vegetation and closer to the beach, including the proposed platforms for picnic tables. Maintenance of a concrete path through the trees will be an issue due to uplift and cracking resulting from tree roots.

F

Water/Boat Launch Access Safety

Given the shallow, sandy bottom, and the fast current during high-river flows, **Sutter's Landing is currently NOT a good location to launch a watercraft.** The swift conditions make visitors especially vulnerable; in 2024 alone, Sacramento Fire Department responded to more than 54 rescue requests along the Sacramento riverways. If the city is committed to creating a boat launch site, great care must be taken to develop a safe location for all residents. Creating an unsafe launch site put residents and visitors at risk.

ADA Accessible Trails

The extensive use of concrete sidewalks instead of trails is unnecessary and directly conflicts with the ARPP policies as discussed above. The river access trails should be designed using more naturalistic (and cheaper) materials such as compacted aggregate or decomposed granite. Polymer stabilizers can be used to strengthen these surfaces if necessary. Since these paving materials are porous, they would have much less impact on elderberry and other vegetation.

Accessible Trail Design: If properly designed and constructed, accessible trails do not need to be constructed with concrete. There are many examples of trails that meet federal guidelines for accessible trails (ADA compliant) for use by pedestrians, strollers, and wheelchairs. Extensive state and federal design guidelines are available for ADA accessible trail design including:

- [California State Parks -Trails Handbook Chapter 8 Accessible Trail Design](#)
- [U.S. Forest Service Trail Accessibility Guidelines](#)

G

Alternate ADA Trail Alignments: All of the project alternatives considered by KMP Strategies depicted ADA access located along the area of the beach just below the life jacket stands. Historically this was a nature area with very few trails. It has become a popular beach for bathers but is not the only, or necessarily the best place for an ADA trail. We feel that there are other, cheaper options with better outcomes for visitors with disabilities including:

Option #1. A proposed trail would continue from the bike path down what is the Kayak launch trail and then upstream through a lovely, shaded path. There should be a spur leading close to the water and another trail continuing upstream with a possible lookout above the water at the end of the path.

Option #2. Use the existing compacted road at the base of the levee to create an accessible trail (not concrete) to the east, downstream then eventually up to a fantastic lookout high above the waterline.

It's possible that the cost savings achieved by not constructing the "Westside Primary Ramp" would allow both these options to be implemented.

We request the City of Sacramento to redesign SLP River access focusing on ADA accessible trails and minimizing the use of concrete pathways. We strongly support and encourage revegetating areas for habitat restoration to maintain the health of the existing wildlife.

We hope you will build safe, affordable, reasonable access to this special part of our neighborhood.

Marshall-New Era Neighborhood Association

info@marshallnewera.org

Response 11A:

Thank you for your comment. Limiting access to a single ADA-compliant trail connection to Sutter's Landing Beach was evaluated but determined to be infeasible due to safety, operational, and long-term use considerations. The provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts. During early public outreach, members of the public specifically requested a separate pedestrian access route due to safety concerns associated with existing conditions along the Two Rivers Trail. The Two Rivers Trail is a regional multi-use facility that supports bicycles traveling at relatively high speeds in addition to pedestrians. Planned future trail connections are anticipated to increase overall trail use, which would further elevate the potential for user conflicts if all pedestrian access to the beach were funneled through a single connection point.

In addition to recreational use, the existing access corridor is used periodically by maintenance and service vehicles associated with the U.S. Army Corps of Engineers and the adjacent railroad. These activities can involve large truck traffic that is incompatible with shared pedestrian-only access. A single access point would require pedestrians, cyclists, and maintenance vehicles to use the same route, increasing the risk of safety conflicts and limiting the City's ability to manage access during maintenance or emergency activities.

Providing two access points allows the City to functionally separate pedestrian access from vehicle and operational access where feasible, improving safety for all users. This design approach is consistent with best management practices for multi-use trail systems, particularly in high-use areas where bicycles, pedestrians, and vehicles intersect.

Response 11B:

The Project is located within a designated floodway; therefore, an encroachment permit will be obtained from the Central Valley Flood Protection Board during the final design phase. As part of the permitting process, the City will implement all mitigation measures required from CVFPB regarding erosion control and maintenance of the proposed trail.

Response 11C:

As stated above, the provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts.

Response 11D:

As stated in the Project Description section of the Draft IS/MND and in Figure 3. Project Features, the materials and size of the trail was discussed. Renderings of Project features are not a requirement under CEQA. The project consists of a set of concrete stairs down the face of the levee together with two ADA-compliant concrete trails located to the east and west of the stairs. The trails and the stairs converge at a concrete landing at the base of the levee where trash cans and safety vests will be available. A single concrete trail will continue north toward the river, providing access to two concrete pads that will support picnic tables. The concrete path will end at the

entrance to the beach, at which point accessible mats will be installed/removed seasonally to provide access to the river's edge. The trail to the water's edge will be installed in a location selected to minimize impacts to large trees and sensitive riparian vegetation. The concrete trails will be 8 feet wide and designed to accommodate pedestrians only.

Response 11E:

As stated above, the provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts. As required under Policy 7.22 of the American River Parkway Plan (ARPP), the trail design will utilize appropriate colors, textures, and scale to blend into the setting and minimize potential contrast with the natural and recreational character of the Parkway while still meeting ADA requirements.

Response 11F:

A boat launch is not a part of the proposed project. No impacts to waters would occur. See Figure 4 Project Features in the ISMND.

Response 11G:

Sutter's Landing Beach has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.

Comment 12: Julie Gabele (December 31, 2025)

Dec 31, 2025

Charles Tschudin, Senior Planner Community Development Department
300 Richards Blvd
Sacramento, CA 95811

Subject: SUTTERS LANDING ADA RIVER ACCESS TRAIL PROJECT (L19913000)

Dear City of Sacramento:

This letter is in response to the City of Sacramento (City) proposed plan to involving **SUTTERS LANDING ADA RIVER ACCESS TRAIL PROJECT (L19913000)** and the **DRAFT INITIAL STUDY/NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**.

The City's study and current plans are not appropriate for this area of the American River Parkway, and the plan and draft study to adopt a mitigated negative declaration for this proposed project are deficient and not acceptable. The study is deficient in the information provided, project description, impacts, alternatives considered, and multiple areas of study are lacking, and assessments are not adequate.

The City has also broken up what appears to be a larger plan to separate smaller projects, and fails to adequately reveal important information and analyze the larger plan impacts, alternatives, and what has been presented is a poorly thought out ADA trail proposal, deficient study, and reveals an attempt to pass off a mitigated negative declaration that is not acceptable, has serious gaps in economic, environmental, and legal areas or study, impact, and assessment.

The study fails to reveal the broader plan linked to the proposal of an ADA trail. The public should be informed of complete proposed plans, and have the right to be informed and chance to assess ongoing and future impacts, and understand the compounding and cumulative projects.

The plan is inconsistent with the American River Parkway Plan. Sutter's Landing is a designated Protected Area under the 2008 American River Parkway Plan due its environmental importance and sensitive natural resources that exist there, and is in a known floodway and flood plain.

The City's current proposal includes plans for extensive concrete ramps, stairs, paths, and pads into the American River Parkway. The use of concrete and the proposed features are incompatible with Parkway policies that prioritize minimal visual intrusion and natural materials, and the pathway planned is not appropriate for the river and parkway environment that has continuous water flows, annual flooding, erosion, and shifting riverbanks.

The project description also lacks sufficient detail, lacking adequate information on grading, elevations, materials, construction methods, impact to habitat, wildlife, ecosystems, and maintenance requirements, and omits meaningful public review.

The community outreach for this project has been limited, failing to provide meaningful engagement of Parkway stakeholders and other users. The project lacks broad community support and fails to uphold a shared vision for the Parkway that is broader than the City has considered.

The document does not adequately analyze consistency with the American River Parkway Plan, and it understates impacts to vegetation, wildlife, aesthetics, recreation, water quality, increased use, and fails to evaluate less damaging alternatives.

Given the numerous failings and deficiencies of the current study and clear need for more expansive study and disclosure to the public, the City must conduct a more in-depth environmental impact review and report.

The American River Parkway is a national, state, and local treasure and one which the City of Sacramento must uphold and not build over. The parkway is protected by state law and the proposed ADA trail and planned

I urge the City to step back and pause all actions toward a mitigated negative declaration. The City must conduct a more complete environmental study and outreach with the public, parkway stakeholders, users, and community.

Thank you,

Julie Gabele

Response 12:

Sutter's Landing Beach has been identified for improved river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plans (1995, 2003, and 2025). These plans consistently depict river-oriented facilities such as hand-carry boat launches, trails, and related recreation amenities at this location. The proposed ADA-compliant access trail therefore implements long-planned improvements rather than introducing a new access point or new land use along the American River.

The project is also supported by the City of Sacramento 2040 General Plan and the Central City Specific Plan, which direct the City to expand equitable public access to rivers and green spaces, develop riparian trail connections between Sutter's Landing Park and other riverfront parks, and coordinate with Sacramento County on trail systems such as the Two Rivers Trail. The project directly advances these adopted policies by improving inclusive access at a site already designated for recreation.

Concentrating formal access at Sutter's Landing Beach is consistent with the American River Parkway Plan and the Urban American River Parkway Preservation Act. The project:

- Does not redesignate land use within the Parkway;
- Does not intensify programmed activity;
- Does not construct in-water facilities or alter river hydrology; and
- Formalizes an existing, heavily used informal access route.

By replacing multiple informal "social trails" with a single engineered ADA-compliant path, the project consolidates disturbance into a defined footprint, reduces ongoing vegetation trampling and soil compaction, and facilitates restoration and monitoring of redundant trails. Establishing new access points elsewhere along the river would risk expanding disturbance into less-impacted habitat areas that lack comparable long-range planning support.

Sutter's Landing Beach also presents site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river reaches. The area is already disturbed by recreational use, is integrated into the City's park and trail network, and can meet accessibility standards without extensive grading, in-water construction, or substantial riparian removal. Other segments of the river often involve steeper banks, more sensitive habitat, or limited connectivity, which would likely result in greater environmental impacts and potential conflicts with Parkway management objectives.

The project is further consistent with the 2040 Parks Plan's emphasis on nature-based recreation and coordinated river access improvements. By implementing improvements at a location repeatedly identified in adopted plans and prior environmental review, the City avoids piecemeal development and ensures that access is provided in a manner aligned with long-term park and parkway planning.

With respect to floodplain considerations, the project site is located within the regulated American River floodplain. A project-specific hydraulic analysis will be prepared during final design to confirm maintenance of a no-rise condition and evaluate any potential effects on base flood elevations. All design elements, including trail surfacing, grading, landings, and restoration, will be subject to review and approval by the Central Valley Flood Protection Board through the encroachment permitting process. The project cannot proceed without demonstrating that it will not impede flood conveyance, adversely affect levee integrity, or create debris hazards. Final design will incorporate flood-resilient materials and construction methods consistent with Parkway policies and floodplain regulations.

Comment 13: Mark Baker, Sacramento Area Creeks Council (December 31, 2025)

I am writing to formally oppose the proposed development at Sutter's Landing beach. I have been a frequent visitor to Sutter's Landing for many years. Following the 2017 floods, I spent three years personally removing tons of debris left behind by multiple flooded illegal encampments along this stretch of river. I have worked directly with Friends of Sutter's Landing to help maintain this area of the American River Parkway. Since 2020, I have worked full time organizing large-scale river cleanups with Sacramento Picks It Up and later co-founded the River City Waterway Alliance. Through this work, we have partnered directly with Sacramento County Regional Parks to remove thousands of abandoned encampments throughout the Parkway. My opposition to this project is grounded in direct, long-term experience with this site—not theory or speculation.

The proposed concession stand is unnecessary, unwanted, and impractical. There is no demonstrated public demand for such a facility, nor evidence that a viable operator could sustainably maintain it. To accommodate this feature, however, the City proposes introducing permanent concrete and other hardscape into a protected section of the American River Parkway. This directly conflicts with the 2008 American River Parkway Plan, sets a dangerous precedent, and undermines decades of policy intended to protect this floodplain. The justification for ADA river access at this location is equally flawed. Winter flooding, unstable soils, and tidal fluctuations of up to 28 inches every 12 hours make this site unsuitable for permanent infrastructure. Safer and more appropriate locations already exist—such as Howe Avenue—where ADA access could be provided without violating Parkway protections or exposing users to unnecessary risk.

The community engagement process used to support this project was biased and misleading. Survey respondents were primarily drawn from users already traveling along the existing accessible bike trail, and the survey framing discouraged meaningful alternatives by asking whether people wanted to go “out of their way.” This approach failed to provide a fair or honest assessment of public opinion and should not be relied upon to justify permanent development.

Sutter's Landing includes three primary beach areas. The responsible solution is not more concrete, but better management. The upstream end near the bottom of the bike trail should be established as the primary beach access point. Signage and life jacket stations should be relocated to direct visitors there. The existing “boat ramp trail” can be restored to State Parks-accessible trail standards using compacted fill—an approach that is flood-resilient, reversible, and consistent with Parkway policy. Concrete in a floodplain is not.

This project represents a clear departure from the Parkway's guiding principles and prioritizes unnecessary development over environmental protection, public safety, and long-term stewardship. I urge you to halt this proposal and pursue solutions that respect the American River Parkway, comply with existing plans, and reflect the realities of this dynamic river environment.

There should also be a clear distinction between the City park amenities and the protected Wild and Scenic river area. Renaming the river beach to reflect the area's Nisenan heritage would help reinforce that distinction and promote appropriate use and stewardship.

Sutter's Landing beach each does not need development—it needs protection and thoughtful management.

Thank you

Mark Baker

Treasurer, Sacramento Area Creeks Council

Response 13:

The river access improvement at Sutter's Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents, including:

- The 2003 Sutter's Landing Regional Park Master Plan;
- The 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration; and
- The 2025 Sutter's Landing Regional Park Site Amenities Plan Update.

The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report (2024), which evaluated park improvements at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features. The current ADA-compliant trail implements these previously approved plans. The project therefore represents refinement and execution of long-planned improvements at an established and heavily used public access point, rather than the siting of a new recreational use in a previously undeveloped location.

The project does not propose a new recreational use, land use designation, or expansion of park intensity within the Parkway. Rather, it provides a formalized, ADA-compliant connection to an existing and long-used river access point at Sutter's Landing Beach. Public access to this beach area already occurs via informal and noncompliant paths. The proposed trail consolidates and formalizes this access in a manner consistent with Parkway management objectives, including controlled circulation, erosion reduction, and accessibility improvements. All applicable American River Parkway Plan policies will be adhered to. The IS/MND addresses these policies in the Aesthetics and Land Use sections, including policies related to scenic resources, protection of natural features, and compatibility with the Parkway's Protected Area designation. The project's limited footprint, ADA-compliant design, and avoidance of expanded programmed facilities ensure consistency with the Parkway's environmental protection framework.

The City is currently coordinating with the United Auburn Indian Community and the Wilton Rancheria. Signage will be considered as a potential project feature.

Comment 14: Eugene Lozano, ACB Capital Chapter of the California Council of the Blind (December 23, 2025)

Eugene Lozano, Jr.
4537 Sycamore Avenue, Sacramento, CA 95841

December 23, 2025

Mr. Charles Tschudin,
Senior Planner Community Development Department
City of Sacramento
300 Richards Boulevard, Sacramento, CA 95811
ctschudin@cityofsacramento.org

Re: Sutter's Landing Park ADA River Access Trail Project

Dear Mr. Tschudin:

I am a resident of Sacramento County who is a totally blind senior citizen, as well as the First Vice President of the ACB Capital Chapter of the California Council of the Blind. In my earlier years, I was the first totally blind sanctioned leader within the Sierra Club, who led trips for people who were totally blind or had low vision. The trips were to locations in the Sierra mountains, along the coast of California, as well as other wilderness areas. Naturally, my interest was piqued after hearing about the development of accessible nature trails within the American River Parkway.

I am extremely appreciative of the City's willingness to undertake a new project to establish a formalized ADA-compliant access path for recreational users to easily reach Sutter's Landing Beach. I wish to comment on the Draft Initial Study with Proposed Mitigated Negative Declaration (IS/MND), which contains the City's proposal regarding this ADA river access trail project at Sutter's Landing Park.

As someone who is blind, I noticed some shortcomings that may not have been considered during the drafting of the study. These shortcomings were even more noticeable after having later visited and walked through the Sutter's Landing Park proposed site with the City's proposal in mind.

Fortunately, in having developed correspondence with other interested individuals regarding this new project, I met another enthused individual with nature trail development experience. This individual, Bruce Forman, was in fact a retired interpretive/recreation planner for the California Department of Fish and Wildlife. During my visit through Sutter's Landing Park, Mr. Forman was able to guide me through his own alternative accessible nature trail proposal.

After being able to compare in person the varied experiences that both proposals would hypothetically be able to provide to me as someone who is blind, I oppose the City's proposal as according to the Draft IS/MND, due to its shortcomings. Furthermore, I determine that Bruce Forman's alternative proposal is better able to resolve the shortcomings of the City's proposal, and ultimately better address the

needs of the disability community, especially the blind and low vision community.

Firstly, the Draft IS/MND does not provide the rationale for selecting Sutter's Landing Park over other preferable sites along the American River Parkway, for the construction of a new ADA-compliant river access trail. Also, the study does not identify other factors that should have been used in the selection of this site, such as:

1. The scenic value of the experience;
2. The quality of the experience, e.g., quietness, peacefulness, no large crowds;
3. The educational experience, e.g., the use of tactile/visual and auditory interpretive signage to augment the experience;
4. The quality of the recreational experience;
5. The resources available to monitor and maintain the trail;
6. The Levee District granted support to the project.

As someone who is blind, and generally speaking, for most people with disabilities, we have extremely limited options in accessing nature trails and the City's efforts in this direction have the potential to become a model for the Sacramento area. This is why the above factors, especially the first three, are of the utmost importance to those of us with disabilities.

The Draft IS/MND shows a lack of greater understanding of the needs of those of us with disabilities, only providing the minimal accessibility needed, i.e., movement of people with disabilities from Point A to Point B. It does not take into consideration, as pointed out by the above desired factors, that the human-nature experience people with disabilities would expect to receive should be as much as our counterparts without disabilities receive.

To further achieve the City's goal, the trail design must also include appropriate universal design methods that will make the experience the most natural and accessible that it can be for those being served. I believe this was the spirit of intent of the City's proposal. Fortunately, the City's goal of a truly accessible trail would be more likely achieved by the alternative proposal submitted in a letter of June 3, 2025, by Mr. Bruce Foreman, to Ms. Tin-Wah Wong, Associate Landscape Architect, City of Sacramento.

Mr. Foreman's proposal recommends that the trail run not to the often crowded and noisy beach called for in the City's proposal, but rather to a less used beach that will enable visitors with disabilities to hear, smell, and see more of the flora and fauna in the environment. Mr. Foreman's trail design provides a vista-type view and allows access close to the water, which is often preferred, especially by those who do not have sufficient vision to enjoy a river overlook. Moreover, Mr. Foreman proposes the

use of compacted aggregate with clay/silt additive to match the colors of the exposed terrain soils, instead of concrete. Not only is this substance far more natural in appearance and feel than concrete, but maintenance for compacted aggregate is far easier and less costly than concrete, which can buckle and uplift when due to the undermining of the river water, making the trail inaccessible to people with mobility disabilities

Additionally, Mr. Forman's proposal addresses the accessibility recommendation beyond mobility that is needed, i.e., factor number three in the above list. This would be the accessible interpretive signage in order to augment the experience of being on the trail.

In addition to informative, accessible signage, whichever trail design is ultimately selected, it is essential that there be some form of contrasting tactile edging, e.g., river rock, so that those with limited or no vision can navigate the trail without a sighted companion, as well as staying out of the adjacent vegetation. The tactile design needs to also include sufficient visual contrast from the walking surface of the trail to enable those who rely on limited vision to successfully navigate the trail.

While both proposals fail to address this accessibility need, Bruce's alternative proposal still better addresses the other accessibility needs of the disability community. Thus, I endorse Bruce Forman's alternative proposal against the City's proposal, as according to the Draft IS/MND.

Indeed, I am writing to you my comments on the Draft IS/MND as a concerned, private individual and not as a representative of my organization. However, if you wish to enter into further discussions with me regarding the City's plans on this project to ensure that the needs of the blind and low vision community are met, I urge you to contact me directly, as well as the ACB Capital Chapter of the California Council of the Blind.

Warm regards,

Eugene Lozano, Jr.
genelozano4537@gmail.com

CC:

Mayor Kevin McCarty, Sac City Mayor, mayor@cityofsacramento.org
Lisa Kaplan, Sac City Council District 1, District1@cityofsacramento.org
Roger Dickerson, Sac City Council District 2, District2@cityofsacramento.org
Karina Talamantes, Sac City Council District 3, District3@cityofsacramento.org
Phil Pluckebaum, Sac City Council District 4, District4@cityofsacramento.org
Caity Maple, Sac City Council District 5, District5@cityofsacramento.org
Eric Guerra, Sac City Council District 6, District6@cityofsacramento.org
Rick Jennings, Sac City Council District 7, District7@cityofsacramento.org
Mai Vang, Sac City Council District 8, District8@cityofsacramento.org

Response 14:

Thank you for your comment. Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.

Comment 15: Sean Ward (December 30, 2025)

Dear Mr. Tschudin,

Thank you for the opportunity to provide input on the proposed ADA River Access Trail project at Sutter’s Landing Park and the associated environmental review. As an organization dedicated to environmental stewardship, equitable access to public lands, and long-term community benefit, Friends of Sutter’s Landing Park (FOSL) would like to clearly articulate our position.

We strongly support meaningful ADA access to nature and the American River. Accessible urban outdoor experiences are limited, deeply valuable, and should be thoughtfully expanded. However, accessibility must be more than minimal compliance. It should provide a safe, dignified, and high-quality nature experience that is comparable to what non-disabled visitors enjoy. For these reasons, while we support the goal of improved access, we oppose the project as currently designed and disagree with several conclusions of the Mitigated Negative Declaration.

A

Sutter’s Landing is designated as a Protected Area under the 2008 American River Parkway Plan due to its sensitive natural resources. The current proposal introduces extensive concrete infrastructure—ramps, stairs, paths, and pads—into a floodplain and riparian corridor. These features are incompatible with Parkway policies that prioritize naturalistic materials and minimal visual intrusion, and they are ill-suited to a dynamic

river environment subject to annual flooding, erosion, and changing riverbanks.

B

The project would also concentrate use at an already overcrowded beach by creating multiple new access routes to the same narrow area. This approach will exacerbate existing problems, including habitat degradation, noise, and cumulative environmental impacts. Assertions in the environmental document that the project will not increase visitation or recreational demand are inconsistent with the project's stated purpose and with basic land-use realities, particularly when considered alongside the proposed watercraft rental concession.

C

We are also concerned about the City's ability to successfully implement and maintain the required restoration and mitigation measures. Past restoration efforts at Sutter's Landing have experienced very low survival rates, while successful efforts have relied on sustained community stewardship rather than City-led maintenance. The proposed restoration component of the project lacks enforceable commitments regarding irrigation, performance standards, monitoring, and long-term funding for maintenance, all of which are essential for successful habitat restoration in the Parkway.

From an accessibility standpoint, disability representatives and advocates have reviewed the proposal and concluded that it does not meet their needs. The current design focuses primarily on moving users to a crowded beach rather than providing a meaningful sensory, educational, and recreational experience. It relies on materials and features that raise safety and maintenance concerns in a flood-prone setting.

D

The environmental review itself contains significant deficiencies. The project description lacks sufficient detail regarding grading, elevations, construction methods, materials, habitat impacts, and maintenance requirements, and omits meaningful public review. The document does not adequately analyze consistency with the American River Parkway Plan,

understates impacts to vegetation, aesthetics, recreation, and water quality, and fails to meaningfully evaluate less damaging alternatives. Given the level of controversy, policy inconsistency, and potential for significant environmental impacts, there is a strong fair argument that further environmental review is required unless the project is substantially redesigned.

E

We also note that community outreach for this project has been limited, without meaningful engagement of disability communities and Parkway stakeholders. As a result, the project lacks broad community support and does not reflect a shared vision for this special place.

For these reasons, we respectfully urge the City to pause approval of the current project and pursue a redesigned approach that better aligns with Parkway policies, environmental protection, and true accessibility.

Specifically, we recommend eliminating the west-side concrete stairs, ramp and excess hardscape features; redirecting ADA access away from the crowded main beach to quieter, less sensitive areas; using natural, permeable trail materials such as compacted aggregate; developing alternative trail alignments that are supported by accessibility experts and community stakeholders; and committing to a detailed, enforceable restoration and long-term maintenance plan. Any revised project should demonstrate full consistency with the American River Parkway Plan before proceeding.

Sutter's Landing does not need additional development. It needs thoughtful management, environmental protection, and access solutions that respect the river, the surrounding habitat, and the diverse communities who value this place.

Thank you for your consideration. We look forward to continued dialogue and to working collaboratively toward a solution that reflects the shared goals of accessibility, stewardship, and public trust.

Sincerely,
Sean Ward
President
Friends of Sutter's Landing Park

Response 15A:

Thank you for your comment. Because the project is within the regulated floodplain, all design features, including trail surfacing, stairs, landings, grading, and restoration elements, will be subject to review and approval by the Central Valley Flood Protection Board through the encroachment permitting process. The Board requires demonstration that the project will not impede flood conveyance, create berm effects, adversely affect levee or flood control infrastructure, or introduce debris hazards. The project cannot proceed without satisfying these requirements.

Consistent with Parkway Plan policies and standard practice for improvements within the American River floodplain, the final design will incorporate flood-resilient materials and construction methods appropriate for periodic inundation. The IS/MND appropriately discloses the floodplain setting and commits to compliance with applicable floodplain regulations; detailed hydraulic modeling and construction-level specifications will be completed and approved during the final design and permitting phase.

Response 15B:

The selected location is not arbitrary and was not newly identified for this project. The river access improvement at Sutter's Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents, including:

- The 2003 Sutter's Landing Regional Park Master Plan;
- The 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration; and
- The 2025 Sutter's Landing Regional Park Site Amenities Plan Update.

The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report (2024), which evaluated park improvements at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features including a future concession stand. The current ADA-compliant trail implements these previously approved plans. The project therefore represents refinement and execution of long-planned improvements at an established and heavily used public access point, rather than the siting of a new recreational use in a previously undeveloped location.

Response 15C:

While the IS/MND commits to implementation of restoration and monitoring, the specific funding source for construction and long-term maintenance of the restoration area has not yet been finalized. Until funding mechanisms and responsible parties are confirmed, the City cannot commit to construction-level details such as exact irrigation duration, inspection frequencies, hardware removal schedules, or annual reporting formats. Those elements will be defined in the final Restoration and Monitoring Plan once funding, implementation responsibilities, and permit conditions are established.

Response 15D:

The project does not propose a new recreational use, land use designation, or expansion of park intensity within the Parkway. Rather, it provides a formalized, ADA-compliant connection to an existing and long-used river access point at Sutter's Landing Beach. Public access to this beach area already occurs via informal and noncompliant paths. The proposed trail consolidates and formalizes this access in a manner consistent with Parkway management objectives, including controlled circulation, erosion reduction, and accessibility improvements.

All applicable ARPP policies will be adhered to. The IS/MND addresses these policies in the Aesthetics and Land Use sections, including policies related to scenic resources, protection of natural features, and compatibility with the Parkway's Protected Area designation. The project's limited footprint, ADA-compliant design, and avoidance of expanded programmed facilities ensure consistency with the Parkway's environmental protection framework.

Response 15E:

The City conducted extensive public outreach during the 2025 draft design phase, consistent with both the American River Parkway Plan's implementation framework and standard public agency practice. Outreach efforts included:

- Presentation to the **American River Parkway Advisory Commission (ARPAC)**;
- Presentation to the **City of Sacramento Disabilities Advisory Commission**;
- Two publicly noticed Community Open House meetings;
- Presentation to the **Sacramento County Recreation and Parks Commission**; and
- Multiple site visits attended by stakeholders, including members of the Save the American River Association (SARA) and Friends of Sutters Landing (FOSL).

The project design was developed using input from these stakeholders.

Comment 16: Bill Westerfield (December 30, 2025)

From: Bill Westerfield <wwwesterfield@gmail.com>
Sent: Tuesday, December 30, 2025 1:48 AM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Subject: Sutter's Landing ADA River Access Trail Project (L19913000)

December 30, 2025

Charles Tschudin, Senior Planner

Community Development Department

300 Richards Boulevard, Sacramento, CA 95811

Re: SUTTERS LANDING ADA RIVER ACCESS TRAIL PROJECT (L19913000)

Mr. Tschudin:

Please accept the following public comment on the IS/MND published by the City on the captioned project. I am out of town and writing these without typical resources so please

excuse my errors.

I am a resident of Sacramento. I have been a regular visitor to Sutter's Landing for the last 10 years or so. For the last 5 years, I have visited Sutter's Landing early in the morning at least two times per week. So, it is fair to say that I have gone there hundreds of times over the last several years. Thus, I am very familiar with the area, especially the riparian habitat below the parking lot to the I-80 overpass.

This strip of the American River is an oasis of nature within the confines of urban Sacramento. It is precious to me and to my fellow citizens who I see there regularly. The proposed Project, captioned above, threatens the delicate ecosystem that survives despite the urban pressures of noise, pollution, and heavy use by too many careless people. This project is designed to increase use of this fragile area dramatically. Like so many well-intentioned projects in modern society, bringing more people to a wild place will certainly drive away wildlife that use this area as their home. I appreciate that City officials may see their responsibility as affording more residents the opportunity to enjoy an amenity, this Wild and Scenic river is not an amusement or attraction. It is a resilient pocket of the natural world. Too many people will destroy it. Unfortunately, the IS/MND does not address this fundamental truth. For this reason, and others that I describe below, the IS/MND is deficient. The City should withdraw it and undertake a through Environmental Impact Report to address and respond to these impacts.

Sincerely,

Wm. Westerfield

Specific Comments

Aesthetic impacts to the Sutter's Landing Beach riparian habitat

A

On page 15 of the IS/MND, the City asks whether the Project would substantially degrade the aesthetic character of the existing area, and proposes that any impact would be mitigated to less than significant. The City's assessment is incorrect. The ADA concrete ramps would unalterably degrade the wild character of the riparian habitat of this Wild and Scenic river. It would turn a natural scene into an urban park. The two environments are fundamentally at odds. The area of beach along this section of the American River is very small so placing concrete structures in the middle of a small beach would overwhelm the wild character. For example, if a concrete path is placed in thousands of acres of wild lands, such as Yosemite NP, the impact would be insignificant. But because the beach

area at Sutter's Landing is very small, placing concrete structures through it would change the visual character irrevocably from a natural to an urban character. The study underestimates and belittles the impact. So, the City's assessment is erroneous. The National Parks Service should have been consulted to make a consistency finding with regard to the Wild and Scenic Rivers Act. The proposed Project also conflicts with Policy 7.22.2 of the American Parkway Plan because the concrete ramps and tables would not blend in with the natural environment.

B

In addition, the IS/MND says trees would be removed, including large trees, resulting in a temporary impact to the visual quality of the corridor and beach area. However, the IS/MND consoles patrons by asserting that new trees would be planted that would eventually grow and *perhaps* restore the visual quality of the wild and scenic area. This statement ignores the obvious: removing existing large trees on the Sutter's Landing Beach would significantly degrade the visual character of the beach. To say that these trees would grow back ignores the obvious time involved for large trees to grow. Are citizens to wait 30 or 50 years for the visual character to return? Of course, many citizens who use the beach will not live long enough to see the possible restoration. The City's statement disregards the needs of the patrons of Sutter's Landing, is misleading, and indeed concedes that the impacts would be significant and could not be mitigated to insignificance in the lifetimes of its users.

Biological Impacts to Sutter's Landing Beach riparian habitat

C

The IS/MND does not adequately inventory the critical species that inhabit the Sutter's Landing beach area. The IS/MND fails to discuss the critical importance of the overstory trees, such as cottonwoods. These mature trees provide habitat for raptors such as the red tailed hawks that I have observed in the area. These mature trees are the preferred landing sites to these birds, which they use to spot prey. There is no discussion by the IS/MND of the impact of disturbance of these trees upon raptors and other birds.

Additionally, these trees provide shade to the river banks that tend to cool the water for fish, such as chinook salmon. The IS/MND does not discuss the impact of the loss of these trees on river species.

In addition, the IS/MND does not discuss the impact of the project on other higher species who inhabit the area, such as cormorants, blue heron, egrets, river otter and sea lions. Consequently, the IS/MND is incomplete and must be revised to assess these impacts. I have personally observed these animals over 10 plus years of using Sutter's Landing on a regular basis. Observing them provides me with real enjoyment. And I am not alone. I regularly talk to other patrons of the area who speak fondly of their observations of these animals. The IS/MND does not address the Project's impact to these species or the loss of

recreational value that could result from disturbance of habitat would have upon people who come down to the river to see these animals.

D

Hydrology Impacts to Sutter's Landing Beach

The IS states that the facilities will be placed in a high-risk 100-year floodplain with a 1% annual chance of flooding.

I have been going to the Sutter's Land beach for approximately 10 years and I can attest that it floods much more often than once every 100 years. In that time it has flooded at least 3 times up to the bicycle path. This means that the hard scape that is proposed would be inundated frequently with the likelihood of causing erosion to the beach. This impact has not been recognized nor studied by the IS/MND. Consequently, the IS is deficient and should be revised. Also, I believe that this impact cannot be mitigated with the current design. Therefore, a full EIR is necessary to study the effects of erosion on the beach by the proposed project.

E

Recreation Impacts to Sutter's Landing Beach

The IS?MND states that the impact to the beach would be significant if it would cause or accelerate a substantial deterioration of existing park areas. The riparian habitat adjacent to the Wild and Scenic river is a sensitive ecological area in the middle of an urban landscape. It survives now because it is relatively unused most of the year, which allows wildlife to use the area when people are not about. The proposed project would increase the population using this area of the river substantially. The City seems to assume that the more citizens use a resource the better utilized it will be. This may be true for a swimming pool or a golf course. But this is not the case for a wildlife habitat. Unlike a swimming pool or golf course, this Wild and Scenic river is the hive of numerous wild creatures who need relative peace and solitude to survive. The need to hunt, nest, mate and rest without the noise and activities of people who might come to the river to have fun.

While this wildlife habitat has been resilient with the amount is use heretofore, increasing human use will increase pressure on wildlife and could push several species over the edge, such as river otters and blue heron. As we all know, or at least have read, these species are declining because of a loss of habitat. This Project would heedlessly accelerate that loss. We have a choice before us to do what other communities do without thought or care of the consequences to the natural world, or to slow down the march of human expansion just a little bit to allow our wild neighbors a place to live. By chance or neglect we have

created an oasis for them in our midst. Let us refrain from snuffing it out in the cause of human progress. In a way, Sutter's Landing is a miracle. Let's leave it alone and let it be to enjoy AS IS.

Response 16A:

The project site is not an undeveloped wilderness setting. Sutter's Landing Beach is located within an urban park environment, immediately adjacent to levees, existing paved trails, parking areas, and City park infrastructure. The CEQA baseline in the IS/MND reflects a recreational area with visible human alteration, including informal paths and vegetation disturbance. The project does not convert a wild landscape into an urban park; it formalizes access within an existing urban park context. Further, the ADA-compliant trail and beach access features are limited in width and linear in form. The design minimizes grading, avoids large vertical structures, and confines hardscape to a defined footprint. The beach area will remain predominantly natural in appearance. Consolidating access into a single engineered route reduces visual clutter created by multiple eroded social trails and improves overall site organization and restoration potential. With respect to ARPP Policy 7.22.2 (design compatibility), final design will incorporate materials, colors, and finishes consistent with Parkway design guidelines to ensure visual compatibility. The IS/MND evaluates consistency with applicable ARPP policies in the Land Use and Aesthetics sections and concludes that the project would not conflict with adopted visual resource policies.

Response 16B:

Tree removal will be avoided to the maximum extent feasible through final design refinement. However, approximately 0.05 acres of riparian habitat may be removed to accommodate the ADA-compliant access path. This impact is limited in scale and does not represent removal of a large stand of mature trees or a substantial alteration of canopy cover across the beach area. In addition, the project includes restoration of approximately 5 acres of adjacent habitat. Restoration efforts will include native tree and shrub planting, removal and closure of informal social trails, soil stabilization, and long-term revegetation. Consolidating access into a single defined path will reduce ongoing unmanaged trampling and vegetation loss that currently degrade visual quality. CEQA requires evaluation of whether a project would substantially degrade the existing visual character of the site. Given the small footprint of tree removal relative to the surrounding riparian corridor, avoidance measures, and large-scale restoration component, the project would not substantially degrade the overall aesthetic character of the beach or Parkway. While newly planted trees require time to mature, the limited extent of removal and broader restoration effort ensure that visual impacts remain less than significant.

Response 16C:

Impacts to raptors, including Swainson's hawk, are evaluated in the Biological Resources section of the Draft IS/MND. Tree removal will be avoided to the maximum extent feasible through final design refinement. However, up to approximately 0.05 acres of riparian habitat may be removed to accommodate the ADA-compliant access path. This impact is limited in scale and does not involve removal of a large stand of mature trees or a substantial reduction in overall canopy cover within the beach area. No trees adjacent to the water would be removed. Construction activities will be temporary and of short duration. With implementation of mitigation measures including pre-construction nesting bird surveys, establishment of appropriate avoidance buffers if active nests are detected, and seasonal work restrictions where required, no significant impacts to raptors would occur. Because construction disturbance will be temporary and operational conditions will be similar to the existing recreational baseline, the project would not result in long-term disturbance to raptors or other wildlife species.

Response 16D:

The City acknowledges that the project site is located within the floodplain and subject to periodic inundation. A project-specific hydraulic analysis will be prepared during final design, when grading limits, structural details, and material specifications are finalized. That analysis will evaluate potential changes to base flood elevations, confirm maintenance of a no-rise condition, and inform design refinements as necessary. At the current draft design stage, construction-level hydraulic calculations and final engineering specifications are not yet available. Because the project is within the regulated floodplain, all design features, including trail surfacing, stairs, landings, grading, and restoration elements, will be subject to review and approval by the Central Valley Flood Protection Board through the encroachment permitting process. The Board requires demonstration that the project will not impede flood conveyance, create berm effects, adversely affect levee or flood control infrastructure, or introduce debris hazards. The project cannot proceed without satisfying these requirements.

Consistent with Parkway Plan policies and standard practice for improvements within the American River floodplain, the final design will incorporate flood-resilient materials and construction methods appropriate for periodic inundation. The IS/MND appropriately discloses the floodplain setting and commits to compliance with applicable floodplain regulations; detailed hydraulic modeling and construction-level specifications will be completed and approved during the final design and permitting phase.

Response 16E:

Sutter's Landing Beach and the levee access are already heavily used for recreation, and the CEQA baseline reflects ongoing pedestrian activity, shoreline use, and habitat disturbance from informal trails. The project does not expand park acreage that wasn't already planned for, add parking, or introduce in-water facilities. It formalizes an existing access route within a limited footprint while restoring approximately 5 acres of adjacent habitat through native planting, closure of social trails, and revegetation. Construction disturbance will be temporary, and mitigation measures will ensure protection of sensitive species. The project consolidates and manages access in a way that reduces unmanaged trampling and long-term habitat degradation. Based on this analysis, the IS/MND appropriately concludes that the project would not cause substantial deterioration of park resources or result in significant impacts to wildlife.

Comment 17: Chris Smith (November 23, 2025)

From: Chris Smith <smithinsac@gmail.com>
Sent: Sunday, November 23, 2025 6:34 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Cc: Mayor <mayor@cityofsacramento.org>; District 4 <district4@cityofsacramento.org>
Subject: MITIGATED NEGATIVE DECLARATION Sutter's Landing ADA River Access Trail Project (L19913000)

November 23, 2025

Charles Tschudin, Senior Planner
Department of Youth, Parks, and Community Enrichment
City of Sacramento
915 I Street, 3rd Floor
Sacramento, CA 95811

CC: Mayor Kevin McCarty; Councilmember Pluckebaum

Regarding: MITIGATED NEGATIVE DECLARATION Sutter's Landing ADA River Access Trail Project (L19913000)

I am opposed to the current plan for the ADA trail from Sutter's Landing Park to the American River and disagree with some of the findings of the Mitigated Negative Declaration (MND).

For the past 25 years I have lived within ½ mile of Sutter's Landing Park (SLP). I have visited this area since it was first opened to the public. Along with members of the Friends of Sutter's Landing and the Sacramento Area Creeks Council, I have volunteered countless hours to improve SLP.

I support the restoration and habitat enhancement of approximately 5 acres directly adjacent to Sutter's Landing Beach as well as the interpretive signage for the new trailhead as noted in the project description from the LARCP Advisory Committee Meeting, October 12, 2023.

I am concerned that some of the problems noted below may have caused the Mitigated Negative Declaration to understate the issues or to have analyzed the wrong alternatives for this project.

- **The purpose of creating the trail(s) and stairway.** Does the current plan address the problems associated with access to SLP. If not, the MND is analyzing the wrong plan.
- **What is an ADA compliant trail and how far should it extend to the water.** What guidelines were used to determine the construction requirements. The slope, cut and fill requirements, surface requirements, etc. of an ADA compliant trail will affect the MND results. The final location of a trail, including the placement of the "accessible mats" is not clear so it is difficult to analyze the effects.
- **The choice of materials and maintenance of the trails.** Without a clear description of the materials that will be used, and what will be necessary to maintain them, it is difficult to know the environmental effects of this project. There is also potential for erosion of the trails into the river.
- **The analysis of item 12 "Recreation" in the MND.** On page 95 of the NMD it states there will be "No additional significant environmental effect". I disagree.

The purpose of creating the trail(s) and stairway.

A

At the LARCP advisory committee meeting on October 12, 2023 the Project Description was stated:

"The City received public funding to construct a new concession stand building near the 28th & B Street Skate Park at Sutter's Landing that will include paddleboard and kayak rentals. The American River waterfront at Sutter's Landing is anticipated to be the launch site for people utilizing these rentals; however, the current access to the river is informal and not ADA compliant. With site traffic predicted to increase with improvements, it is important to offer a formal, safe, and ADA compliant trail to accommodate all users while also enhancing the natural environment through closure of social trails and active revegetation.

The Project will finalize designs for a formal ADA trail and boat launch, develop a restoration plan for habitat that has been degraded by social trails, and develop interpretive signage for the new trailhead."

The impetus for this project seems to have been to create a better way for people to launch watercraft from the new concession that is planned, with an additional goal of improving access to the beach. Having spent years launching my kayak at SLP and watching the creation of new trails down the embankment, I applaud these goals. I am not against a stairway down

the levee if the parks department is unable to keep people from using the existing bike path. If there was an alternative that would permanently block the use of the informal paths down the levee, I would support that. Perhaps some type of fencing covered by vegetation? Access could still be gained by going down the existing bike path. This would allow the reforestation of the trails that have been made down the levee and in the understory near the river.

B

What is an ADA compliant trail and how far should it extend to the water?

There seems to have been a decision early on to make access ADA compliant. From what I have been told, the slope of the beach into the water prohibits the disabled from launching without an ADA compliant boat launch. It appears that the “boat launch” noted in the LARCP Project Description was eliminated from the current plan, but the ADA compliant trail was not.

My question is how will the disabled visitors use Sutter’s Landing Beach? This determines the location of the pathways, the length of the new trails, their construction materials and more. Changes to any of these will change the MND.

Where in the documents does it show that the disabled community was surveyed on the alternatives? KMP Strategies stated on page 6 of their Summary of Survey Results, March 2025, that of the 180 respondents (out of 337 individual contacts) “Respondents give the **importance of developing an ADA compliant river access trail at Sutter’s Landing Regional Park an average rating of 6.7** (on a scale of 0 to 10, with 10 being “extremely important”).”

My concern is that we don’t know how many of the 180 respondents have any experience with the needs of the disabled. Perhaps the results should have been weighted based on that knowledge. Also, of those people who found it important to have an ADA compliant trail, how clear were the options regarding the location of the trail and its ability to meet the needs of the disabled community. The plan states “The concrete path will end at the entrance to the beach, at which point accessible mats will be installed/removed seasonally to provide access to the river’s edge.” Does the city have experience with these accessible mats? Are the disabled expected to stop at the end of the new concrete pathway or stay on the mats? How will they enjoy this area?

Also, what guidelines were used to determine the construction requirements of an ADA compliant trail in a regional park, that extends into the river (not in an urban setting). The California State Parks Trail Handbook states:

8.8. Additional Trail Design Considerations

Understanding the needs and limitations of the intended trail user is critical in designing trails. There is a broad range of potential mobility problems from severe ambulatory restrictions that require specialized breath-activated powered wheelchairs, to less severe impairments that make it difficult to walk up or down steps, steep grades, or rough, irregular ground. Users with visual impairments and no ambulatory restrictions may have difficulty negotiating trails with protruding objects and irregular tread or other barriers. Accessible trail design provides a reasonable level of independent access for trail users with a variety of disabilities.

What is the guiding principle that was used to determine the ADA compliant trail? The slope, cut and fill requirements, surface requirements, etc. will affect the MND results. The placement of the “accessible mats” is not clear so it is difficult to analyze the effects of their

placement or how the long-term maintenance of these mats will affect the environment.

C

The choice of materials and maintenance of the trails

The MND specifies that the trails will be concrete, but it does not address how these materials will be maintained over the years. This area, as noted in the MND, is in a flood zone. It floods every winter. The beaches and vegetation change each year. The material to be used for the accessible mats is not clear. What steps are necessary to maintain the mats and keep them out of the river?

Under Mitigation Measures MQ-1 it states “Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters” I’m concerned that a trail made of concrete, on a hillside with a possible erosion problem and runoff toward the river could contaminate the river. The level trail from the bottom of the stairs to the river will be inundated by yearly flooding which would also erode the concrete or other material there.

I am against the decision to “cut and fill” a path to the west of the SLP entrance (below the skate park). Because of the steep drop and the short length of the proposed trail before it loops back toward the proposed stairs, there will need to be extensive fill to hold up this trail and there will likely be erosion without adequate maintenance, which is not being done at this site currently (see the erosion on the levee just this last week).

Without adequate maintenance requirements it is difficult to know the environmental effects of this project. Accepting this huge ramp down the levee as the preferred alternative is an error and I hope the MND can be delayed so that other, less impactful alternatives can be analyzed.

D

The analysis of item 12 “Recreation” in the MND

On page 95 of the MND it states there will be “No additional significant environmental effect”. As part of the analysis, it determines “...The proposed project does not include residential development or other uses that would increase population or generate additional demand for recreational facilities... These improvements would enhance access for existing users rather than expand the site’s recreational capacity or attract new users beyond what was previously anticipated...”

This seems to conclude there will be no increase in population at SLP and that it would only enhance access for “existing users”. This is in conflict with the LARCP Advisory Committee Meeting report (page 2) where it states “...With site traffic predicted to increase with improvements, it is important to offer a formal, safe, and ADA compliant trail...” So, on the one hand the reason for funding this study was because of increased traffic but the MND says there will be no increased demand for recreational facilities. This inconsistency should be addressed. It is inconceivable to me that building stairways and ADA access trails down to a beach (in an urban setting with free parking and no entrance fee and a new concession stand promoting kayaking and paddleboarding) would NOT seriously increase the population or generate additional demand for recreational facilities.

Thank you for taking the time to review my concerns. I look forward to many more years enjoying Sutter's Landing Park and helping to maintain it for everyone who would like to use it.

Christopher P. Smith

Christopher P Smith

615 27th St, Sacramento CA 95816

smithinsac@gmail.com

Response 17A:

In addition to the ADA Access Trail, the proposed project includes the restoration of approximately five acres of adjacent habitat. Restoration activities will involve planting native trees and shrubs, as well as removing and closing informal social trails through methods such as fencing and the use of natural vegetation barriers, such as native rose bushes. However, limiting access to a single ADA-compliant trail connection to Sutter's Landing Beach from the levee was evaluated but determined to be infeasible due to safety, operational, and long-term use considerations. The provision of two distinct access points is necessary to safely accommodate different user types and required operational activities while minimizing conflicts.

During early public outreach, members of the public specifically requested a separate pedestrian access route due to safety concerns associated with existing conditions along the Two Rivers Trail. The Two Rivers Trail is a regional multi-use facility that supports bicycles traveling at relatively high speeds in addition to pedestrians. Planned future trail connections are anticipated to increase overall trail use, which would further elevate the potential for user conflicts if all pedestrian access to the beach were funneled through a single connection point.

In addition to recreational use, the existing access corridor is used periodically by maintenance and service vehicles associated with the U.S. Army Corps of Engineers and the adjacent railroad. These activities can involve large truck traffic that is incompatible with shared pedestrian-only access. A single access point would require pedestrians, cyclists, and maintenance vehicles to use the same route, increasing the risk of safety conflicts and limiting the City's ability to manage access during maintenance or emergency activities.

Providing two access points allows the City to functionally separate pedestrian access from vehicle and operational access where feasible, improving safety for all users. This design approach is consistent with best management practices for multi-use trail systems, particularly in high-use areas where bicycles, pedestrians, and vehicles intersect.

Response 17B:

The ADA river access improvement at Sutter's Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents, including:

- The 2003 Sutter's Landing Regional Park Master Plan;
- The 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration; and
- The 2025 Sutter's Landing Regional Park Site Amenities Plan Update.

The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report (2024), which evaluated park improvements at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features. The current ADA-compliant trail implements these previously approved plans. The project therefore represents refinement and execution of long-planned improvements at an established and heavily used public access point, rather than the siting of a new recreational use in a previously undeveloped location.

The City developed alternatives for the ADA access trail based on input from a variety of stakeholders. The proposed Project was presented to the City of Sacramento Disabilities Advisory Commission on April 2, 2025 and at the County of Sacramento Disabilities Advisory Commission on April 15, 2025. Design standards for the ADA access trail are required to follow the Public Right of Way Accessibility Guidelines (PROWAG), in conjunction with the ADA Accessibility Guidelines (ADAAG), which were used to design the pedestrian access route for the project. The accessible mats from the trail to the beach will be installed and removed each year outside of flood season. Placement will vary based on site conditions; however, these mats are temporary and will not result in any ground disturbance.

Response 17C:

The project design accounts for the flood-prone setting and incorporates durable materials and construction practices intended to withstand periodic inundation. The ADA-compliant access path would be constructed of reinforced concrete consistent with City standards for floodplain environments, and the accessible beach mat would consist of a modular, removable system designed for seasonal installation and maintenance to prevent displacement during high-flow events. During construction, standard best management practices would ensure that concrete, wash water, fuels, and other materials do not enter the American River or surrounding soils. The project also includes erosion control and bank stabilization elements, and all work within the channel and adjacent riparian area will require regulatory authorization, including a Section 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, Section 401 Water Quality Certification, and a Central Valley Flood Control Encroachment Permit which will include additional conditions related to erosion control, construction methods, and maintenance. Operation and maintenance of park facilities, including the trail and accessible features, would occur consistent with the City's standard park maintenance practices.

Response 17D:

The ADA river access improvement at Sutter's Landing Beach has been previously planned and evaluated in multiple adopted City planning and environmental review documents, including:

- The 2003 Sutter's Landing Regional Park Master Plan;
- The 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration; and
- The 2025 Sutter's Landing Regional Park Site Amenities Plan Update.

The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report (2024), which evaluated park improvements at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features. The current ADA-compliant trail implements these previously approved plans which already considered additional visitors to recreational facilities. The project therefore represents refinement and execution of long-planned improvements at an established and heavily used public access point, rather than the siting of a new recreational use in a previously undeveloped location.

Comment 18: Brenda Gustin (December 31, 2025)

From: Brenda Gustin <bkgustin@gmail.com>
Sent: Wednesday, December 31, 2025 3:47 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Cc: Save the American River Association <info@sarariverwatch.org>
Subject: Lead Agency Jurisdictional Objection – Sutter’s Landing ADA River Access Trail Project (L19913000) Draft Mitigated Negative Declaration (IS/MND)

Dear Mr. Tschudin,

On behalf of the Save the American River Association (SARA) and stakeholders groups, I submit the following comment on the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Sutter’s Landing ADA River Access Trail Project (L19913000). This comment addresses a threshold procedural defect in the CEQA review: namely, that the City of Sacramento may not lawfully serve as the lead agency for this project, as it appears the City lacks land use jurisdiction over the majority, if not all, of the project’s physical footprint.

Under the California Environmental Quality Act (CEQA), the “lead agency” must be the public agency with the principal responsibility for carrying out or approving a project (CEQA Guidelines § 15051(a)). If two or more public agencies are involved, the lead agency must be the one with “more general governmental powers” over the project location (Guidelines § 15051(b)(1)) or the agency with primary responsibility for approving the project (Guidelines § 15051(b)(2)). A city cannot serve as lead agency for a project located on land outside its jurisdiction unless it has principal permitting authority over the site or carries out the project itself on property it owns or controls.

In this case, the proposed ADA trail, ramp, stairs, and beach access facilities are located entirely within the American River Parkway, specifically in the Woodlake Area north of the federal flood control levee. According to Sacramento County, this stretch of the riverbank lies within County-managed parkland governed by the 2008 American River Parkway Plan (ARPP) and administered by the Sacramento County Department of Regional Parks. The City's own project documents acknowledge that the federal levee forms the northern boundary of Sutter's Landing Regional Park, and that land north of the levee is part of the Parkway and under County jurisdiction (see, e.g., Wildlife Conservation Board Staff Report, Nov. 2023; Parkway Plan Consistency Determination No. 2023-004). The project is physically located on land outside the City's ownership and zoning authority.

Moreover, the American River Parkway Plan is a state-adopted management plan under the Urban American River Parkway Preservation Act (PRC § 5840 et seq.), and it expressly designates the Woodlake Area as a "Protected Area" subject to County planning and permitting authority. County Regional Parks is identified in the ARPP and related implementation procedures as the agency with principal jurisdiction over Parkway land-use decisions, including consistency reviews, Area Plan amendments, and public engagement under the Early Notification Procedures adopted in March 2009 (see ARPP § 11.4; Sacramento County Board of Supervisors Resolution 2009-0153).

Although the City of Sacramento is the project sponsor and grant recipient, and its park facilities (e.g., the Sutter's Landing parking lot and skate park) are adjacent to the Parkway, the City does not own, manage, or zone the project site itself. Any construction on the Parkway—such as installing a trail or ramp below the levee—would require County approval under the Parkway Plan, as well as other permits from state and federal agencies (e.g., CVFPB, U.S. Army Corps). As such, the City does not have "primary responsibility for carrying out or approving the project" under CEQA Guidelines § 15051, and its role is more properly that of a responsible agency, not a lead agency.

This jurisdictional misalignment is more than a technical error. Lead agency status is foundational to the adequacy of the environmental document. An agency without jurisdiction over the project site may lack the legal authority to approve the project, enforce mitigation measures, or ensure consistency with adopted land-use plans. Proceeding with an IS/MND under an improperly designated lead agency risks rendering the document invalid and any project approvals void. The courts have strictly enforced CEQA's lead agency designation rules where the wrong agency was selected or where jurisdictional conflicts existed (see, e.g., *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 945).

Accordingly, we respectfully requests that the City of Sacramento:

1. **Reevaluate its lead agency designation in light of the project's location entirely within the County-managed American River Parkway;**
2. **Confer with Sacramento County Department of Regional Parks and the California Natural Resources Agency to determine the appropriate agency to lead environmental review under CEQA;**
3. **Refrain from approving or adopting any CEQA document until proper lead agency status has been confirmed and all responsible/trustee agencies have been consulted as required under CEQA Guidelines § 15082.**

Given the project's inconsistency with the ARPP's Protected Area land-use designation and

its evident function in support of a City-initiated concession, we also reiterate our broader concerns with the project's environmental impacts, commercial intent, and procedural irregularities (including failure to follow ARPP-mandated Early Notification Procedures). These defects further undermine the legal adequacy of the City's CEQA analysis and its ability to approve the project as proposed.

Thank you for the opportunity to comment. We request that this letter be included in the administrative record and considered in the City's evaluation of the project and its environmental documentation.

Sincerely,
Brenda Gustin
Concerned Citizen
SARA Board Member

Response 18:

Pursuant to CEQA Guidelines Section 15051(a), the lead agency is the public agency with the principal responsibility for carrying out or approving a project. In this case, the City is the public agency funding the project and is responsible for project planning, design, and implementation. The project is being undertaken to fulfill City policy objectives related to park access, trail connectivity, and ADA compliance as established in the City's adopted plans and programs. As such, the City exercises the greatest level of control and discretion over the project's scope, design features, construction, and mitigation measures. Sacramento County's role is limited to that of a landowner and cooperating or responsible agency, with jurisdiction over the American River Parkway. County approvals will rely on the environmental analysis prepared by the City as the lead agency. CEQA does not require land ownership to determine lead agency status; rather, it prioritizes which agency has primary responsibility for carrying out or approving the project. Accordingly, consistent with CEQA Guidelines Section 15051(a), the City of Sacramento is properly designated as the CEQA lead agency because it is the agency principally responsible for carrying out the proposed project, while Sacramento County acts as a responsible agency under CEQA. The City will establish a maintenance agreement with the County for maintenance of the ADA access trail in perpetuity

Comment 19: Dan Meier (December 28, 2025)

From: Dan Meier <14danmeier@gmail.com>
Sent: Sunday, December 28, 2025 3:49 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Cc: Jason Wiesemann <jwiesemann@cityofsacramento.org>
Subject: COMMENTS ON DRAFT INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION
SUTTER'S LANDING PARK ADA RIVER ACCESS TRAIL PROJECT

Charles Tschudin
Senior Planner
Environmental Planning Services
City of Sacramento

My comments are as follows:

A

1. The project description and environmental analysis for this CEQA document are insufficient and inadequate and consequently do not disclose the full scope of the project and its potential impacts. The primary purpose of a CEQA document is to inform the public and decision-makers about the project's environmental effects. The environmental document does not include sufficient information describing the project

and the project site characteristics to allow the public to discern potential project impacts. This includes a lack of project specific elevation plans, methods and materials for construction, topographic information, grading plans and vegetation surveys. This makes it impossible to fully discern project impacts such as vegetation impacts, aesthetics, and water quality.

B

2. The environmental document should include a map(s) that clearly delineates land ownership within the project area from the top of levee down to the river (e.g., City, County, and State Lands Commission) along with any existing easements (e.g., gas, levee district, etc.). Include a description of permits, permissions or other arrangements (e.g. MOU, maintenance agreements, etc.) needed for the project occurring on non-city lands or within existing easements.

C

3. To demonstrate a less than significant impact, the document should provide evidence that the project is consistent with the 2008 Lower American River Parkway Plan (Parkway Plan). The project (conceptual plan) was previously brought to the American River Parkway Advisory Committee (ARPAC) for a preliminary consistency finding with the Parkway Plan. However, the modified project must be brought back to ARPAC and the County Parks and Recreation Commission to confirm consistency with the Parkway Plan based on the existing project design which contains more detail and components than the original conceptual plan. This should be done before the environmental document is finalized in order to verify consistency of the current project design with the Parkway Plan.

The environmental document should verify that the proposed construction is consistent the Parkway Plan that designates Sutter's Landing as a Protected Area due to it sensitive natural resources. An important deficiency of the environmental document is the failure to identify Sutter's Landing as a Protected Area, and consequently the lack of analysis regarding consistency of the project with the Parkway Projected Area designation.

As proposed, three new access trails are proposed that all lead to the main beach (ramp, stairs and trail off the bikeway). When the river flows are relatively low, a narrow beach area (main beach) is exposed. The existing trail leading to this narrow beach is a significant riparian area that that has been significantly impacted due to heavy visitor use. The project as proposed would aggravate this problem by directing more traffic to this already congested area. The proposed access improvements within the Parkway will bring more visitors to an area that is already heavily used much of the year. This will result in additional impacts that will exacerbate many nuisance problems (e.g., noise, litter, fire risk, etc.) and accentuate the cumulative degradation of native habitats that

have occurred through increased visitation.

The environmental document does not fully identify past, present and future uses of the main beach area including significant nuisance problems, and the current lack of ranger patrols and nuisance enforcement. Page 97 of the environmental document incorrectly states that the project would not introduce more park users, or generate additional demand for parks or recreational facilities, or accelerate substantial physical deterioration of Sutter's Landing beach. The proposed project will substantially increase the ease of access to the main beach and will therefore add to existing problems including environmental impacts. The project will facilitate a proposed watercraft rental concession stand (mentioned on Page 4 of Appendix A) that would add to existing congestion and impacts at the main beach.

A major deficiency of the project design and the environmental document is due to the lack of understanding and disclosure regarding conditions at the main beach and how they will be affected by the proposed project.

The proposed project should be modified to make it consistent with Parkway Plan Policy 7.12: "Activities and facilities in the parkway which attract large numbers of users are to be directed to the less sensitive areas such as Limited Recreation and Developed Recreation areas so the the areas which are more environmental sensitive can be protected.

The County's Consistency Determination for this project will require that any new facilities in the Parkway "shall not be developed unless the financial resources to operate and maintain them are identified and available." (Parkway Implementation Policy 11.5). Therefore the City must enter into an agreement with County to assure that it has the financial resources to operate and maintain any new project related facilities in the Parkway (including restoration and mitigation components). It is important to note that the City has struggled to maintain existing infrastructure at Sutter's Landing Regional Park.

The following mitigation measures (or a modified Project Description) are needed to make the project consistent with the Parkway Plan and to reduce impacts to a less than significant level:

A. Eliminate the west (downstream) access ramp. ADA access should occur off the bike trail.

B. Consider a post and cable trail which will significantly simplify the infrastructure that needs to be constructed and maintained. If not feasible, then consider the stairway access with a possible wheel track and kayak slide to accommodate strollers and watercraft. Remove the concrete ramp, plaza, picnic pads, picnic tables, and accessible mats. These facilities are not needed or desired in this Protected Area, and there are better options for ADA access (see below).

C. Provide meaningful ADA access off the bike trail by eliminating ADA access to the main beach and instead rerouting to provide ADA access off the bike trail. The City has received numerous detailed letters suggesting an alternative ADA access route (e.g., Bruce Forman, Lionheart Community, Sacramento Audubon, Capital Council for the CA Council of the Blind, and Marshall New Era Neighborhood Association). An alternative ADA access route needs to be developed to reduce project impacts and to provide the optimal ADA access at Sutter's Landing.

D

4. The environmental document does not identify specific potential vegetation impacts associated with the proposed access trail through the existing riparian corridor to the main beach. A CEQA document must disclose potential vegetation impacts in the draft document and cannot simply conclude the impact is less than significant by referencing City Code (Section 12.56.040) or the Sacramento Tree Ordinance. The environmental document does not disclose potential trees, shrubs or other vegetation that could be affected by the project. Nor does the document provide clarity or specificity about what the actual City Code mitigation requirements are and whether it is limited to native trees of a certain size, nor what the mitigation ratios would be). Page 46 indicates that trees 4 inches or greater will be mitigated for, but this is a projection of a future requirement that might occur through a required Streambed Alteration Agreement. An important document deficiency is the non-disclosure of where mitigation would occur. A mitigation measure must specify that all vegetation impacts (including elderberries) be mitigated at Sutter's Landing.

To determine if vegetation impacts are significant, the City must first quantify or at least reasonably estimate the scope of the vegetation impacts. Omitting the number, type, or diameter of trees, shrubs or other vegetation to be removed prevents a meaningful assessment of the severity of the loss (e.g., loss of a mature heritage oak or cottonwood is far more significant than the loss of a sapling). Stating an impact is "Less Than Significant" without first analyzing the impact's severity lacks the substantial evidence required to support the finding. The fact that a project is subject to a city code or ordinance does not automatically mean the impact is insignificant.

The project vegetation impacts can clearly be reduced to a less than significant level by eliminating the proposed “improvements” below the stairway access (See Comment #3).

E

5. The proposed project includes proposed restoration and enhancement at Sutter’s Landing. This is a positive attribute of the project, however, it is important that this proposal include sufficient details and commitments to ensure successful habitat restoration at Sutter’s Landing. Unfortunately the City has previously led unsuccessful habitat restoration (2016) and mitigation (Two Rivers Mitigation, 2024) efforts at Sutter’s Landing. Therefore, it is essential that the current project have adequate safeguards to guarantee successful restoration.

The following must be added to the project restoration and enhancement component and be referenced in project description:

A. An irrigation plan. This is a key element that must be adequately designed to implement successful restoration. There is no mention of an irrigation plan in the environmental document.

B. Potential plants and locations should be identified now in order to assess the adequacy of the proposal.

C. The proposed use of herbicide treatments (5 treatments per year for 3 years) seems counterproductive and likely to lead to potential environmental impacts that have not been analyzed in the environmental document. In the Parkway, use of mechanical methods for yellow star thistle and other weedy invasive plants have proven to be the most effective and benign approach. It is recognized that spot treatments of herbicides may be appropriate for a few larger invasives (e.g., arundo and tree of heaven).

D. The 5-Year Biological Monitoring and Reporting Program must include specific Performance Criteria to assure that plants are successfully maintained and established.

Thanks for the opportunity to provide comments on the draft environment document.

Sincerely,

Dan Meier

14danmeier@gmail.com

From: Dan Meier <14danmeier@gmail.com>
Sent: Monday, December 29, 2025 4:58 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Cc: Jason Wiesemann <jwiesemann@cityofsacramento.org>
Subject: COMMENTS ON DRAFT INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION
SUTTER'S LANDING PARK ADA RIVER ACCESS TRAIL PROJECT

Charles Tschudin
Senior Planner
Environmental Planning Services
City of Sacramento

I have one additional comment on the draft environmental document.

F

The project proponents originally indicated that the project must “be feasible and supported by the community and Parkway stakeholders”. As this project has unfolded and has been presented to the public it is clear that the proposed project is quite controversial and it not supported by many community and Parkway stakeholders. I believe that a “fair argument” can be made that the project may have significant environmental impacts and requires preparation of an Environmental Impact Report

unless the project is significantly redesigned.

The key reasons the project is controversial and has potentially significant environmental impacts relate to aesthetics, incompatibility with a Parkway Protected Area, and unaddressed nuisance and environmental impacts that would be cumulatively increased at the main beach that is already overcrowded and congested much of the year.

The key design elements that contribute to these impacts are:

- Three access points that all lead to the main beach.
- Excess and unneeded facilities in a Parkway Protected Area (including concrete ramp, picnic benches, plaza, and accessibility mats). Use of concrete as a paving material in the Parkway Protected Area.
- The current ADA design does not provide suitable, safe, nor equitable access to the river.

Sincerely,

Dan Meier
14danmeier@gmail.com

Response 19A:

The Project description in the Final IS/MND has been updated.

The City proposes to construct an ADA-compliant pedestrian river access trail connecting to Sutter's Landing Beach in Sacramento, California. The river access trail is a long-planned park circulation and access improvement intended to support public use. This improvement was previously approved and evaluated through multiple City planning and environmental review actions, including the 2003 Sutter's Landing Regional Park Master Plan, the 2008 Sutter's Landing Regional Park Phase 1 Improvements Project Mitigated Negative Declaration, and the 2025 Sutter's Landing Regional Park Site Amenities Plan Update. The Site Amenities Plan Update was analyzed within the scope of the 2040 City of Sacramento General Plan Master Environmental Impact Report (City of Sacramento 2024a), which evaluated park improvements and associated supporting infrastructure at Sutter's Landing Regional Park, including pedestrian circulation, accessibility upgrades, and river access features. As such, construction of the ADA-compliant river access trail represents implementation of previously approved plans and does not constitute a new or expanded park use beyond what was already analyzed under CEQA.

Response 19B:

The boundaries of City, County, and State Lands Commission have been added to Figures 3 and 4 (Land Use and Zoning). A list of permits and permissions needed for the Project is shown on page 15 of the ISMND under Agency Coordination.

Response 19C:

Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in

a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

As required under Policy 7.22 of the American River Parkway Plan (ARPP), the trail design will utilize appropriate colors, textures, and scale to blend into the setting and minimize potential contrast with the natural and recreational character of the Parkway while still meeting ADA requirements.

Response 19D:

Construction impacts to vegetation are disclosed in the Draft IS/MND and shown in Figure 8. Project Impacts of the Draft IS/MND (below). The project would result in 0.05 acre of temporary impacts to riparian woodland and 0.05 acre of permanent impacts to riparian woodland. Avoidance and minimization measures BIO-1 through BIO-5 will be implemented as part of the Project to reduce impacts on riparian woodland habitat to a less than significant level. Mitigation will be required for all trees removed with a dbh greater than 4 inches. Final mitigation requirements will be determined in coordination with CDFW during the acquisition of the 1602 Lake and Streambed Alteration Agreement. Although mitigation for impacts to CDFW habitat will be refined during final design and permitting, this timing is not considered deferred mitigation under CEQA. The CEQA analysis establishes the project's impact thresholds, identifies required mitigation measures, and commits the project to achieving specific performance standards. Final design only determines the precise implementation details such as plant palettes, exact impact limits, and permit-driven restoration specifications which cannot be finalized until agency coordination occurs. Because CEQA provides clear, enforceable mitigation requirements upfront, and only the design-level specifics are left for later regulatory approval, the approach complies with CEQA and does not constitute deferred mitigation.

Response 19E:

The City acknowledges the importance of preparing a robust restoration and maintenance program for the Project, including invasive species control, irrigation, performance metrics, monitoring, and coordination with local partners including the County. These elements will be incorporated into the final Restoration and Monitoring Plan prepared for permitting and construction. However, preparation of a fully detailed, species-specific restoration plan at the IS/MND and draft design phase is not feasible for the following reasons:

1. Restoration Plan Content Is Subject to CDFW Approval During the Permitting Phase

The Project will require authorization from the California Department of Fish and Wildlife (CDFW) in the form of a Lake and Streambed Alteration Agreement (Fish and Game Code §1602). CDFW does not engage in detailed restoration plan development during the environmental review or draft design phase. Rather, CDFW's review and approval of restoration plans occurs during the final design and permitting phase, once final grading limits, disturbance areas, construction methods, and impact acreages are established. CDFW typically prescribes specific requirements for:

- Planting palettes (native species composition, container sizes, and densities)
- Invasive species treatment methods and timing
- Monitoring duration and performance standards
- Adaptive management triggers

- Reporting frequency and format
- Success criteria and contingency measures

Because these requirements are highly site-specific and are imposed as enforceable permit conditions, the final Restoration and Monitoring Plan must be prepared in coordination with CDFW to ensure regulatory compliance. Developing a detailed, species-specific plan prior to CDFW's formal involvement could result in inconsistencies with subsequent permit requirements and necessitate revision. The IS/MND appropriately establishes the framework commitment (i.e., preparation and implementation of a CDFW-approved Restoration and Monitoring Plan with five years of biological monitoring) while reserving detailed technical specifications for the permitting stage when they can be finalized in consultation with the regulatory agencies.

2. Flood Control Constraints Must Be Integrated at Final Design

The Project is located within the American River Parkway and subject to the jurisdiction of the Central Valley Flood Protection Board (CVFPB). Any restoration activities, including planting density, tree species selection, placement of browse protection devices (e.g., cages or tubes), irrigation systems, and erosion control measures, must comply with flood conveyance and maintenance requirements to ensure that flood capacity is not impeded. The CVFPB reviews final plans to evaluate:

- Potential encroachment within the floodway
- Vegetation type, height, and density relative to hydraulic modeling
- Installation of fencing, cages, or irrigation infrastructure that could trap debris
- Access for ongoing levee and channel maintenance

As with CDFW, these requirements are applied during the final design and encroachment permitting phase. Detailed restoration hardware specifications, invasive control protocols, and vegetation density standards must therefore be refined in coordination with CVFPB to ensure that flood control performance and public safety are not compromised.

3. CEQA Does Not Require Final Construction-Level Specifications

Under CEQA, an IS/MND must identify potentially significant impacts and incorporate feasible mitigation measures to reduce those impacts to less than significant levels. CEQA does not require preparation of construction-level design documents during environmental review. The IS/MND commits to:

- Decommissioning and restoring informal trail corridors;
- Preparing and implementing a Restoration and Monitoring Plan;
- Conducting five years of biological monitoring consistent with the NRMP framework; and
- Implementing adaptive management as needed to achieve success criteria.

These commitments provide the performance-based framework required under CEQA. Detailed implementation protocols such as exact herbicide timing, tube removal schedules, survival thresholds, and annual reporting formats are appropriately developed in the final Restoration and Monitoring Plan, which will be subject to agency approval and enforceable permit conditions.

4. Funding

Finally, while the IS/MND commits to implementation of restoration and monitoring, the specific funding source for construction and long-term maintenance of the restoration area has not yet been finalized. Until funding mechanisms and responsible parties are confirmed, the City cannot commit to construction-level details such as exact irrigation duration, inspection frequencies, hardware removal schedules, or annual reporting formats. Those elements will be defined in the final Restoration and Monitoring Plan once funding, implementation responsibilities, and permit conditions are established.

Response 19F:

The City has prepared the ISMND in accordance with the requirements of the CEQA. Based on the analysis in the Initial Study and the incorporation of mitigation measures, the City determined that the Project would not result in significant environmental impacts. Under CEQA, the existence of public controversy alone does not require preparation of an Environmental Impact Report unless substantial evidence supports a fair argument that the project may result in a significant environmental effect. As disclosed in the Draft IS/MND, potential impacts related to aesthetics, air quality, biological resources, cultural resources, hazardous waste, water quality, and noise would be avoided or reduced to less-than-significant levels through project design features and mitigation measures. Based on this analysis and the identified mitigation, the City has determined that the Project would not result in significant impacts and that preparation of an EIR is not required.

Comment 20: Thomas Biglione (December 31, 2025)

Date: December 31, 2025

To: Charles Tschudin, Senior Planner
Department of Youth, Parks,
and Community Enhancement,
City of Sacramento
915 I St, 3rd Floor,
Sacramento, CA 95811
Email: ctschudin@cityofsacramento.org
Tel: (916) 308-8145

Project: Sutter's Landing Beach ADA River Access Trail Project (L19913000)

Subject: Written comments regarding the Draft Initial Study/Notice of intent to adopt a Mitigated Negative Declaration

RE: Comments by Tom Biglione on Sutter's Landing Beach ADA River Access Trail Mitigated Negative Declaration.

Thank you for the opportunity to comment on the City's Draft Initial Study/Notice of intent to adopt a Mitigated Negative Declaration for this proposed project.

I am a resident of Midtown Sacramento and have been an active AR Parkway volunteer since moving to arriving in Sacramento in 2010. I also regularly canoe the lower American River and takeout at Sutter's Landing on longer paddles. My comments are based upon my experience in various Parkway Access points which informs comparisons I will later make. For the past five years I have worked cooperatively with other Friends of Sutter's Landing members to clean, weed, and interact with the visiting public at Sutter's Landing. That experience has given me the opportunity to observe visitor demographics, their reasons for coming, and the stresses they have put on the landscape. During that time, I have also been able to observe the limits of attention that both City and County Park Rangers and Maintenance staff can give to the area.

Sutters' Landing Beach, like most access points of the Parkway is unique. What sets it apart is that:

- 1) It is within walking and bicycling distance of three distinct single-family residence and small unit apartment neighborhoods – Midtown, East Sacramento, and McKinley Village.
- 2) It is one of the safest beaches for small children and contains in its narrow margins a healthy riparian corridor and understory that support a large population of resident and migratory waterfowl, song birds, and raptors. and so.
- 3) And yet remains the sole Parkway location that is identified with a much larger area on the far bank of the river.

Observations

I believe this Draft Initial Study/Notice of intent to adopt a Mitigated Negative Declaration for Sutter's Landing Beach falls short in concept and in detail.

Other commentators, including Dan Meier, Chuck Watson, Charlene Vine/The Lionheart Community, Paul Miller/Sacramento Audubon Society, Bruce Forman, and Mark Baker have expressed their views and written in better detail than I. By including their names here, I recommend you pay close attention to their remarks.

The DIS/NOI and Mitigated Negative Declaration fall short in these ways:

- 1) There is no architect's rendering of the size and scale of the proposed ADA Trail and Ramp. Only 2-dimensional drawings were provided to show its footprint. Without that, it is easy for those who make decisions about the project to underestimate the visual impact it will have on the entry to this tiny gem of landscape. The ramp will alter run-off and footpath patterns that cannot be foreseen by board, council, and commission members.
- 2) Even with reviews by the County and City Disability/ies Councils, there was little familiarity with the area and visitor usage patterns. As for the two City Commission members who had actually visited the site, and other Parkway sites, there was too little information for them to truly draw informed conclusions of the merit and actual benefits of the Trail.

This is where the comments by Charlene Vine, Paul Miller, Bruce Forman, and Mark Baker are so important. They are commenting from lived experience at this location and, in the case of Bruce Forman, Paul Miller, and Charlene Vine, disability access reviews in other locations in the Parkway.

- 3) The restoration element so the project needs a great deal more detail and specificity of monitoring, irrigation, and maintenance. We know from experience that there was little to no supervision of the City's 2.5-acre restoration site maintenance contractor during its 7-year monitoring and maintenance.
- 4) Have you considered that there are far better locations in the Parkway to provide boating access for people with disabilities?
- 5) When and to whom were the questions ever asked of the mobility challenged or sight impaired population for their reasons for going to the river? What are their interests? What challenges have they encountered? What would they like their experience to be?

Below are three photographs representing real outcomes of similar projects. I hope we can see more representative drawings and specifications that can avoid these outcomes for this project.

Examples of possible undesirable outcomes at Sutter's Landing Beach



Tiscornia Boat Ramp Erosion& Undercutting at 2.6 ft high tide



Two Rivers Bike Trail ADA Access Ramp Glenn Hall--AR Parkway

Examples of possible undesirable outcomes at Sutter's Landing Beach



Friant Cove ADA Ramp & Riprap, San Joaquin River Parkway below Friant Dam

Sincerely,

F. Thomas Biglione
500 25th Street
Sacramento, CA 95816
209-601-2724
ftbiglione@gmail.com

Response 20:

Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.

Regarding the monitoring, irrigation, and maintenance of the restoration area The City acknowledges the importance of preparing a robust restoration and maintenance program for the Project, including invasive species control, irrigation, performance metrics, monitoring, and coordination with local partners including the County. These elements will be incorporated into the final Restoration and Monitoring Plan prepared for permitting and construction. However, preparation of a fully detailed, species-specific restoration plan at the IS/MND and draft design phase is not feasible for the following reasons:

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4. Funding

Finally, while the IS/MND commits to implementation of restoration and monitoring, the specific funding source for construction and long-term maintenance of the restoration area has not yet been finalized. Until funding mechanisms and responsible parties are confirmed, the City cannot commit to construction-level details such as exact irrigation duration, inspection frequencies, hardware removal schedules, or annual reporting formats. Those elements will be defined in the final Restoration and Monitoring Plan once funding, implementation responsibilities, and permit conditions are established.

Comment 21: Bruce Foreman (December 28, 2025 and December 29, 2025)

From: Bruce Forman <beforman@yahoo.com>
Sent: Monday, December 29, 2025 4:20 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Subject: Fwd: Sutters landing trail planning

Hello Charles,

This is the June 3 letter I sent to various city of Sacramento staff regarding not only my initial opposition to the City's 3 choices of a trail plan at Sutters Landing Park but a concept proposal for an accessible trail at either a different park (Howe Ave Access) within the city limits or at SLP using a different routing and different destination for a trail plan

I'm not sure if it's needed now but I never received a response from City staff so I want it in on public record that I submitted it back in June.

Bruce Forman

Sent from my iPhone

Begin forwarded message:

From: Bruce Forman <beforman@yahoo.com>
Date: June 3, 2025 at 1:04:07 PM PDT
To: Tin-Wah Wong <TWong@cityofsacramento.org>
Cc: rmoore@cityofsacramento.org, jwiesemann@cityofsacramento.org,
ERoati@cityofsacramento.org, bellase@sacounty.gov,
Jbeecham@cityofsacramento.org
Subject: Sutters landing trail planning

Hello Tin-Wah,

I am writing to express my viewpoint regarding the plan and alternatives proposed to improve and expand public use via a trail at Sutters Landing Park. I am pleased to see the City addressing limited accessibility at its parks adjacent to the American River Parkway. However, I am not convinced Sutters Landing Park merits a new trail for paddlers or mobility impaired visitors.

I wonder if there has been misinterpretation of the American River Parkway (ARP) Plan. (8.17. Access for people with Disabilities). A kayak concession stand needn't be a permanent facility. I've seen such done.

It could simply be trailers or temporary placement of racks to house boats (for perhaps 6 months of year before being moved) and a canopied table top welcome and registration booth. These are not facilities. It seems a trail would not be required. I question its need, impact, and cost effectiveness and offer an alternative site.

First a little background. I'm a retired interpretive/recreation planner (State Dept. Fish and Wildlife supervisor/ manager), with field biological and interpretive background. I'm familiar with much of this river's ARP wildlands from hiking, paddling and birdwatching. I managed three accessible trail projects on lands managed by the CA Dept. of Fish and Wildlife and worked on community outreach in Sacramento.

I was the CEQA lead on one trail project and this included field surveys, community meetings and fund development. One project (1/3 mile) was at Nimbus Hatchery in Rancho Cordova (river trail).

I have visited Sutter's Landing Park 15+ times in spring, summer and fall, including recent reconnaissances to analyze the three alternatives the City has proposed for an accessible trail combined with paddlers access. I've considered the City's intent to have a sustainable commercial kayak rental

concession. I did attend the County DAC meeting in April, where your engineering consultant presented 3 alternatives of trail routes. I have evaluated each and have concerns not only of all three but question the premise of why a trail is needed as well as why an additional notable alternative at a different location was not included in the planning and public outreach being conducted. I offer an alternative plan below some initial comments.

I am not clear on your objectives other than trying to improve access to the Parkway for launching and what seems to be your thought (or others) that an accessible trail is required. It seems you might want to offer an on-ground view of the river. However, paddlers (I've spoken with some) already have adequate access. All of the ones I communicated with seem to be fine (and prefer) walking in on path and none desire steps. They often wheel their boats. I carry mine. Steps become a hazard.

Furthermore, I am not clear on why the paved trail is not sufficient for pedestrians as it provides wildlands and river view (to the east) access.

I did not hear why Sutters Landing Park is selected over other sites for a new trail. I also did not hear of the inclusion of other elements such as:

- a. Scenic value of experience.
- b. Quality of recreational experience (eg peacefulness and lack of crowds).
The river frontage (main beach near entrance) is quite small and well utilized already. It often floods making it unavailable.
- c. Educational experience (with signage) to augment experience.
- d. Monitoring (ranger) and regular Maintenance level expected and on-going means to accomplish. (Trash, human waste, drugs, fire, dumping).
Visitors I've spoken with seem to think it's very low now.
- e. Cost effectiveness of the expense for such a new trail over the levee and benefit analysis compared to other appropriate locations in the city.
- f. How is the city prepared to handle regular inundations of this immediate area (repair damage - ongoing basis)?
- g. is support of project granted by levee district?

It seems the accessible pedestrian trail is an afterthought; perceived as a requirement so the planning process is kept as a bare minimum to do what's required. I'm not convinced that what's being planned is what's best for visitors including location, quality of experience, access to restrooms, and impact to sites's natural resources.

Kayaking/SUP Concession, Carrying Capacity, Alternate Site

The introduction of a commercial watercraft rental operation in the adjacent City Park may well increase usage beyond what seems to be the carrying capacity of the very small and often spring inundated immediate beach area. This is in a Protected Area.

I've heard from a dozen people onsite this spring (all are regulars) that it commonly gets crowded during the warmer months.

Without an objective analysis, it is impossible to evaluate the potential impact on the Parkway's resources. The project risks exceeding the area's intended capacity and compromising its natural qualities as well as reducing qualities of visitor experiences. The small public use areas here (which shrink during river swelling periods especially in spring) will be stressed. I suggest the City consider an alternative that informally splits access routes for both kayakers (with others in their party) and one for mobility impaired persons and abled walkers.

The City's proposal involves developing services within the Parkway to support a commercial activity, which conflicts with the ARPP's land use designations.

No commercial activities are permitted within a Protected Area.

I think the area of the park (rental kiosk and boats) lies within such an area. Activities that attract larger numbers of users should be directed to Limited Recreation or Developed Recreation areas. An example of this is Howe Ave. access. I have reviewed this site and it poses a distinct viable alternative. The boat launch is already there and in good condition. A short (700- 760'), level and thickly forested hikers/equestrian trail takes one (via a short spur) to a commanding river vista. A natural landing is well up slope from the water. I did not see any botanical species of concern (eg rare, threatened or endangered). A short visit by a botanist may well confirm this.

However, if the City is set on developing a trail at SL Park, because it has determined it is a most desirable and needed site, I do think that the proposal below is a more suitable alternative. First I present my concerns with the current alternatives.

Concerns on Currently Proposed Trail Alternatives (3)

First, I am concerned about the development of steps up and down the levee. What benefit does this provide, and at what cost? As a paddler, I would much sooner use the current easy, diagonal social path to carry or wheel my kayak. Adding a crushed rock base layer over as the tread would improve this. This involves a far lower cost and lower maintenance need that better serves paddlers. A switchback or climbing turn trail (alternatives A and B) would involve significant excavation, construction and alteration of the levee (including use of retaining structures). I question if the levee district would approach such construction.

Bringing all visitors to a single, very small location is a poor recipe. Territorial issues and conflicts will arise. The use of audio equipment in a small area will reduce the experience for many if not most visitors who seek a quieter experience. The trail through the woods adjacent to the beach would need a particularly wide clearance to accommodate kayaks and wheelchairs in both directions. This would take out many trees.

Crowded conditions will force visitors to seek out more private spaces which will have impact on the fringe natural vegetation. This is a common result of crowded locations.

Vegetation damage, accelerated erosion and more social paths inclusive of trash and fire rings/pits will occur as they have commonly occurred elsewhere along the Parkway. I have photo documented this.

The following lists the criteria I used for routing. (Subject to CEQA review).

- a. low impact on resources, direct and indirect (minimize lures for off trail use and associated impacts). This includes construction impacts.
- b. quality scenic experience (river view included)
- c. avoid crowded conditions at main beach. (This can be done informally by separating kayakers and their non-paddling companions from hikers of all abilities.)
- d. avoid or minimize use of a retaining wall.

- e. avoid commonly flooded areas along trail.
- f. include some shaded areas on route especially at terminus (vista, launch area). This might involve planting of 1-2 trees. (Eg. Cottonwood).
- g. allow for two distances (Short and longer routes for different abilities).
- h. consider length of trail from parking to terminus (river view)- approx 0.15 - 0.3 mile maximum.
- i. integrate 3 habitats (grassy area, woods, riverbank/river). Preferably have trail go by restoration demonstration project for inspiration, education and beauty (an interpretive sign would be useful here).

i. Proximity to restrooms. As Sutters landing restrooms are far from the trailhead parking; Portable potties or a new restroom is needed.). Unless these latter services would be properly maintained, and considering current use, and expanded use, many visitors will release waste in nature. I saw signs of this on all 3 recons especially as I left the social path to evaluate routes. It surely was and is a concern.

When I was asked by one visitor "where's the bathroom?" and I knowingly replied, his response was "I'm not going all the way there" and he continued into the woods. I saw another visitor discharging by a tree. This is a recipe for an avalanche of an issue.

At Howe Ave. potties are set up. (I'm presuming plumbing is not in working order at adjacent restrooms); semi-close to the boat launch and trailhead. Better maintenance is needed here which makes me concerned for additional maintenance at Sutters Landing.

Proposed Trail- Sutters Landing

Start with improving the diagonal social path (surface) over levee for paddlers.

Then, use the current accessible paved trail (blue alternative on map) for pedestrians including those in wheelchairs and those using walker/other aides and strollers. At the bottom of the slope an earthen trail turns west. Continue east a very short flat distance (100' or so) to where the trail would divert north by a demo restoration area with an adjacent mulch area and continue a very short ways via a T-junction of social paths (take left turn) to

an old boat launch area. An elderberry tree would remain protected. Trail would route nearby, possibly with an interpretive panel on the valley elderberry beetle. The trail would quickly and gradually descend to a pleasant shaded beach area and simple boat launch. This area is wide enough to support a medium (12-15) group of paddlers and their party of non-paddling people (20 or so) who could enjoy a shaded beach and river view.

Additionally, mobility impaired visitors and their parties of people, and able bodied walkers would continue east at the above t-intersection just a short (150') ways (aligned with existing social path) on an improved (fairly flat) accessible trail spur which turns northward a very tiny distance to a river vista by two large trees. Some understory brush (willows) would need to be removed. This large, flat earthen area (landing) offers a panoramic view (far greater beauty than elsewhere in area) and would be a welcome terminus.

The higher ground (no beach) would be less likely to flood than the other two locations (general public beach and boat launch beach). A small safety railing would secure visitors and reduce straying visitors from walking down the earthen slope to the water. Willows between the landing and river would be retained as a barrier. Biannual trimming is suggested to maintain river view.

Strategic plantings of 1-2 cottonwood trees would provide shade over the earthen landing within 5-10 years.

Most visitors would likely visit the current first (main) beach, closest to the trailhead, as they do now. Having a proper additional terminus would nevertheless help reduce carrying capacity pressures at the main beach, soften environmental impacts, enhance the recreation experience for all, and reduce visitor conflicts.

The distance from the trailhead to the river vista I've proposed, via the existing paved trail, is actually shorter than the distance to the main beach via the existing paved trail.

I would be happy to walk this proposed route with you and others. I'm not understanding why it seems to have not been considered.

Trail Material

As to trail tread material, the concrete you have recommended goes against

natural material specified in the AR Parkway Plan. It calls for use of naturalistic material. Compacted aggregate (CA) would be a preferred and plan aligned option. Over time concrete tends to crack, chunk and otherwise deteriorate especially with inundation from high river flows. CA is easier and less expensive to repair. This concrete chunking has happened repeatedly on the lower American River. Furthermore, extending a trail to near the normal high water mark, as was mentioned, is not needed. The risk for inundations and damage in high years is not worth it. Giving visitors a desirable view of the river instead of bringing them down to the water would be a great asset and far easier and less costly to maintain.

A few additional questions remain.

- a. have you surveyed the paddling community, and what might you have heard and addressed ? One organization is Sacramento-Sierra Kayaking Explorers Group SKEG. Another local one is SacYakkers but haven't communicated with them for a few years. (not sure if still exists)
- b. have you addressed the concerns and interests of Friends of Sutter's Landing? (I've met with a few who haven't heard of a response.).
- c. have you addressed the interests and concerns of the mobility impaired community, especially those inclined to want nature outings? (Eg DAC at CSUS - via Dr. Vance; and Sacramento Audubon which has an accessible outings program, headed by their President Paul Miller?).

Alternative at Howe Ave. Access

In the event you would consider having an alternative trail at a different location to reach the same targeted user groups, I offer a few perceptions from my recon at Howe Ave. access.

- a. Location is advantageous to serve underserved neighborhoods in Arden Arcade (Howe/Fulton corridor) and Southeast Sacramento City residents - Tahoe Park, Elder Creek, Florin, Fruitridge and Lemon Hill corridors.
- b. Adequate parking (40-50 stalls) with free parking nearby on La Riviera Dr.
- c. Good main road access including RT in area.
- d. Restrooms at park site adjacent to parking.

e. View from parking lot to river is immediate. Much river frontage (linear feet) is available so visitors are spread out. Willows reduce crowded visuals.

f. Adequate space exists for a kayak concession with good, immediate access for launching a boat. River flows are mild most of year albeit flooding occurs in winter but that's off season for paddlers.

g. River conditions are typically very hospitable for most of the year. Flat, lighter flows and slow enough in summer for out and back trips in both directions gives this an advantage. River here is not subject to high back flows of Sacramento River as is the case at Sutters Landing.

h. General trail route corridor is fairly flat. Easy grade for trail development.

i. Vegetation in trail corridor does not appear in any likely significant threat to trail construction and trail use nor is construction likely to be an issue for plants and wildlife. CEQA review will verify any concerns. Hand tool work should be adequate.

j. The forest route above is quite scenic. It is a thick forest with mature understory as well. I found it quite enjoyable and quiet.

I would be happy to discuss these locations with you and your engineering consultant Pamela. As I am retired, I commonly have good availability. I can be reached at 916-534-0675.

I am also working with a retired State Parks trail designer on another local project. He has also managed trail construction for years before elevating to a District Chief. Perhaps you would be open to having him be a consultant on your project. He has reconned the Sutters Landing and Howe Ave. Access sites. He concurs with both the concerns listed above at Sutters Landing and the recommended alternative I've proposed; an accessible trail at the Howe Ave. Access. I'd be glad to introduce him to you.

In the event you'd like to meet to discuss or visit the site(s), I will not be available June 17 - July 3. My schedule is half full before June 17.

From: Bruce Forman <bforman@yahoo.com>
Sent: Sunday, December 28, 2025 10:17 PM
To: Charles Tschudin <ctschudin@cityofsacramento.org>
Cc: Jason Wiesemann <jwiesemann@cityofsacramento.org>; Ezra Roati <eroati@cityofsacramento.org>; Jackie Beecham <jbeecham@cityofsacramento.org>; Dana Repan <drepan@cityofsacramento.org>; Shannon Brown <sdbrown@cityofsacramento.org>; Bellas. Liz <bellase@saccounty.gov>; cibrownci@icloud.com; KC Sorgen <sorgenkc@saccounty.gov>; District 4 <district4@cityofsacramento.org>; District 1 <district1@cityofsacramento.org>; District 2 <district2@cityofsacramento.org>; District 3 <district3@cityofsacramento.org>; District 5 <district5@cityofsacramento.org>; District 6 <district6@cityofsacramento.org>; District 7 <district7@cityofsacramento.org>; District 8 <district8@cityofsacramento.org>; PEECDistrict4@gmail.com; Cara Allen <cara.allen@wildlife.ca.gov>; Tin-Wah Wong <twong@cityofsacramento.org>
Subject: Sutters Landing Draft IS/MND on Accessible Trail Planning

Dear Mr. Tschudin, City Officials and All,

I am writing to oppose the City's plan, as described in its Draft Initial Study with Proposed Mitigated Negative Declaration (IS/MND) to develop a concrete trail on the particular route it has prioritized at Sutters Landing Park (SLP).

I have had experience with wildlands trails and nature recreation planning. I managed education and recreation services for the CA Department of Fish and Wildlife for 31 years. My work included managing development of three accessible wildlands trails. I worked with trail designers, planners, and construction managers. I have visited SLP many times over four decades including a dozen visits this year. I have considered the city staff's reasons and objectives, and reviewed its prioritized plans. I propose a different approach that is a more equitable for quality river-themed experiences for all people but particularly physically, visually and other disabled visitors, and one that supports

diverse, site-appropriate recreational interests. This includes general scenic/nature appreciation, fishing, bird watching and photography. I have also considered the impacts of a new trail on current visitors at the main beach.

I applaud the City's intent to better serve disabled and disadvantaged residents with nature access but I oppose its plan as described in IS/MND.

These are my main concerns of the City's plan in this Draft IS/MND that form the basis of my opposition.

A. Impact on current users and site.

An 8 foot wide trail reduces space for an already crowded small main beach. Concrete is likely a very unappealing visual to many beach visitors. This trail will increasingly deteriorate with expected increased use due to major facilities development in the park's master plan and a proposed water craft concession at the adjacent skate park. The natural area in this park is designated as a Protected Area. It is classified as a low-moderate use site. The use of this fragile, narrow and small beach area already commonly exceeds a proper carrying capacity for recreationists and for environmental protection. City/county staff level of maintenance has often seemed low over months and years. More visitors here will continue a pattern of habitat degradation by seeking out space in adjacent areas further wiping out understory riparian plants and leaving litter, human waste and dangerous fire rings. Noise level will become even higher.

B. Visitor Experience for Target New Users Groups

A lower quality nature experience of disabled visitors at main beach can be expected using the city's planned trail. Factors include:

- noise of beach visitors and boats (motors, music, voices).
- crowded, often reaching or exceeding its carrying capacity in summer.
- boat fumes and oil leakage from nearby anchored boats.
- greatly reduced quality of nature experience (eg birds sounds due to lack of understory plants and public noise).

C. Plan to Use Concrete

Concrete should be avoided as per the AR Parkway Plan.

Section 8, p. 131. Pedestrian Trails.

- not naturalistic
- high cost long term maintenance

D. Expense

A highly expensive new trail over the levee is not needed when a current trail is accessible and close to an excellent beach and nearby riparian forest with mature trees for shade. Substantial cost savings by using an alternative plan would allow for other facility improvements of this park.

There is also no need to build steps over the levee when a short, safer, accessible bike/pedestrian trail exists. Alternatives should be considered to thwart public use of steep levee slopes. This could include low fencing (possibly with nature themed murals) or blackberry plantings. The current accessible paved trail takes visitors to what would be a shorter distance (than to main beach) to my proposed route over an existing non accessible official trail to the old boat launch that could be improved for full accessibility to allow an equitable river themed visit.

E. Fishing Access for Disabled Visitors

For many months of the year, the main beach commonly lacks space for a practical fishing area for mobility impaired/disabled anglers. Tree canopies further thwart casting and reeling in. High use of anchored boats make for additional safety hazards.

F. Kayak /SUP launch

Without a floating dock, a concrete ramp on an often crowded beach with nearby anchored motor boats is not a proper, safe accessible launch. This is undesirable and contrary to a safe, quality experience. A fully accessible craft launch should be located elsewhere such as Howe

Ave Access and/or Woodlake across the river to the west. MOBI-mats as the City has suggested, need nearly daily maintenance as per State Parks staff. Water levels here also fluctuate as was especially seen the last few summers, the primary season of paddling use.

G. Outreach

This project lacked the required early notification process and was well below standard outreach to the disabled community. Various organizations representing this community need to be engaged. The survey questions used were misleading and led people to the desired result that the city staff or consultant wanted. An objectively worded survey needs to be utilized in another round of public outreach that is inclusive of having 2- 3 alternatives of trail routing.

I do not believe the City has done proper work in notifying and engaging with organizations that serve Sacramento city residents with disabilities and other community members. The groups I led out in the field at this park had not received project information from City staff or its consultant.

H. Maintenance

I have not seen any statement on the City's financial resources committed to this site for new facilities. As a frequent visitor of SLP, I commonly see poorly maintained facilities and grounds.

I offer an alternative trail route. This echoes the proposal I emailed to a good number of city staff on June 3. I did not receive a response to this proposal nor has it been offered as one of the alternatives in your planning process.

I have attached a detailed trail alternative for your consideration. A map of the proposed trail is also attached. I would be happy to meet with you to discuss this project.

Sincerely,

Bruce Forman

**Accessible Trail Project - Sutter's Landing Park, Sacramento
Proposal for an Alternative Accessible Trail, 12/29/2025
Statement of Need and Purpose**

The City's interest to offer accessible use of the American River Parkway at Sutters Landing Park (SLP) is to be commended. There is a general lack of accessible trails along this Parkway. Thus, various organizations that serve people with disabilities toured the site, looking at the City's plan as well as other alternatives. Staff representatives from Residents for Independent Living and the Capital Chapter of the California Council of the Blind shared their insights and preferences with Bruce Forman and Paul Miller. Paul is the President of the local Audubon Society Chapter and uses a wheelchair. Paul is also the Chair of the chapter's Accessible Outings Committee. Bruce has additionally sought input at the site from leadership representatives from the following organizations: Lionheart Community (serving people with spinal injuries); Trout Unlimited (focus was on anglers with disabilities); Granite Bay Flycasters (focus was on anglers with disabilities); and Eugene Lozano, a very highly regarded local advocate for the visually impaired and blind community.

The paved bike and pedestrian trail parallel to the levee at SLP is accessible and offers forest edge and grassland themed experiences. It does not realistically offer a river-themed experience (too far to reach for most) to people in wheelchairs, using walkers or canes or having other physical or visual impairments. Interest in nature experiences for recreation, learning and healing has greatly increased and yet very limited opportunities exist in the City of Sacramento. The disabled communities of Sacramento as well as residents in neighborhoods in the downtown and midtown areas need to have convenient and equitable river-themed opportunities. An accessible trail, consistent with the ARP Plan would offer this important opportunity for thousands of people during the year who otherwise would not visit the river.

Seeing bufflehead ducklings sunning on the water, hearing various melodies of pretty songbirds or the cries of circling fan-winged hawks, and even the bark of salmon-prowling sea-lions, soothe and vitalize the human spirit. Many visitors enjoy feeling and sensing the fresh river breeze, the rustling of yellow cottonwoods waving each fall, and the wavy flow of snowmelt currents rippling over banks. An opportunity for a shaded summer escape in pursuit of a lurking catfish or bass brings joy and yet

soothes an intrepid angler. These are just a tiny fraction of sensory experiences that await visitors seeking beauty, solitude, diversity of nature and a pleasing respite from urban living.

For many people with disabilities, this right for equitable quality services can get obscured and diminished by being given the minimum or conditions that reduce the quality of their experience. Many people with mobility and visual disabilities cannot venture far into the Parkway to reach the river. They need reasonable distances for their experiences. That does not mean they are given the closest destination for what may often be a marginal if not poor experience. But this is what the City's plan at Sutters Landing calls for. The main beach is a commonly crowded one filled with often raucous picnickers, blaring music and the rumbling of motor boats anchored at the beach with motor fumes wafting. Other times it's turf for children loudly playing. Large group gatherings are common. The local nickname is "party beach."

These new visitors with disabilities cannot get to more distant areas of Sutters Landing where they can find tranquility, enjoy the sights and sounds of nature, and have a quality river-themed experience. For some people with disabilities, such as those who are neuro-divergent, this overload of sensory stimulation at the main beach overwhelms them with stress or anxiety. They need a practical alternative.

There needs to be a broad perspective when planning a trail route and destination. In designing trails to meet the needs of people having a wide array of disabilities it is paramount to consider the experience from their perspectives. Too often facilities are designed for non-disabled visitors in the most basic required ways - by codes and measurements. Consideration should be given to additional factors that affect and shape the quality of experiences. I believe the City has overlooked such factors. The goal should be to maximize the enjoyment of their visits, not to do the minimum that is required.

This focus of reconnaissance includes the following factors:

- Peacefulness - away from crowds as visitors with disabilities define crowd (which can often be lighter level of people /sounds). Not only can there be annoyance here, but a crowd can also often drown out nature sounds, important for many.

- Undesirable smells (boats, industrial, trucks) should be minimized if not avoided.
- A river vista opportunity that is pleasing should be sought for the benefit of those who have sight including companions of visually impaired people.
- The route used to get to a river location is also important. The understory and mature canopy of a riparian forest along a trail hosts more birds and offers a richly diverse experience of sights and sounds.
- The degree of shade is very important to those more sensitive to direct sunlight. Moderate shade should be generally available, especially in summer afternoons.
- The distance of a route is important. That does not mean the shortest route is the best route. A desirable route is one that is easy and fairly short to reach, such as 10-12 minutes or less. Mobility-impaired visitors using walkers and canes will travel at slower paces than able-bodied visitors.
- The number of turns at intersections with other trails and paths should be kept to a minimum to reduce routing mishaps. There should be trail-curb elements to guide visually impaired visitors to the correct location.
- The importance of trail-edge material for tactile and visual support is vital. Some form of contrasting textural material is needed for those with limited or no vision to navigate, such as river rocks. This design needs to also include sufficient visual contrast to enable those with limited vision to successfully navigate the trail.

A different site is needed for an accessible, river-themed experience, one that is reasonably close for them, offers a more peaceful setting and a quality route and destination having natural values. Such routes and destinations are proposed here. The City would not need to create a new, expensive trail (ramp) cross over the levee as it has planned. Rather, it would utilize the existing accessible pedestrian and bike trail from the

trailhead by the parking lot (D) at the levee. This proposed route is described below and depicted on the accompanying map (attached to email).

Summary of Proposed Alternative Trail at Sutter's Landing Park

A. Trail Description - The trail would have 4 components.

1. The first part of this fully accessible trail would use the existing bike trail down the first initial slope from trailhead, approximately 400 feet to base.
2. The proposed new segment would angle north from this flat earthen location, generally following an official old boat launch trail beyond the east side of a mature elderberry tree, next to a native plant restoration plot. The trail would follow the slope down (wild roses on left shoulder and ~~himalaya~~ berry bushes and boxelder to the right) to the upper zone (boxelder trees and virtually no understory) of a small beach, a distance of approximately 200 feet. An accessible pullout 25 feet off trail, spanning 30 feet wide, would serve as a flat beach terrace generally above river level (especially in summer) to serve as a fishing zone and for those simply wanting a pull out closer to the water for a more intimate river-themed experience.
3. A prospective spur trail to a landing site, a total distance from trailhead of 0.2 mile, routing east of parking lot is a preferred site. It is 0.1 mile east of where the paved trail meets the earthen old boat launch trail (above).

This route mostly relies on the existing paved, accessible trail upriver. It is currently used by physically and visually impaired people, all of which (3 groups) on recon this fall were comfortable with shared use with bicyclists. A short composite aggregate spur trail, close to 90 feet (including a switch back to lower grade) would wind through grasses adjacent but not directly under crown canopy) by a set of five mature cottonwoods to the west (affording shade in afternoons). The terminus would be at a bluff overlooking the river with one-sixth of a full panoramic view. The landing is set back from the river where far less flooding occurs. It was above (10 feet plus) river level on

December 23, 2025 when dam releases were at 11,000 cfs. All beach areas in general vicinity were flooded this day.

4. An additional trail section (compacted aggregate) would start from the bottom of the slope of the paved bike and pedestrian trail immediately to the east of the trailhead. It would run west (approximately 300 feet) along the flat terrain in a grassland edge of the riparian forest (parallel to the levee). It would intersect the current trail to the main beach. A partial river view would be afforded from a bench in this area. This section would be fully accessible.

Beyond the bench the trail would drop elevation through the woods and emerge at the beach among boxelder trees. From this point, the trail would would not meet criteria for being a fully accessible trail (meeting ADA guidelines) once it drops towards the beach.

B. The following factors were considered in the analysis of the site.

1. Ease of access (including numbers of turns);
2. Degree of vulnerability of river flooding;
3. Quality - visually and auditory (aesthetics, bird sounds, visuals)
4. Distance (time to travel);
5. Degree of disturbance to nature (in construction and in use);
6. Shading and timing of day;
7. Construction cost;
8. CEQA field work cost;
9. Projected maintenance cost;
10. Opportunities for benches enroute and at the landing;
11. Projected categorical level of use (by walk-ins, motor boats)

C. Materials/Elements

1. Trail material would be compacted aggregate (gravel) with clay/silt additive to match colors of exposed terrain soils. This naturalistic material conforms to the requirement in American River Parkway Plan. There would be some form of contrasting tactile edging (e.g. river rock) so those with limited or no vision can navigate to stay on trail without a sighted companion. Sufficient visual contrast of trail surface is needed by those relying on limited vision. The compacted aggregate trail proposed here would generally be 4' wide with a minimum of one passing section with a width and length of 5' in each of the two sections (<200') off the paved bike trail.
2. The additional landing terminus would have wooden or metal railings for safety and for interpretive panels on east and west sides. Panels would use technology to be useful by visually impaired visitors. Benches would be integrated at the upper beach terrace and the landing.
3. A retaining wall (450-500' total, 1' to 2' high) is needed in the mid-section (riparian) above the beach to support the trail curve as it lowers. The curb is needed at the old boat launch beach to create a mid-beach terrace (pullout) available to all visitors. The wall would use soldier pile with timber lagging to reinforce and to reduce erosion risk. Large rocks at the outside base will serve to further protect the wall and curb area.
4. Toe rail low curbing (for wheelchairs and other aids). Wood or metal.

D. Permits - A Lakeside Stream Alteration Agreement permit from CA Department of Fish and Wildlife will be needed. An Army Corps of Engineers permit (1500) is required as well. Other permits may be needed.

E. Plants and Wildlife - No plant species of concern have been noted in this proposed trail project. A local botanist would need to assess the total work corridor site. The same holds true for wildlife. No vertebrate species of concern have been seen in this zone nor are they expected to be here. A local wildlife biologist would be needed to assess the proposed trail area.

There are elderberry trees in the area by the current trail but there is ample space for the trail improvement work to occur. No impact or mitigation is expected but this would need to be professionally analyzed for proper clearance.

F. Maintenance - The proposed trail will be less expensive and less labor-intensive (compared to the City's alternative) to maintain over the long term. The use of concrete, as the City's consultant has proposed, will be subject to cracking, buckling, chunking and being scoured out underneath as is the case at other city and county locations such as Tiscornia and Discovery Parks.

G. Sun Exposure to Visitors - The upper beach area has a southern border of mature cottonwood and boxelder trees affording substantial shading in the summer, especially in the morning when higher number of visitors would be expected. The willows and boxelders to the west would afford good shading late in the afternoon and early evening in the summer.

As to the landing, morning use would receive full sunlight. However, for afternoon visitors, there are 5 mature cottonwood trees immediately west of the trail route and landing. These should offer afternoon shade of the trail and terminus landing starting approximately at 2:00 pm and continue through the rest of the afternoon and evening.

H. Benefits of the Proposed Trail

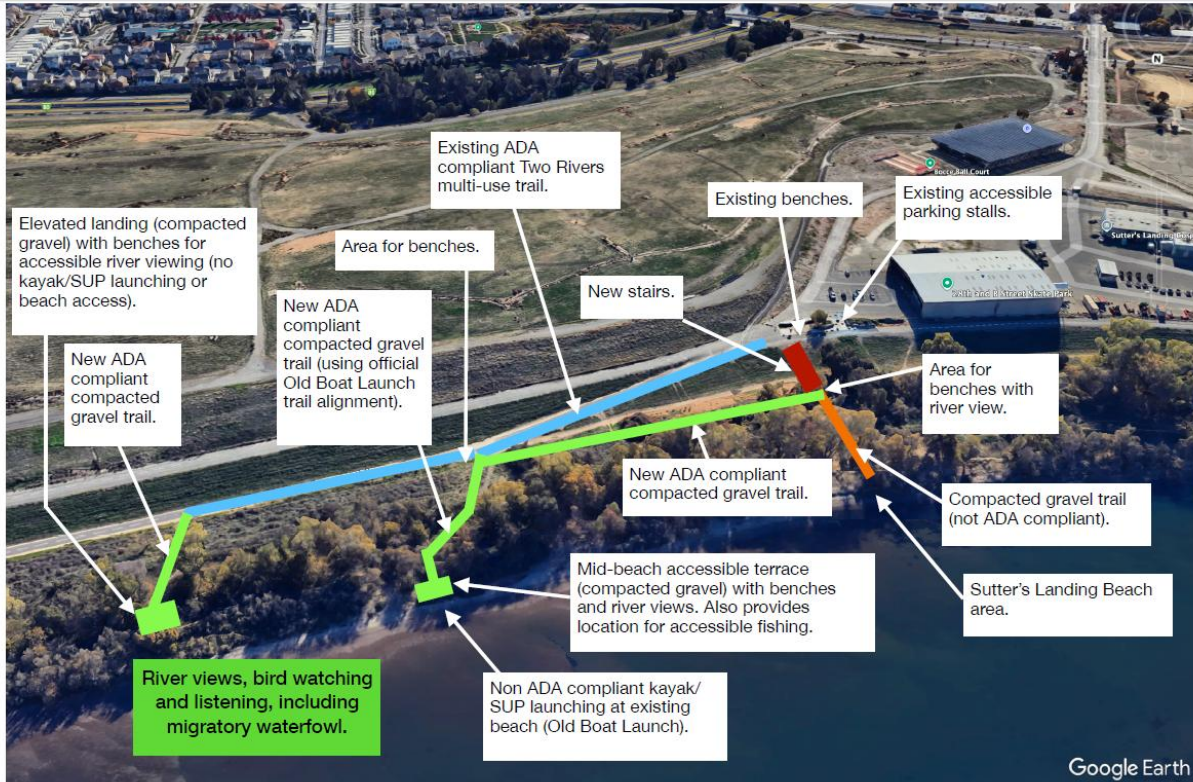
1. Reduces already crowded conditions at main beach by dispersing some use to a proposed trail alternative.
2. Provides more peaceful, high quality and equitable river-themed recreation experiences for visitors with disabilities (general nature appreciation, birdwatching, angling, photography).
3. Reduces impacts on natural environment by reducing need for visitors to seek out extended locations in peripheral vegetation of the main beach (less trampling, less ground compaction, less trash, less human waste, and fewer fire rings as seen elsewhere on Parkway in crowded areas).

4. Reduces conflicts and safety concerns among different user groups at main beach. (This includes boats anchoring very near).
5. The short distance to this alternative trail is conducive to not only visitors who are visually and mobility impaired, but also to elderly visitors and young children (some in strollers), and local school groups.
6. Improves an existing official trail (to the old boat launch).
7. Helps to maintain Sutters Landing Park as a Protected Area as per the American River Parkway Plan.
8. Provides visitors an opportunity to see and learn about native plant restoration efforts and benefits in an immediate adjacent successful plot. An interpretive panel on this topic could be added inclusive of the large elderberry tree (and associated threatened beetle) by a trail shoulder. Additional interpretative panels, with appropriate accessibility technology, will inform and inspire visitors on various natural and cultural history topics, including conservation elements.

I. Budget and Planning/Labor - Approximate design and construction budget figures are available from a retired California State Parks (CSP) trail designer and trail construction manager, Sam Allsop. He has visited Sutter's Landing Park twice for field reconnaissance and supports this proposed plan over the alternatives the City of Sacramento has developed. He is currently working as a retired annuitant for CSP and as a professional, certified trail designer and construction manager. He is interested in working with the City of Sacramento and Sacramento Regional County Parks on this project. He is available to develop pre-construction plans.

This proposal was developed by Bruce Forman, retired recreation and education services supervisor/ wildlife manager of California Department of Fish and Wildlife (DFW). His tenure included producing three accessible wildlands trails on DFW sites.

SITE MAP - Proposed Alternative (see attachment)



Sutter's Landing Riverfront ADA Compliant River Access Concept (Version 2)
December 2025

Response 21:

Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.

Please also refer to Responses 8A through 8P on page 55.

Comment 22: Betsy Weiland (December 31, 2025)

From: flweiland <flweiland@yahoo.com>

Sent: Wednesday, December 31, 2025 3:53 PM

To: Charles Tschudin <ctschudin@cityofsacramento.org>

Cc: Dan Meier <14danmeier@gmail.com>; Mark Berry <mb@deltacpm.com>; Warren Truitt <wvt@infomania.com>; Mark Baker <rivercitycleanup@gmail.com>; Sean Ward <foslsean@gmail.com>; Chris Smith <smithinsac@gmail.com>; Save the American River Association <info@sarariverwatch.org>

Subject: MND: Sutter's Landing ADA River Access Trail Project (L19913000)

Dear Mr. Tschudin,

Attached are three comment letters written several years ago that support the many excellent broad based comments the City has already received specific to the current environmental review of the subject proposed project.

They provide the history of public concerns regarding the ongoing challenges Sutter's Landing Park and the American River Parkway face, and specifically the problems with the ill conceived ADA River Access Trail Project.

You will see from the past attached comment letters, and the current comment letters, that little has been resolved in the Mitigated Negative Declaration as it relates to the Sutter's Landing ADA River Access Trail Project.

I sincerely appreciate your courteous attention to my request, and would appreciate a confirmation email acknowledging the addition of the attached letters to the Record.

Be well and safe.

Thank you,

Betsy Weiland, Volunteer Coordinator

October 12, 2023

Via Email

To The Lower American River Conservancy Committee:

Friends of Sutter's Landing was founded in 2009 primarily as an organization focused on providing monthly education programs at Sutter's Landing Park. We incorporated as a 501(c)(3) in 2018. In 2020, our volunteers focused their efforts on stewardship due to the extreme conditions developing at SLP starting with the Covid epidemic. We have worked, over the past 3 years, in partnership with both the City's and the County's Parks Departments, to give people, plants, and animals a place to thrive.

FOSL is adamantly opposed to spending one million dollars on this planning grant. The Parkway at Sutter's Landing is designated Protected Area in the American River Parkway Plan. This means that designated "Protected Areas contain tracts of naturally occurring vegetation and wildlife, which although capable of sustaining light to moderate use with minimal alterations to the natural landscape, would be easily disturbed by heavy use." (American River Parkway Plan, Chapter 7, Land Use, Page 117). While these projects, on their face, might be considered infrastructure that facilitate the public's enjoyment of the natural environment, they do not take into account this is an already overused, misused, and burdened nature area. In fact, about 80% of the activities that happen at SLP today are not consistent with a protected area designation. Good planning at SLP represents a plan to design access that insures a light to moderate use thereby preserving the nature that people enjoy and need.

Why are we building in uses and infrastructure at Sutter's Landing Park and the Parkway before the Sutter's Landing Park Master Plan is even started?

Why is the Conservancy spending money on infrastructure when there is no management, operation and enforcement strategy in place at SLP? Its no shock to anyone that money is often misspent in the hopes of creating positive change. A true understanding of what is happening in the Parkway at Sutter's Landing Park would have yielded a grant request that focused on the following:

*Implementation of the County's plan to map all social trails in the Parkway. At SLP study/establish sensical ingress and egress points given the problems with the paved bike trail alignment. It has become a super highway for the visitors with their carts of "stuff" i.e. canopies, tents, coolers, tables, chairs, holiday decorations, barbeques, room sized carpets, garden tools such as rakes and tree trimmers, generators, amplified sound equipment, collapsible dog fences, and bird cages with exotic birds. It will take multiple strategies such as physical barriers and signage, to prevent the re-establishment of the social trails.

*Invasive weed management program to include a feasibility study to bring cultural burning back to the land. This should include money for consultation with the indigenous people. Is the Conservancy aware that native families continue to come to SLP to gather plant material for their practices? Sage La Pena makes SLP a regular stop with her students studying the medicinal uses of the River's native plants and herbs.

*Restoration of the failed 5 acre restoration site – now a star thistle farm.

*Removing invasive weeds and adding additional riparian trees and attendant vegetative habitat to a remnant riparian forest at the downstream end of SLP.

*Native vegetative erosion control on the river banks. Restore the once robust shaded riverine habitat all but lost due to uncontrolled human use at the water's edge. People regularly pull out willows, mugwort, creeping wild rye, rosa, and horsetail to make room for their activities.

*Infrastructure repairs in the native plant pollinator and interpretive garden area. The concrete seats are cracking and breaking up. The stamped concrete fish need to be cleaned and repainted. The vandalized post and cable designed to prevent damage to the native plant garden need to be re-designed and replaced. The mish mash of regulatory signage needs to be revamped and consolidated for effectiveness.

*The addition of regulatory and interpretive signage on the trails and at the beach. They will need ongoing funding until we can eliminate the crowd that immediately tears signs down. Also, the development and implementation of an education program helping visitors to understand how to recreate in nature and leave no trace.

*Funding to explore and ultimately write and adopt a noise ordinance for the River.

*State of the art trash and recycling center.

*And finally, a requirement that the funding coming to SLP for improvements to the environment come with adequate and ongoing maintenance and enforcement resources to keep the Parkway at SLP clean, safe, and accessible. Please note: A park quickly becomes inaccessible, no matter the bells and whistles, if it is not clean and safe.

Thank you for the courtesy of your time today. Friends of Sutter's Landing will continue to tend, as we have for many years, the people plants, and animals on the River and Land at Sutter's Landing Park, and for the transparent and wise investment of the people's money.

Sincerely,

Betsy Weiland, Board Member

Friends of Sutter's Landing Park (FOSL)

November 9, 2023

SUTTER'S LANDING PARK DESERVES BETTER

Hopefully everyone knows that the City of Sacramento Department of Youth, Parks and Community is in the process of updating their Parks' Master Plan (Parks Plan 2040) which includes Sutter's Landing Regional Park (SLP). Why then do million dollar projects keep dropping from the sky outside of the Master Plan process, and with no public input or visible support?

In 2021, Assembly Member Kevin McCarty made the announcement that 1.2 million dollars of Prop 68 money would be used to bring a canoe/kayak/paddle board rental and launch site with a food and beverage kiosk in the vicinity of SLP's Skateboard Park building. This came as a complete surprise to the public, as well as Friends of Sutter's Landing Park (FOSL) who had been working for over a year at this point to reclaim the Skateboard Park parking lot, the Two Rivers Bike Trail, the River, and Parkway from illegal uses, drunken party goers, and mounds of trash. FOSL volunteers commit to coming out every weekend on Saturday and Sunday to provide various services going begging because City and County Parks do not have the resources, both human and financial, to keep the Park, River, and Parkway clean, safe, and accessible. And maintained. And repaired.

Evidently the above project stalled because a required component of the project has to include an ADA access to the River and Parkway. Enter a grant application request from the City and supported by the County to the State of California's Wildlife Conservation Board (WCB) for \$950,000.00, with a cost share from the City of \$50,000.00 to design a formal ADA trail and boat launch with a nod towards habitat restoration that has been degraded by social trails. This grant request was made public just days before October 12th at the WCB's Lower American River Conservancy Program Advisory Committee meeting, and was recommended for funding by a unanimous vote. It will most likely be approved at the Wildlife Conservation Board's meeting on November 15th.

None of the above "improvements" come with additional Maintenance Staff and Ranger service, pulling SLP into further decline. Just look at what money has brought SLP to date. The \$206,000.00 Tree Mitigation site (the Triangle) is home to campers, and dumpster loads of trash. The 3 acre restoration site along the Two Rivers Bike trail that is part of the 1.5 million dollar Prop 84 grant is a star thistle haven. The Gateway Garden, which is also a part of the grant from the State Natural Resources Agency, is thriving only because FOSL, in partnership with CNPS, has cleared the weeds, planted native plants and wildflowers, and tend it. We finally have the volunteers and money to begin working on the failed 3 acre restoration site aka star thistle haven, and have cleared the weeds, spread mulch and planted out the first phase.

While FOSL supports improving access to the American River Parkway from Sutter's Landing Regional Park, it must be considered through the Master Plan 2040 process that incorporates public input on the front end in order to prevent premature and ill-conceived projects. The above-described projects have the potential to exacerbate a number of significant issues at SLP especially because, as I've said, they do not come with a corresponding increase in Maintenance Staff and Ranger service. The recurring issues include trash, large beach parties/party boats, barbeques, overcrowding, human caused fires, clearing

and harming of existing native vegetation, parking lot chaos, noise from amplified sound systems, and the transport of tables, chairs, canopies, holiday decorations, rugs, bird cages with birds, games, barbeque grills, generators, sound systems, coolers full of beer, landscaping tools such as rakes and saws, etc., to the beach in carts. The current paved bike trail, which is ADA compliant, serves as a highway for the convenient movement of people and goods seeking various entryways i.e. social trails to their favorite spots from one end of the Parkway and River at SLP to the other. Officially designated a "Protected Area" in the American River Parkway Plan 2008, the riparian part of SLP has naturally occurring trees and vegetation that can survive light to moderate use, but is very vulnerable to the increasingly heavy use, and abuse, that has happened in recent years. Any River Park resident who has frequented SLP's beaches, banks, and habitat trails over the past twenty years will have noticed the astonishing degradation resulting from the increase in human use. The River and Parkway remain, even so, treasured respites from the urban environment, and a chance to encounter nesting birds, salmon, sea lions, butterflies, dragonflies, majestic oaks, coyotes, and yes, even rattlesnakes. And, speaking for the many children who eagerly run to the River to play, crowdads.

Sutter's Landing Regional Park deserves better.

Betsy Weiland, Volunteer Coordinator

Friends of Sutter's Landing Park (FOSL)

To learn more about the proposed Sutter's Landing Regional Park ADA River Access Trail Planning go to:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=216396&inline>

To learn more about FOSL and its nature-centric vision for SLP, go to:

<http://www.sutterslandingpark.org>

http://www.sutterslandingpark.org/uploads/6/4/1/2/6412949/sutters_landing_vision-032212.pdf



June 16, 2021

Dear Councilmember Harris,

The purpose of this letter is to request a meeting with you to discuss the need for an additional gate at Sutter's Landing Regional Park. By installing a gate adjacent to the City Corporate Yard, which would open at dawn and close at dusk, the City would prevent vehicles from entering the skateboard area parking lot at night and thereby significantly reduce the dangerous and illegal after-hours activities which are currently widespread along the south side of the American River. These activities—which actually are prohibited at all hours in the park—include BBQ's, fireworks, fire pits, and fires on the beach and in sensitive habitat areas; widespread habitat destruction (through broken, uprooted, and trampled foliage); alcohol and drug usage; pervasive littering; and amplified music. All of this is very detrimental to the area and to the wildlife that inhabit it.

Several members of Friends of Sutter's Landing Park and the greater community have been volunteering every Saturday morning from 9:00 – 11:00 to clean up the entirety of Sutter's Landing Park. Moreover, Tom Biglione and Betsy Weiland have been working full 8-hour shifts every weekend for the past 12 months, putting in hard physical work and acting as stewards to Sutter's Landing Park and Midtown's stretch of the American River Parkway. Without this level of community commitment, the degradation of Sutter's Landing Park would be even more severe than it already is.

My wife, Lori Ward, and I have been checking on the park the past few days. To give you an idea of the intensity of after-hours activity, on Tuesday, June 15, when we left at 8:50 p.m., there were 23 vehicles parked in the skateboard area parking lot plus 43 additional vehicles parked or camped in the lot under the solar panels. Several vehicles were just pulling up into the skateboard area lot so that the occupants could unload their party supplies and head down to the river. This level of after-hours activity has become the norm since the outbreak of Covid-19, despite the fact that the park is officially closed from sunset to sunrise, as clearly stated in the sign posted near the trailhead.

The primary mission of the Friends of Sutter's Landing Park is to enhance the natural habitat and wildlife at the park, and to create a truly welcoming, quite extraordinary nature-centered destination for Sacramento's families and visitors. With the intensity of illegal activities ever growing, our goal of enhancing the park has become completely unattainable. We are doing all we can to prevent the park from being destroyed! We need all the support we can get from the City, County, and Rangers. Installing a gate near the Corporation Yard would be a productive and much appreciated step in the right direction. This initiative has the support of the Save the American River Association, the Marshall-New Era Park Neighborhood Association, and the Boulevard Park Neighborhood Association.

Thank you for your consideration and continued support. We look forward to your reply.

In solidarity,

Sean Ward

President, Friends of Sutter's Landing Park

Response 22:

Thank you for your comment. Sutter's Landing has been identified for public river access in multiple adopted planning documents spanning several decades, including the Sutter's Landing

Master Plan (1995, 2003, and 2025), which consistently depict future river access facilities such as hand-carry boat launches, trails, and picnic areas. The proposed improvements therefore implement previously planned uses rather than introducing a new access location. In contrast, many other reaches of the American River lack comparable long-range planning support for new access points or are designated primarily for habitat conservation and limited human disturbance.

The project site is also explicitly supported by the City of Sacramento 2040 General Plan and related policy documents. The Central City Specific Plan directs the City to develop riparian trail connections between Sutter's Landing Park, Tiscornia Park, and Glen Hall Park and to continue developing Sutter's Landing Regional Park with recreation and nature-oriented uses. The General Plan further emphasizes expanding equitable public access to rivers and green spaces and identifies collaboration with Sacramento County on river-adjacent trail systems, including the Two Rivers Trail. The proposed ADA-compliant access path directly advances these adopted goals by improving inclusive access at a location already designated for recreational use.

Further, concentrating formal access at Sutter's Landing Beach supports the management objectives of the American River Parkway Plan by consolidating existing use into a defined, designed facility. The project replaces informal "social trails" with a single, engineered access path, thereby reducing vegetation trampling, soil compaction, and habitat fragmentation. Providing a compliant, designated route allows the City and County to more effectively close, restore, or monitor redundant social trails in surrounding areas, consistent with parkway plan policies to remediate social trail impacts and promote native vegetation recovery. Establishing new access points elsewhere along the river would risk creating additional informal trails and expanding disturbance into previously less-impacted areas.

Sutter's Landing Beach also offers site-specific characteristics that make ADA-compliant access feasible with fewer environmental constraints than many other river locations. The area is already disturbed by existing recreational use, is connected to the City's trail and park network, and can be designed to meet accessibility standards without extensive grading or vegetation removal. In contrast, other river segments often involve steeper banks, sensitive riparian habitat, or limited trail connectivity, which would increase environmental impacts and potentially conflict with parkway management goals.

Finally, the project is consistent with the 2040 City of Sacramento Parks Plan which prioritizes fostering nature and trail connections and improving access to rivers through coordinated, planned facilities. By implementing improvements at a location already identified in multiple adopted plans, the City avoids piecemeal development and ensures that recreational access is provided in a manner that is equitable, environmentally responsible, and aligned with long-term park and parkway planning.

For these reasons, Sutter's Landing Beach was determined to be the appropriate and environmentally preferable location for a formalized, ADA-compliant recreational access path compared to other locations along the American River.