

Final
Environmental Impact Report/Environmental Impact Statement
SunCreek Specific Plan Project
State Clearinghouse No. 2006072067



**US Army Corps
of Engineers**®
Sacramento District



Prepared for:

City of Rancho Cordova
and
U.S. Army Corps of Engineers
Sacramento District

Cooperating Agencies:

U.S. Environmental Protection Agency
Sacramento Metropolitan Air Quality Management District

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October 2013

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TABLE OF CONTENTS

Section	Page
1 INTRODUCTION.....	1-1
1.1 Purpose and Intended Uses of the FEIR/FEIS	1-1
1.2 Project Requiring Environmental Analysis	1-1
1.3 Project Purpose and Need.....	1-2
1.4 Agency Roles and Responsibilities	1-3
1.5 Requested Approvals and Entitlements.....	1-5
1.6 Summary Description of the Project Alternatives	1-6
1.7 CEQA and NEPA Requirements for Responding to Comments.....	1-9
1.8 Requirements for Document Certification and Future Steps in Project Approval	1-9
1.9 Organization and Format of the Final EIR/EIS	1-10
2 MINOR MODIFICATIONS TO THE PROJECT	2-1
3 COMMENTS AND INDIVIDUAL RESPONSES	3-1
3.1 Introduction	3-1
3.2 List of Commenters	3-1
3.3 Master Responses	3-2
3.4 Format of Comments and Responses	3-3
3.5 Comments and Responses on the DEIR/DEIS	3-4
4 ERRATA.....	4-1
4.1 Introduction	4-1
4.2 Revisions to the DEIR/DEIS	4-1
5 REFERENCES	5-1
6 LIST OF PREPARERS.....	6-1

Appendices

- A Hydrologic Modeling of SunCreek Specific Plan, Analysis of Impacts to Groundwater Flow Direction and Gradients
- B Materials Submitted by Sacramento County Airport System
- C Fehr & Peers Traffic Memorandum

Tables

1-1 Waters of the U.S. and Wetlands at the SPA	1-2
3-1 List of Commenters on the DEIR/DEIS	3-1
3-2 Flow Direction and Gradient Near Regional Contaminant Plumes Proposed Project at 2015 Conditions Compared to 2015 Baseline, Layer 1.....	3-30
3-3 Flow Direction and Gradient Near Regional Contaminant Plumes Maximum Groundwater Usage, Layer 1.....	3-31

Figures

2-1 Proposed Zoning Designations.....	2-3
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ACRONYMS AND OTHER ABBREVIATIONS

ALUCP	Airport Land Use Compatibility Plan
AQMP	Air Quality Mitigation Plan
ARB	Air Resources Board
BMPs	best management practices
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CLUP	Comprehensive Land Use Plan
CO	carbon monoxide
CPUC	California Public Utilities Commission
DPM	diesel particulate matter
EGUSD	Elk Grove Unified School District
HRA	health risk assessment
kV	kilovolt
LEDPA	Least Environmentally Damaging Practicable Alternative
LID	low impact development
MMP	Mitigation and Monitoring Plan
MMRP	Mitigation Monitoring and Reporting Plan
MVA	Megavolt amperes
NAAQS	National Ambient Air Quality Standards
NO _x	oxides of nitrogen
O&M	Operations and Management Plan
RHNA	Regional Housing Needs Assessment
ROG	reactive organic gases
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Metropolitan Utility District
SO ₂	sulfur dioxide
SVAB	Sacramento Valley Air Basin
SWPPP	Storm Water Pollution Prevention Plan
SYMVCD	Sacramento-Yolo Mosquito & Vector Control District
VMT	vehicle miles traveled

1 INTRODUCTION

This final environmental impact report/environmental impact statement (FEIR/FEIS) has been prepared to respond to comments received on the Draft EIR/EIS (DEIR/DEIS) for the SunCreek Specific Plan Project. The FEIR/FEIS has been prepared by the City of Rancho Cordova (City) and the U.S. Army Corps of Engineers (USACE), Sacramento District in accordance with the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The City is the lead agency under CEQA and USACE is the lead agency under NEPA. The U.S. Environmental Protection Agency (EPA) and the Sacramento Metropolitan Air Quality Management District (SMAQMD) are cooperating agencies under NEPA.

On October 5, 2012, the City and USACE released the DEIR/DEIS for public review and comment. The comment period closed on November 15, 2012. An extension of time through and including February 4, 2013 was granted by the City to Sacramento County to provide CEQA comments on the DEIR. The DEIR/DEIS evaluated the potential environmental effects of the Proposed Project (Proposed Project Alternative) and five land use alternatives. A meeting to receive public input on the DEIR/DEIS was held at Rancho Cordova City Hall on October 23, 2012; there were no attendees at the public meeting. Written comments were received from Federal, state, regional, and local agencies, as well as from organizations and individuals. The City and USACE considered the comments received on the DEIR/DEIS, and have provided responses thereto in this FEIR/FEIS.

The FEIR/FEIS consists of the entire DEIR/DEIS and the comments, responses to comments, and revisions to the DEIR/DEIS.

1.1 PURPOSE AND INTENDED USES OF THE FEIR/FEIS

Both CEQA and NEPA require a lead agency that has completed a DEIR or DEIS to consult with and obtain comments from public agencies (cooperating, responsible, and/or trustee agencies) that have legal jurisdiction with respect to the proposed action, and to provide the general public with opportunities to comment on the DEIR or DEIS. The FEIR/FEIS is a mechanism for responding to these comments. This FEIR/FEIS has been prepared to respond to comments received from agencies, organizations, and members of the public on the DEIR/DEIS for the SunCreek Specific Plan Project, which are reproduced in this document; and to present corrections, revisions, and other clarifications and amplifications to the DEIR/DEIS made in response to these comments. The DEIR/DEIS and this FEIR/FEIS will be used to support the City's decision whether to approve the project and USACE's decision to issue a record of decision (ROD) documenting the conclusion of the NEPA process and the decision whether to issue permits pursuant to Section 404 of the Clean Water Act (CWA).

The FEIR will also be used by CEQA responsible agencies, such as the Central Valley Regional Water Quality Control Board, and trustee agencies, such as the California Department of Fish and Game, to ensure that they have met the requirements of CEQA before deciding whether to issue discretionary permits and approvals for portions of the project over which they have authority. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the project or would issue permits and/or other regulatory approvals.

1.2 PROJECT REQUIRING ENVIRONMENTAL ANALYSIS

The project applicant(s) of the SunCreek Specific Plan are requesting approval of various discretionary entitlements in support of the *SunCreek Specific Plan* for a mixed-use development and supporting infrastructure improvements. The specific plan covers an area in eastern Sacramento County, south of Douglas Road, west of Grant Line Road, and east of Sunrise Boulevard (see Exhibits 2-1 and 2-2 in DEIR/DEIS Chapter 2, "Alternatives"). The specific plan supports a combination of employment-generating uses, retail and supporting services, recreational uses, and a broad range of residential uses and associated infrastructure and roads on

approximately 1,265-acres that is located entirely within the City of Rancho Cordova. The “Specific Plan Area,” or SPA, described throughout this EIR/EIS includes the entire 1,265-acre project site.

The Proposed Project Alternative includes up to approximately 4,700 residential units at various densities on approximately 550 acres; approximately 82 acres of commercial use; public/quasi-public uses; elementary schools and a combined middle/high school on approximately 111 acres; approximately 100 acres of parks and trails; stormwater detention basins; approximately 203 acres of wetland preserve; and major and minor roads with landscaping. Table 1-1 shows the acreage of Waters of the U.S. and wetlands at the SPA.

Table 1-1 Waters of the U.S. and Wetlands at the SPA					
Habitat Type	Acres Existing	Acres of Direct Impacts	Acres of On-site Preservation¹	Acres of On-site Wetlands within 250 Feet of Development	Acres of Off-site Wetlands within 250 Feet of Development²
Vernal Pool	27.22	14.50	12.72	9.95	7.51
Seasonal Wetland	2.64	1.11	1.53	1.22	3.14
Swale	6.46	4.52	1.94	1.68	2.36
Ephemeral Drainage	0.90	0.90	0.00	0.00	0.00
Intermittent Drainage	0.98	0.17	0.81	0.54	0.00
Pond	2.06	2.06	0.00	0.00	0.65
Stream	3.42	0.91	2.51	1.69	1.63
Total	43.68	24.17	19.51	15.08	15.29
Notes:					
¹ Preservation acreage listed includes acreage within 250 feet of developed land uses.					
² Wetlands that are off-site, but within 250 feet of on-site project development.					
Source: ECORP 2011					

1.3 PROJECT PURPOSE AND NEED

The City and USACE each view the project purpose from the purview of their responsibilities. The City is interested in the orderly development of lands within its planning boundaries. USACE’s interest extends to its permit authority with respect to regulation of waters of the U.S., including wetlands.

1.3.1 PROJECT PURPOSE: CITY OF RANCHO CORDOVA CONSIDERATIONS

The purpose of the SunCreek project is to provide a mixed-use, mixed-density residential development in the City of Rancho Cordova. In accordance with local and regional plans, including Sacramento Area Council of Governments (SACOG) Blueprint and Smart Growth Principles, the City’s General Plan, including the 2005 Circulation Plan, the proposed SunCreek project would provide a high school and middle school, a community park, significant open space and a recreational parkway, a key link to the citywide trail network, transportation facilities, neighborhood-serving retail areas, and would contribute to the planned Regional Preserve with development that is consistent with the September 2004 Conceptual Level Strategy for the conservation of wetlands within the Sunrise Douglas Community Plan area. The project would provide housing to balance the high employment concentrations currently existing in and around the City and would generate a positive fiscal impact for the City.

1.3.2 PROJECT PURPOSE: U.S. ARMY CORPS OF ENGINEERS

The project purpose, as considered by USACE, is to provide a large-scale mixed-use community within eastern Sacramento County, in the Urban Services Boundary.

1.3.3 PROJECT NEEDS AND OBJECTIVES

Outlined below are the main project needs and objectives for the proposed SunCreek development. These needs and objectives are important for the selection and consideration of CEQA and NEPA alternatives.

- ▶ Implement SACOG’s Blueprint and Smart Growth Principles, and the City of Rancho Cordova’s General Plan.
- ▶ Provide a mixed-use and mixed-density residential housing development within the City of Rancho Cordova.
- ▶ Develop several distinct neighborhoods within the SPA, linked by a significant open space and recreational parkway, to create development with neighborhood connectivity.
- ▶ Provide neighborhood-serving retail areas within the SPA.
- ▶ Provide additional new jobs/housing to balance the high employment concentrations currently existing in and around the City of Rancho Cordova.
- ▶ Provide a mix of housing types within the SPA to diversify the City of Rancho Cordova’s housing stock.
- ▶ Provide transportation facilities within the SPA that are consistent with the City of Rancho Cordova’s Circulation Plan.
- ▶ Provide an appropriate site for a high school and middle school that would serve the SPA and surrounding neighborhoods.
- ▶ Provide an appropriate site for a community park that would serve the SPA and surrounding neighborhoods.
- ▶ Provide a key link in the citywide trail network that connects the Folsom South Canal bike and pedestrian trail to corridors along the Laguna Creek and Cosumnes River tributaries.
- ▶ Contribute to the planned Regional Preserve with development that is consistent with the September 2004 Conceptual Level Strategy for the conservation of wetlands within the Sunrise Douglas Community Plan area.
- ▶ Generate positive fiscal impacts for the City through development within the SPA.

1.4 AGENCY ROLES AND RESPONSIBILITIES

1.4.1 LEAD AGENCIES

The City of Rancho Cordova is the lead agency for the project under CEQA, and USACE, Sacramento District, is the Federal lead agency under NEPA. The City has the principal responsibility for approving and carrying out the project and for ensuring that the requirements of CEQA have been met. USACE has the principal responsibility for issuing Clean Water Act Section 404 permits and ensuring that the requirements of NEPA have been met.

1.4.2 TRUSTEE, RESPONSIBLE, AND COOPERATING AGENCIES

Under CEQA, a trustee agency is a state agency that has jurisdiction by law over natural resources that are held in trust for the people of the State of California. One trustee agency, the California Department of Fish and Game, meets that definition with respect to resources potentially affected by the project.

Under CEQA, a responsible agency is an agency other than the lead agency that has legal responsibility for carrying out or approving a project or elements of a project (PRC Section 21069).

Under NEPA, a cooperating agency is any Federal, state, or local agency or tribe other than the lead agency that has jurisdiction by law or special expertise with respect to any environmental impact involved in an action requiring an EIS.

Responsible and cooperating agencies are encouraged to actively participate in the CEQA and NEPA processes of the lead agencies, review the CEQA and NEPA documents of the lead agencies, and use the documents when making decisions on the project. The USACE sent letters seeking cooperating agency interest to the EPA and USFWS on July 11, 2011. On August 22, 2011, EPA provided a letter to USACE accepting the request to serve as a cooperating agency under NEPA. Several agencies other than the City and USACE have jurisdiction over the implementation of the elements of the project, as identified below.

FEDERAL AGENCIES

- ▶ U.S. Environmental Protection Agency
- ▶ U.S. Fish and Wildlife Service

STATE AGENCIES

- ▶ California Air Resources Board
- ▶ California Department of Education
- ▶ California Department of Fish and Game
- ▶ California Department of Transportation
- ▶ State Water Resources Control Board
- ▶ Central Valley Regional Water Quality Control Board
- ▶ Native American Heritage Commission
- ▶ State Historic Preservation Office

REGIONAL AND LOCAL AGENCIES

- ▶ Zone 41 Water District
- ▶ Elk Grove Unified School District
- ▶ County of Sacramento
- ▶ Sacramento County Water Agency
- ▶ Sacramento Metropolitan Air Quality Management District
- ▶ Sacramento Metropolitan Fire District
- ▶ Sacramento County Municipal Services Agency

1.4.3 REGULATORY REQUIREMENTS, PERMITS, AUTHORIZATIONS, AND APPROVALS

The following list identifies permits and other approval actions from Federal, state, regional, and local agencies for which this EIR/EIS may be used during these agencies' decision-making processes. The following may be under the purview of regulatory agencies other than the lead agencies.

FEDERAL ACTIONS/PERMITS

- ▶ **U.S. Army Corps of Engineers:** Department of the Army permit under Section 404 of the CWA for discharges of dredge or fill material into waters of the U.S. Consultation for impacts on cultural resources pursuant to Section 106 of the National Historic Preservation Act (NHPA). Consultation for impacts on Federally listed species pursuant to Section 7 of the ESA.
- ▶ **U.S. Environmental Protection Agency:** reviewing the EIS, filing, and noticing; concurrence with Section 404 Clean Water Act permit.
- ▶ **U.S. Fish and Wildlife Service:** Federal Endangered Species Act consultation and issuance of incidental-take authorization for the take of Federally-listed endangered and threatened species.

STATE ACTIONS/PERMITS

- ▶ **California Department of Education:** approval of new school sites for which state funding is sought.
- ▶ **California Department of Fish and Game, Sacramento Valley—Central Sierra Region:** potential California Endangered Species Act consultation and issuance of take authorization (California Fish and Game Code Section 2081), streambed alteration agreement (California Fish and Game Code Section 1602), and protection of raptors (California Fish and Game Code Section 3503.5).
- ▶ **Central Valley Regional Water Quality Control Board (Region 5):** National Pollutant Discharge Elimination System (NPDES) construction stormwater permit (Notice of Intent to proceed under General Construction Permit) for disturbance of more than 1 acre, discharge permit for stormwater, general order for dewatering, and Section 401 Clean Water Act certification or waste discharge requirements.

REGIONAL AND LOCAL ACTIONS/PERMITS

- ▶ **Sacramento Metropolitan Air Quality Management District:** authority to construct (for devices that emit air pollutants), health risk assessment, and Air Quality Management Plan consistency determination.
- ▶ **Sacramento County Water Agency and Zone 41:** approval for water supply.

USACE will use this EIS/EIR in exercising its regulatory authority under Section 404 of the Clean Water Act. It also may be used as an informational document by Federal cooperating agencies, such as Reclamation, that could have permitting or approval authority for aspects of the project.

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

1.5 REQUESTED APPROVALS AND ENTITLEMENTS

The City of Rancho Cordova is the State lead agency for the project under CEQA, and USACE, Sacramento District, is the Federal lead agency under NEPA. The City has the principal responsibility for approving and carrying out the project and for ensuring that the requirements of CEQA have been met. USACE has the principal responsibility for making Clean Water Act Section 404 permit decisions and ensuring that the requirements of NEPA have been met. The EIR/EIS may also be used by other Federal, state, regional, and local agencies, which may have an interest in resources that could be affected by the project, or that have jurisdiction over portions of the project.

The following are the entitlements requested from the City for the project:

- ▶ certification of the EIR/EIS and Mitigation Monitoring and Reporting Program (MMRP),
- ▶ approval of a general plan amendment,
- ▶ zoning of the SPA for the participating land owners,
- ▶ adoption of the *SunCreek Specific Plan*,
- ▶ adoption of a Public Facilities Financing Plan,
- ▶ adoption of a Public Facilities Infrastructure/Phasing Plan,
- ▶ potential approval of development agreements between the City and the project applicants for the participating land owners, and
- ▶ approval of large-lot tentative maps for the participating land owners.

The project applicants are requesting these approvals to accommodate proposed development on lands they control (i.e., lands owned). It is anticipated that the City will also rely on this EIR/EIS for approval of other future discretionary entitlements and permits (e.g., small-lot tentative subdivision maps, design review approvals, use permits).

The Proposed Action represents a Federal action because it would require one or more of the following Federal permits and authorizations:

- ▶ Department of the Army permit under Section 404 of the CWA for discharges of dredge or fill material into waters of the U.S., and
- ▶ ESA Section 7 consultation leading to issuance of a Biological Opinion and possible incidental-take statement under the Federal Endangered Species Act for potential take of endangered or threatened species.

1.6 SUMMARY DESCRIPTION OF THE PROJECT ALTERNATIVES

The State CEQA Guidelines (Section 15126.6) and the NEPA CEQ Regulations (40 CFR Section 1502.14) require that an EIR/EIS describe a range of reasonable alternatives to a proposed project that could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. The analysis contained in the DEIR/DEIS provides a comparative analysis between the proposed project/action (hereinafter referred to as the “Proposed Project Alternative”, described in Section 1.2 above), a Biological Impact Minimization Alternative, a Conceptual Strategy Alternative, and an Increased Development Alternative. The No Project Alternative as required under CEQA and NEPA and a No USACE Permit Alternative as required by USACE under NEPA were also evaluated. A summary of the alternatives is provided below. Detailed information regarding the project design, operation, and specific components is contained in DEIR/DEIS Chapter 2, “Alternatives.”

1.6.1 No PROJECT ALTERNATIVE

Under this alternative, the project would not be developed. The SPA would remain under the jurisdiction of the City. A Section 404 permit for wetland fill would not be required from USACE. Although this No Action/No Project Alternative (referred to elsewhere in this document as the “No Project Alternative”) is evaluated herein, consistent with CEQA and NEPA requirements, it is an unlikely long-term alternative for the SPA because, according to the City’s General Plan, the SPA is located in an area planned for urban development. Entitlements

are actively being sought for development in the vicinity of the SPA (e.g., Sunrise Douglas Community Plan, Mather Field Redevelopment Project, Easton Planning Area, Rio del Oro Specific Plan, and the Anatolia, Arboretum, and The Ranch at Sunridge projects). Infrastructure planning is also occurring for the area, as part of the South County Water Authority's Water Treatment Plant, SASD Sewer Master Plan, SRCSD Interceptor System Master Plan, Alta-Sunrise Interchange, Zinfandel Drive Extension, and Douglas Road Extension. The regional economic base is expected to continue to expand as a result of these and other development projects in the region, and the associated growth in housing demand will increase the development pressure on the SunCreek SPA. The City General Plan indicates that the SPA is designated as a "Special Planning Area," within which a wide variety of land uses are permitted. The general plan includes a layout for the SPA with land uses, but it is specifically designated as "conceptual"; therefore it does not include acreages, densities, or dwelling units. Without this information, it would be speculative to predict the environmental impacts that would occur from development at the SPA other than the Proposed Project and alternatives already evaluated herein. Consistent with CEQA requirements, the No Project Alternative is evaluated in this DEIR/DEIS; however, for the reasons stated above, it is assumed to be a "no development" scenario.

1.6.2 No USACE PERMIT ALTERNATIVE

This alternative was designed to avoid the placement of dredged or fill material into waters of the U.S. (including wetlands) from the project, thus eliminating the need for a USACE Section 404 CWA permit. As a result, there would be no fill of waters of the U.S. under this alternative, compared to 22.56 acres of fill under the Proposed Project Alternative. The No USACE Permit Alternative, however, would likely still require that the project applicants consult with the USFWS to comply with Section 7 of the Endangered Species Act (ESA). Under this alternative, the approximately 203-acre wetland preserve that would be created under the Proposed Project Alternative, which would require continuing activities as part of a Mitigation and Monitoring Plan approved by the USACE, would not exist because it would not be proposed or imposed as mitigation for impacts associated with the fill of Federally regulated wetlands. Instead, 607 acres of the SPA would be designated "Natural Resources" under the City's General Plan. Land with this use designation would be set aside as natural habitat with no urban development. While open space trails may be located adjacent to areas designated as Natural Resources, the City would prohibit public access into the area. Under the No USACE Permit Alternative, approximately 92 acres less residential acreage would be developed and approximately 338 fewer residential units would be constructed as compared to the Proposed Project Alternative. Furthermore, under the No USACE Permit Alternative, the Local Town Center would not be constructed. Approximately 75 fewer acres of total commercial land uses would be constructed under this alternative as compared to the Proposed Project Alternative.

1.6.3 BIOLOGICAL IMPACT MINIMIZATION ALTERNATIVE

The Biological Minimization Alternative was designed to preserve additional areas of high-quality biological resources. Under this alternative, the wetland preserve would be approximately 411 acres, which is approximately 200 acres larger than the Proposed Project Alternative. Under the Biological Impact Minimization Alternative, project components would be reconfigured to avoid many of the impacts on waters of the U.S., including wetlands and high-quality biological habitat, and the level of residential development would be decreased to reduce the amount of project-generated traffic, air quality emissions, and noise. A permit for wetland fill would still be required under this alternative; 14.73 acres of waters of the U.S. would be filled, which is 9.44 fewer acres than would be filled by the Proposed Project Alternative. Because Americanos Boulevard would not be connected through the proposed wetland preserve, the on-site circulation network would be more constrained as compared to the Proposed Project Alternative, and this alternative's roadway network would not be consistent with the planned City General Plan roadway network. The Biological Impact Minimization Alternative would result in substantially the same acres of residential housing, but approximately 466 fewer residential units would be constructed as compared to the Proposed Project Alternative. No commercial land uses would be developed under this alternative, for a total of approximately 82 fewer acres of commercial development as compared to the Proposed Project Alternative.

1.6.4 CONCEPTUAL STRATEGY ALTERNATIVE

Beginning May 10, 2002, the County initiated a series of conflict resolution meetings regarding potential wetlands and endangered species permitting strategies for the geographic area known as the Sunrise Douglas Community Planning Area. The meetings were attended by a majority of the landowners, as well as developers, biologists, attorneys, project advocates, staff from Congressman Doug Ose's office and the Federal Agencies (i.e., EPA, USACE, and USFWS, collectively the "Federal Agencies"). The group met regarding issues involving wetland and endangered species protection and project development for the unpermitted areas within the Sunridge Specific Plan area began, referred to as the "Plan Subarea."

For 7 months, the Federal Agencies, local agencies, landowners of the unpermitted areas, stakeholders, biological consultants, and attorneys participated in numerous meetings to review issues involving site development and wetland and endangered species protection within the Plan Subarea.

In March 2004, Congressman Doug Ose initiated separate meeting with the Federal Agencies, local agencies, and the landowners/property representatives to facilitate resolution of differences of opinion that had emerged during the initial phase of meetings. Congressman Ose encouraged the Federal Agencies to develop a conceptual strategy both for the conservation of on-site wetland and aquatic resources in the planning area and to address general issues regarding the appropriate mitigation of those resources that could not feasibly and practicably be preserved on-site. The parties worked cooperatively to follow the mandates of Federal law, the need to preserve ecosystem integrity and the habitat of endangered species, the need to acknowledge the planning policies and objectives of the City of Rancho Cordova, and the need to account for the economic realities facing private sector developers. These meetings continued through June 2004.

In June 2004, the Federal Agencies developed an advisory document known as the Conceptual Level Strategy for Avoiding, Minimizing, and Preserving On-Site Aquatic Resource Habitat in the Sunrise Douglas Community Plan area ("Conceptual Level On-Site Avoidance Strategy, herein after referred to as "Strategy"). The Conceptual Level Strategy laid out general planning, ecological, and biological principles based on the best available information at the time. EPA, USACE, and USFWS also developed an accompanying map to provide general guidance on a development/preservation footprint that could potentially be permitted subject to appropriate review.

After EPA, USACE, and USFWS released the Conceptual Level Strategy map, individual property owners and representatives held additional discussions with the City and EPA, USACE, and USFWS on the Conceptual Level Strategy map, based upon more detailed, project-level information. In response to comments, the landowners revised the map in September 2004 to reflect the more detailed analysis and to incorporate what they understood to be acceptable modifications based upon the guidance provided in the meetings.

The Conceptual Strategy Alternative would preserve approximately 107 more acres of biological habitat (designated as "wetland preserve") as compared to the Proposed Project Alternative. This alternative would fill 23.33 acres of waters of the U.S., which is 0.84 acres fewer than would be filled under the Proposed Project Alternative.

Although little commercial land uses would be built under this alternative, the types and locations of the other land uses and general infrastructure improvements under the Conceptual Strategy Alternative would be substantially similar to those that would be built under the Proposed Project Alternative. The Conceptual Strategy alternative would result in approximately 15 additional acres of residential housing, but approximately 126 fewer residential units. The Local Town Center included as part of the Proposed Project Alternative would not be built under this alternative; thus, approximately 70 fewer acres of total commercial development would be built as compared to the Proposed Project Alternative.

1.6.5 INCREASED DEVELOPMENT ALTERNATIVE

This alternative was the original development proposed for the SunCreek SPA before the negotiations with the regulatory agencies as described above in Section 1.6.4, “Conceptual Strategy Alternative,” which resulted in agreement by the project applicants to preserve additional on-site wetlands. This alternative would fill 32.86 acres of waters of the U.S., which is 8.69 acres more than would be filled under the Proposed Project Alternative. The wetland preserve within the SunCreek SPA would decrease to approximately 97 acres; therefore, under this alternative, approximately 106 fewer acres of biological habitat would be preserved, as compared to the Proposed Project Alternative.

This alternative would entail a substantially different mix of land uses, at different locations within the SPA, as compared to the Proposed Project Alternative. Most of the SPA would consist of low-density residential housing, as compared to the mix of residential housing densities, schools, parks, public, and commercial land uses contemplated under the Proposed Project Alternative.

Implementation of this alternative would result in approximately 276 more acres of residential housing, and approximately 701 more residential units would be constructed as compared to the Proposed Project Alternative. However, most of the housing would be constructed as low-density (larger lot) residential under this alternative, whereas under the Proposed Project Alternative, most of the housing would be constructed as medium-density residential. The Local Town Center would not be built under this alternative. Approximately 64 fewer acres of commercial development would be built as compared to the Proposed Project Alternative.

1.7 CEQA AND NEPA REQUIREMENTS FOR RESPONDING TO COMMENTS

The State CEQA Guidelines state that written responses to comments received on the DEIR and RDEIR must describe the disposition of significant environmental issues. The response should contain good-faith, reasoned analysis to the environmental issues raised in the comment. In particular, the major environmental issues raised when the lead agency’s position is at variance with recommendations and objections raised in the comments must be addressed.

NEPA requires that the FEIS include and respond to all substantive comments received on the DEIS (40 CFR Section 1503.4). Lead agency responses shall include one or more of the following:

- ▶ modify the proposed action or alternatives;
- ▶ develop and evaluate new alternatives;
- ▶ supplement, improve, or modify the substantive environmental analyses;
- ▶ make factual corrections to the text, tables, or figures contained in the DEIS and SDEIS; or
- ▶ explain why no further response is necessary.

Additionally, the FEIS must discuss any responsible opposing view that was not adequately discussed in the DEIS and must indicate the lead agency’s response to the issues raised.

1.8 REQUIREMENTS FOR DOCUMENT CERTIFICATION AND FUTURE STEPS IN PROJECT APPROVAL

This FEIR/FEIS is being distributed to agencies, stakeholder organizations, and individuals who commented on the DEIR/DEIS. This distribution ensures that interested parties have an opportunity to express their views regarding the environmental impacts of the project, and to ensure that information pertinent to permits and approvals is provided to decision makers for the lead agencies, NEPA cooperating agencies, and CEQA responsible agencies.

The FEIR is being distributed to those parties who commented on the DEIR for a period of 10 days as required by the State CEQA Guidelines, Section 15088. Copies of the document may be reviewed by the public during normal business hours at the Rancho Cordova City Hall 2729 Prospect Park Drive, Rancho Cordova, CA 95670 and the USACE Sacramento District offices, 1325 J Street, Sacramento, CA 95814. The DEIR/DEIS is also available online at the City of Rancho Cordova's website, <http://www.cityofranhocordova.org>, and USACE's website, <http://www.usace.army.mil>.

The FEIS will be available for public review for 30 days after a notice is published in the Federal Register. Written comments should be sent to the following address:

Lisa Gibson, Senior Project Manager
U.S. Army Corps of Engineers
Regulatory Division, California Delta Branch
650 Capitol Mall, Suite 5-200
Sacramento, CA 95814
Fax: (916) 557-6877
E-mail: Lisa.M.Gibson2@usace.army.mil

The EIR is intended to be used by the Rancho Cordova City Council when considering approval of the Proposed Project or an alternative to the Proposed Project. The EIS is intended to be used by USACE in determining whether to issue the 404 permits.

Following completion and publication of the FEIR/FEIS, the Rancho Cordova City Council will hold a public meeting to consider certification of the EIR and to decide whether or not to approve the Proposed Project or another alternative, at which time the public and interested agencies and organizations may comment on the project. A notice of determination (NOD) will then be filed. If the City Council approves the Proposed Project (or another alternative), it will adopt written findings of fact for each significant environmental impact identified in the EIR; a statement of overriding considerations; and a mitigation monitoring and reporting program.

USACE will circulate the FEIS for a minimum of 30 days before taking action on the permit application and issuing its ROD. The ROD will address the decision, alternatives considered, the environmentally preferable alternative, relevant factors considered in the decision, and mitigation and monitoring.

Based on the analysis contained in the DEIR/DEIS, the No Project Alternative would have the fewest environmental impacts and therefore would be the environmentally superior alternative under CEQA. Under CEQA, if the No Project Alternative is determined to be environmentally superior, the EIR must also identify the environmentally superior alternative among the other alternatives. Thus, among the action alternatives carried forward for analysis, the No USACE Permit Alternative would be the environmentally superior alternative after the No Project Alternative. The No USACE Permit Alternative would result in least amount of development, the largest on-site wetland preserve, the fewest significant environmental impacts and lowest overall level of impact, and would not result in fill of any waters of the U.S. or other wetlands, including waters of the state.

Under NEPA, the environmentally preferable alternative does not need to be identified until the ROD is issued; therefore, it is not identified in this FEIR/FEIS.

1.9 ORGANIZATION AND FORMAT OF THE FINAL EIR/EIS

This FEIR/FEIS is organized as follows:

- ▶ Chapter 1, "Introduction," describes the purpose and content of the FEIR/FEIS.
- ▶ Chapter 2, "Minor Modifications to the Project," contains a description of minor changes to the project description that have been made since the DEIR/DEIS was circulated for public review.

- ▶ Chapter 3, “Comments and Individual Responses,” contains a list of all agencies and persons who submitted comments on the DEIR/DEIS during the public review period, copies of the comment letters submitted on the DEIR/DEIS, and individual responses to the comments.
- ▶ Chapter 4, “Errata,” presents corrections and other revisions to the text of the DEIR/DEIS based on issues raised by comments, clarifications, or corrections. Changes in the text are signified by ~~strikeouts~~ where text is removed and by underline where text is added.
- ▶ Chapter 5, “References,” includes the references to documents used to support the comment responses.
- ▶ Chapter 6, “List of Preparers,” lists the individuals who assisted in the preparation of this FEIR/FEIS.
- ▶ Appendices. New technical appendices are attached to the back of this FEIR/FEIS.

The DEIR/DEIS consisted of two volumes plus appendices. This document and its appendices, together with the two volumes and appendices of the DEIR/DEIS, constitute the FEIR/FEIS.

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2 MINOR MODIFICATIONS TO THE PROJECT

Minor adjustments have been made to the land use acreages to correct an inconsistency in how minor streets were addressed between individual properties. Previously, certain minor streets were calculated as a separate land use on some properties, while similar streets were not calculated separately on other properties. In order to correct the inconsistency, the all minor streets have been incorporated in the calculation of the adjacent land use. This adjustment results in minor acreage changes, but does not change the physical development of the project or any associated impacts, except traffic (discussed further below). The same streets are still planned in the same locations and there is no change in development footprint, residential units, or the square footage of nonresidential development.

There are two minor revisions to land use designations and assumptions for the SunCreek Specific Plan described in the Draft EIR/EIS. The first revision relates to the Regional Housing Needs Assessment (RHNA) allocation for the SunCreek Specific Plan. Under the RHNA allocation at this time, 44 acres of the area zoned High Density Residential would be developed at a minimum density of 26 units per acre. This could result in approximately 203 more multifamily residential units than assumed in the DEIR/DEIS. Second, land designated for parks is being redesignated for residential uses which would result in about 35 additional single-family dwelling units. The environmental impacts of these minor changes that could result in additional residential units being built for the project were analyzed as part of the FEIR/FEIS process. The changes would not result in any new significant impacts or substantial increase in severity or intensity of a significant impact from those disclosed in the DEIR/DEIS. In particular, a traffic analysis was performed by Fehr & Peers which showed that there would be no new or substantially more severe traffic impacts from those disclosed in the DEIR/DEIS from the additional residential units. A copy of Fehr & Peers' technical memorandum is attached as Appendix C to this FEIR/FEIS.

Since the DEIR/DEIS was prepared, the Grant Line 220 property owner has become a project participant, which necessitated an update to the proposed zoning exhibit (Exhibit 2-3). The revised version of Exhibit 2-3 is attached hereto.

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Source: Mackay & Somps 2013

Exhibit 2-1

Proposed Zoning Designations

3 COMMENTS AND INDIVIDUAL RESPONSES

3.1 INTRODUCTION

This chapter contains the comment letters received on the 2012 DEIR/DEIS for the SunCreek Specific Plan. A list of each commenter on the DEIR/DEIS, associated agencies, and assigned letter identifications are provided in Section 3.2. A discussion of the master responses that are used in this FEIR/FEIS is provided in Section 3.3. Section 3.4 presents each comment letter received on the DEIR/DEIS and the responses thereto. Each comment contained in the comment letter is summarized in *italics* at the beginning of each comment response in Section 3.5.

3.2 LIST OF COMMENTERS

Table 3-1 provides a list of all agencies and persons who submitted comments on the 2012 DEIR/DEIS. No comments were received during the public hearing held on October 23, 2012.

Table 3-1 List of Commenters on the DEIR/DEIS		
Agency / Individual Name	Letter Date	Letter ID
Federal		
U.S. Department of the Interior Patricia Sanderson Port	November 19, 2012	USDI
U.S. Environmental Protection Agency Enrique Manzanilla, Communities and Ecosystems Division	November 16, 2012	USEPA
State		
California Department of Transportation Eric Fredericks, Office of Transportation Planning South	November 19, 2012	CALTRANS
Central Valley Regional Water Quality Control Board Trevor Cleak	November 6, 2012	CVRWQCB
Regional and Local		
Elk Gove Unified School District Kim Williams	November 15, 2012	EGUSD
Pacific Gas & Electric Company Donald Kennedy	November 9, 2012	PG&E
Sacramento County Airport Land Use Commission Greg Chew	November 13, 2012	ALUC
Sacramento County Airport System J. Glen Rickelton	March 15, 2013	SCAS-1
Sacramento County Airport System Greg Rowe	January 10, 2013	SCAS-2
Sacramento Metropolitan Utility District Rob Ferrera	November 19, 2012	SMUD
Sacramento-Yolo Mosquito & Vector Control District Marty Scholl	November 19, 2012	SYMVCD
Individual		
Grantline and Chrysanthy 220 Investors Nadia Costa, Miller Starr Regalia	November 19, 2012	G&C 220
Cordova Hills LLC Law Offices of Gregory D. Thatch	November 16, 2012	THATCH

3.3 MASTER RESPONSES

MASTER RESPONSE 1: DISAGREEMENT REGARDING THE CONCLUSIONS OF THE DEIR/DEIS

Several commenters expressed disagreement with the analysis methodology and/or impact conclusions in the DEIR/DEIS related to various topic areas such as air quality and climate change.

CEQA requires that a public agency's determination or decision under CEQA be supported by substantial evidence (Public Resources Code Section 21168.5). The State CEQA Guidelines similarly require that decisions regarding the significance of environmental effects addressed in an EIR be based on substantial evidence and recognize that other evidence suggesting a different conclusion may exist. "Substantial evidence" means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (State CEQA Guidelines, CCR Section 15384.) An agency's decision will not be displaced simply because an opposite conclusion may be equally or more reasonable. (*Citizens of Goleta Valley v. Board of Supervisors* [1990] 52 Cal. 3d 553, 564.) An EIR is not inadequate simply because experts in a particular environmental subject matter dispute the conclusions reached by the experts whose studies were used in drafting the EIR, even where different conclusions can reasonably be drawn from a single pool of information. (State CEQA Guidelines, CCR Section 15151; "Guide To CEQA" [Remy, Thomas, et al.] 11th ed. pp. 499-500; *Greenebaum v. City of Los Angeles* [1984] 153 Cal. App. 3d 391, 413.) Under the CEQ's NEPA regulations, 40 CFR Section 1502.24 requires that "Agencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements."

The DEIR/DEIS provides a comprehensive evaluation of the project's environmental impacts in compliance with CEQA and the State CEQA Guidelines, in accordance with NEPA and the CEQ Regulations, and in accordance with professionally accepted methodology for the evaluation of environmental resources. The DEIR/DEIS and this FEIR/FEIS present substantial evidence to support the conclusions drawn within these documents regarding the significance of the project's environmental effects. When commenters disagree about environmental conclusions, the EIR need only summarize the main points of disagreement and explain the lead agency's reasons for accepting one set of judgments instead of another. Section 15151 of the State CEQA Guidelines states that "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts." (See also *Greenbaum v. City of Los Angeles* [1984] 153 Cal.App.3d 391, 413 and *Browning-Ferris Industries v. City Council* [1986] 181 Cal.App.3d 852, 862-863.) The lead agencies will ultimately determine which conclusion is appropriate, based on the substantial evidence presented in the EIR/EIS and other documents in the whole of the record. Similarly, the NEPA regulations, 40 CFR Section 1502.9(b) states: "... (b) Final environmental impact statements shall respond to comments as required in part 1503 of this chapter. The agency shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency's response to the issues raised."

The comment letters and responses to them present summaries of the areas of disagreement. In some cases, there is no substantial evidence offered by commenters to support that a different conclusion should be drawn. As such, no further response to disagreements presented in the comment letters is necessary. If evidence is provided by the commenter to support the disagreement with the DEIR/DEIS' conclusion, the evidence is summarized and considered in making the EIR/EIS' conclusion and response to the individual comment. The City and USACE have reviewed and considered all the substantial evidence in the whole of the record in making their decisions about the project and its environmental effects.

3.4 FORMAT OF COMMENTS AND RESPONSES

Comment letters and responses to comments are arranged in the following order:

- ▶ Section A: Federal Agencies
- ▶ Section B: State Agencies
- ▶ Section C: Regional and Local Agencies
- ▶ Section D: Individuals

Each letter and each comment within a letter have been given an identification number. Responses are numbered so that they correspond to the appropriate comment. Where appropriate, responses are cross-referenced between letters or with a master response.

3.5 COMMENTS AND RESPONSES ON THE DEIR/DEIS

A: Federal Comment Letters and Responses



United States Department of the Interior

OFFICE OF THE SECRETARY
 Office of Environmental Policy and Compliance
 Pacific Southwest Region
 333 Bush Street, Suite 515
 San Francisco, CA 94104

IN REPLY REFER TO:
 (ER 12/734)

Filed Electronically

19 November 2012

Lisa Gibson
 US Army Corps of Engineers
 Sacramento District
 Regulatory Branch
 1325 J Street, Room 1480
 Sacramento, CA 958 14-2922

Subject: Review of the Draft Environmental Impact Statement (DEIS) for the SunCreek Specific Plan Project, Development of Plan Area for Mixed Uses, Sacramento County, CA

Dear Ms. Gibson:

The Department of the Interior has received and reviewed the subject document and has no comments to offer.

Thank you for the opportunity to review this project.

Sincerely,

Patricia Sanderson Port
 Regional Environmental Officer

cc:
 Director, OEPC
 OEPC Staff Contact: Loretta B. Sutton

1

**Letter
USDI
Response**

**U.S. Department of the Interior
Patricia Sanderson Port, Regional Environmental Officer
November 19, 2012**

USDI-1

The comment indicates that the U.S. Department of the Interior (USDI) has reviewed the DEIR/DEIS for the SunCreek Specific Plan and has no comments.

The City and USACE acknowledge receipt of the letter from USDI indicating that it has no comments on the DEIR/DEIS.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105

NOV 16 2012

Ms. Lisa Gibson
 U.S. Army Corps of Engineers, Sacramento District
 1325 J Street, Room 1350
 Sacramento, California 95814-2922

Subject: Draft Environmental Impact Statement for the SunCreek Specific Plan Project, Sacramento County, California (CEQ # 20120309)

Dear Ms. Gibson:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the SunCreek Specific Plan Project pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA provided comments on the Administrative Draft Environmental Impact Statement (ADEIS) on December 21, 2011, and provided comments on the Supplemental ADEIS on May 18, 2012. While we appreciate efforts by the U.S. Army Corps of Engineers to coordinate with our agency throughout the environmental review process, several of the key issues EPA has raised have not yet been addressed. We continue to have significant concerns about the potential impacts to Waters of the U.S. and air quality associated with the project, particularly when considered in concert with the multiple housing, transportation, and other development projects proposed in Sacramento County. These impacts represent a daunting cumulative burden that would be extremely difficult to mitigate.

We have rated the DEIS as Environmental Objections – Insufficient Information (EO-2) (see enclosed EPA Rating Definitions) based on significant impacts to aquatic resources and the potential inability to both comply with the 2008 Compensatory Mitigation Rule and achieve “no net loss of wetland functions and values.” Though the DEIS includes a 203.7 acre wetland preserve area as part of the Proposed Project Alternative, we note that the DEIS does not demonstrate that sufficient mitigation for impacts to Waters of the U.S. would be available for the SunCreek project. Please find our detailed comments attached, which discuss EPA’s remaining concerns with this proposed project, including the lack of clarity regarding the need for the project; cumulative air quality impacts; disclosure of criteria air pollutant emissions; and commitments to mitigation measures.

Our attached detailed comments also recommend incorporation of transit-oriented and sustainable design measures to significantly reduce long-term impacts to air, water, and other resources, while also lowering energy demand. These recommendations are consistent with the Sacramento Region Blueprint’s growth principles.

Please note that, as of October 1, 2012, EPA Headquarters no longer accepts paper copies or CDs of EISs for official filing purposes. Submissions after October 1, 2012 must be made through the EPA’s

new electronic EIS submittal tool: e-NEPA. To begin using e-NEPA, you must first register with the EPA's electronic reporting site - https://cdx.epa.gov/epa_home.asp. Electronic submission does not change requirements for distribution of EISs for public review and comment, and lead agencies should still provide one hard copy of each Draft and Final EIS released for public circulation to the EPA Region 9 office in San Francisco (Mail Code: CED-2).

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cont.
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We appreciate the opportunity to review this DEIS, and are available to discuss our comments. If you have any questions, please contact me at 415-972-3843, or contact Jen Blonn, the lead reviewer for this project. Jen can be reached at 415-972-3855 or blonn.jennifer@epa.gov.

Sincerely,



Enrique Manzanilla, Director
Communities and Ecosystems Division

Enclosures: Summary of the EPA Rating System
EPA Detailed Comments

Cc via email:

Terry Adelsbach, U.S. Fish and Wildlife Service
Mike McKeever, Sacramento Area Council of Governments

Project Need Statement and Growth Projections

Although section 1.4 is entitled *Statement of Project Purpose and Need*, this section of the Draft Environmental Impact Statement (DEIS) does not appear to explain the project need, which is critical for explaining why the federal agency and project proponent are undertaking the proposed action. An EIS must explain the “underlying purpose and need to which the [Lead] Agency is responding in proposing the alternatives, including the proposed action” (40 C.F.R. 1502.13). The need for new housing and commercial development is discussed in later sections of the DEIS, but a clear and comprehensive need statement for this particular project is absent.

Recommendations:

- Augment section 1.4 in the Final Environmental Impact Statement (FEIS) to clearly explain the project need in the context of other reasonably foreseeable development projects in the area, and clarify the remaining needs for additional housing and commercial development that the SunCreek project could help address. Please include a table which clearly provides population growth, housing, and jobs projections from all data sources that are used in the analysis, and ensure that data is used from the most recent Metropolitan Transportation Plan and Sacramento County General Plan. Display data on housing that would be provided by the SunCreek project as well as other reasonably foreseeable projects in the area.
- Update text throughout the document so that the FEIS includes housing and commercial development demand data from the most recent Metropolitan Transportation Plan and the Sacramento County General Plan.

Waters of the U.S. & Biological Species

The proposed project is located “within the Mather Core Area, an area identified by U.S. Fish and Wildlife Service (USFWS) in the *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* (2005) as vital not only to the recovery of vernal pool tadpole shrimp, but to preventing the extinction or irreversible decline of the species” (p. 3.3-14). In addition, California has suffered between 80-90% loss of vernal pools, with a loss of over 137,000 acres of vernal pool habitat by 2005, as compared to habitat that existed in the baseline period of 1976-1995. In light of the sensitive habitat within the project area, EPA is concerned that the Proposed Project Alternative could directly impact approximately 24.19 acres of Waters of the U.S., including 14.5 acres of vernal pools.

Compensatory Mitigation

EPA notes that there appears to be an extreme shortage of appropriate mitigation sites in the Mather Core Recovery Area, and in surrounding nearby areas, to accommodate this project and other nearby proposed projects that are also seeking Clean Water Act (CWA) Section 404 permits. The listing of mitigation banks in Table 3.3-5 suggest that mitigation credits exist where few, if any, are actually available. Several of these banks are not in the immediate area (i.e. are located in Placer County) or are not approved by the U.S. Army Corps of Engineers (Corps), USFWS, and other authorities on the interagency review team. Additionally, EPA is aware that the credits in the South Sacramento County area are being discussed in three other regulatory contexts; (1) the Folsom South of Highway 50 Specific Plan Project has listed these banks as sources of mitigation credit, (2) the Mather Specific Plan Project listed these same banks, and (3) the South Sacramento Habitat Conservation Plan (SSHCP), itself, is in need of credits from these banks to meet its conservation goals. In addition, p. 3.3-38 states that,

“Mitigation for SunCreek impacts must be consistent with the [Corps’] *Record of Decision for the Sunridge Properties*.” Conditions for that Record of Decision (ROD) state that compensatory mitigation shall be “[l]ocated in the Mather Core Recovery Area, unless determined impracticable or inappropriate by the Corps.”

As stated in the DEIS, the project could use the SSHCP if it is available. It is, however, currently uncertain whether the SSHCP would be available. The DEIS does not demonstrate that, absent the SSHCP, necessary mitigation credits would be available; nor is EPA aware of sufficient available mitigation credits. Without proximate mitigation, the project may not be able to comply with the 2008 Mitigation Rule and the Sunridge ROD.

Recommendations:

- EPA recommends that the Corps conduct a comprehensive analysis of the mitigation resources remaining within the Mather Core Recovery Area in order to assess whether this project (and the others currently seeking CWA Section 404 permits in the Mather Core Recovery Area) have access to sufficient compensatory mitigation resources to move ahead in the absence of the SSHCP. In the FEIS, provide clear information and detailed locations on available, approved mitigation credits that could be used for this project and that comply with the Mitigation Rule and the Sunridge ROD.
- We are available to assist the Corps and the project proponents in determining compliance with the 404(b)(1) Guidelines and the Mitigation Rule. For further coordination and assistance with issues pertaining to Waters of the U.S., please contact Paul Jones, EPA Wetlands Office, at (415) 972-3470 or jones.paul@epa.gov.

Least Environmentally Damaging Practicable Alternative

EPA believes that the alternatives analysis in the DEIS does not contain sufficient detailed information for the Corps to identify the Least Environmentally Damaging Practicable Alternative (LEDPA) in compliance with the 404(b)(1) Guidelines. Disclosure of this information is critical to the decision-making process because only the LEDPA that achieves the overall project purpose, while not causing or contributing to significant degradation of the aquatic ecosystem, can be permitted by the Corps.

Recommendation:

The FEIS should include a detailed evaluation of the project alternatives in order to demonstrate the project’s compliance with the 404(b)(1) Guidelines and support the identification of the LEDPA by the Corps. The alternatives analysis should demonstrate that the proposed project is avoiding and minimizing damage to waters to the maximum extent practicable.

CWA Section 404(b)(1) Alternatives Analysis for Backbone Infrastructure

It is unclear why the CWA Section 404(b)(1) Alternatives Analysis (404 AA) for backbone infrastructure is being developed prior to 404 AA for the SunCreek project that would be used to derive the project LEDPA. This raises concern and potential challenges for decision-making because, typically, we would expect to see a 404 AA on the entire project from which the Corps would make a LEDPA determination first. Furthermore, the 404 AA for the Backbone Infrastructure provided in Appendix Y appears to improperly compare costs by using the Proposed Alternative as the baseline (rather than using the costs to meet the project purpose generally). Similar to our comments on the 404 AA provided in the DEIS for the Folsom South of Highway 50 Specific Plan Project, this approach to cost comparison is inconsistent with Corps Headquarters guidance in Regulatory Guidance Letter 93-2,¹ the Corps decision

¹ Regulatory Guidance Letter 93-02 is available at: <http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl93-02.pdf>



in the Old Cutler Bay 404(q) elevation,² and the discussion of costs in the preamble to the Guidelines. We also recognize that an analysis of practicability can use logistics and technical feasibility, in addition to cost. If such factors weigh on the practicability of alternatives in this case, we recommend those factors be presented in the FEIS in addition to information on costs.

Recommendations:

- In the FEIS, clarify why the 404 AA for backbone infrastructure is being developed prior to the 404 AA for the overall SunCreek project.
- Revise the analysis in Appendix Y of the FEIS so that other criteria, in addition to cost, are used to determine the practicability of the alternatives and their ability to achieve the basic project purpose.
- Revise p. 14 of Appendix Y to clarify whether the Corps intends to issue a formal purpose statement for the backbone infrastructure, separate from the purpose statement for the SunCreek project.

cont.
14

Current Information

The discussion of the SSHCP within the DEIS, as well as other information, is out of date.

Recommendations:

- Consult the SSHCP project team members at the Sacramento County Water Resources Department or the Sacramento County Community Development Department and update the FEIS to reflect the current status of the SSHCP project.
- Revise Table 3.0-2 to reflect that Excelsior Estates has changed names and is now called Jackson Township.

15

Air Quality

The project site is located in a federally designated nonattainment area for ozone and particulate matter smaller than 10 and 2.5 microns (PM10 and PM2.5). The site is also located in a federally designated maintenance area for carbon monoxide (CO). EPA is concerned with potential health impacts from the project's construction emissions, in addition to long-term emissions from induced vehicle miles traveled (VMT) from the development of 4,697 new housing units under the Proposed Project Alternative. We recommend further disclosure of impacts, additional mitigation measures, and clearer commitments for implementation.

16

Cumulative Air Quality Impacts

The proposed project would result in, "a cumulatively considerable incremental contribution to a significant cumulative impact from exposure of sensitive receptors," to both construction and operational emissions (p. 3.2-50). Several projects that will require Corps permitting under CWA Section 404 are proposed to be constructed concurrently with the SunCreek project in the Sacramento Valley Air Basin (SVAB). It is unclear whether all relevant projects in the SVAB have all been fully considered in the analysis. For example, the Capital Southeast Connector and New Brighton projects do not appear to be listed in Table 3.0-2.

17

² EPA Regional Offices and Corps Districts have the opportunity to raise individual permit or policy issues to their respective Headquarters Offices for guidance. In 1990, cost practicability and other issues in the Old Cutler Bay project in Florida were evaluated. The final guidance from Corps Headquarters is available at: http://water.epa.gov/lawsregs/guidance/wetlands/upload/2006_04_19_wetlands_CutlerBayGuidance.pdf

Recommendations:

- In the FEIS, verify that cumulative emissions are evaluated for potential contributions to violations of the National Ambient Air Quality Standards (NAAQS) from all applicable projects in the SVAB. The air quality cumulative impacts analysis should account for all reasonably foreseeable future actions, following 1997 guidance provided by the Council on Environmental Quality, entitled *Considering Cumulative Effects Under the National Environmental Policy Act*.
- Provide a table with criteria air pollutant and precursor emissions estimates from all applicable reasonably foreseeable future actions in the SVAB where data are readily available, including both the construction and operational phases of the projects.

cont.
17

Air Toxics Assessment, Disclosure & Mitigation

Page 3.2-12 discusses existing toxic air contaminants (TACs) in the project area, and lists the Kiefer Landfill and Triangle Rock Products, Inc as two nearby sources of TACs. The discussion concludes by stating, "Because quantitative health risk assessments (HRAs) were not required from either facility by [Sacramento Metropolitan Air Quality Management District (SMAQMD)], the SMAQMD's prioritization thresholds were presumably not exceeded by the facilities, and therefore it is presumed that neither facility results in substantial health risks to nearby areas." It is unclear how recently the determination that a HRA was not needed was made, and whether requirements may have changed in the interim. It is also unclear whether sensitive receptors were in the vicinity of these facilities when the determination was made, and whether their presence could have changed the determination.

18

Recommendations:

- Coordinate with SMAQMD to determine whether a HRA of siting the proposed project near the Kiefer Landfill and Triangle Rock Products, Inc would be appropriate. Summarize this coordination and conclusions in the FEIS.
- Provide quantitative values of expected diesel particulate matter emissions (with and without committed mitigation) in the analysis of temporary and short-term emissions from construction equipment on p. 3.2-42 and consider mitigation measures to keep sensitive receptors at a safe distance away from these emissions.

Criteria Air Pollutant Emissions Disclosure

Page 3.2-5 states, "Because the entire state is in attainment for SO2 and most of the state is in attainment for lead (except for one area of Los Angeles County), SO2 and lead will not be discussed further." EPA is concerned that SO2 and lead emissions from the project are not disclosed. Table 3.2-4 summarizes daily construction emissions. While operational emissions are provided in Tables 3.2-5 through 3.2-9, and annual construction emissions are provided in Table 3.2-10, we note that lead, SO2 and CO emissions are not included in any of these tables. We are also concerned that mitigated impact values are only provided for daily construction emissions that have a local standard. Further, it is also unclear which mitigation measures were used in determining the air emission estimates noted in Table 3.2-4 and Table 3.2-10. Only mitigation that is committed to as part of the project design or committed to in the Record of Decision can be used in general conformity applicability.

19

Recommendations:

- Fully assess the criteria pollutants and precursor emissions (including SO2, lead, and CO) for potential direct, indirect, and cumulative impacts from each alternative.
- Update Tables 3.2-4 through 3.2-10 in the FEIS to include unmitigated and mitigated values for all criteria air pollutant and precursor emissions, including SO2, lead, and CO. Clarify whether the mitigated values only incorporate mitigation that will be committed to as part of

the project design or in the ROD, and specify which mitigation measures were relied upon to calculate values. Ensure that summary tables in the FEIS are consistent with data provided in Appendix L.

- Add a table to the FEIS that compares operational emissions from each alternative, in units of tons per year, to de minimis thresholds. Include unmitigated and mitigated values for all criteria air pollutant and precursor emissions. Clarify whether the mitigated values only incorporate mitigation that will be committed to as part of the project design or in the ROD, and specify which mitigation measures were relied upon to calculate values.

cont.
19

General Conformity Assessment

The general conformity discussion on p. 3.2-14 states, "In some instances, a state will make the conformity determination under delegation from a Federal agency." This is incorrect. While the state agency may, in some instances, conduct the conformity analysis, the lead Federal agency must make the conformity determination. The DEIS (p. 3.2-14 and p. 3.2-26) further states that the general conformity determination will be made in the Record of Decision. EPA cautions that providing information at that stage of the environmental review process does not allow for early identification and resolution of potential issues.

The DEIS (p. 3.2-14 and p. 3.2-48) cites the general conformity rule incorrectly. The general conformity rule was revised on April 5, 2010 (75 FR 17257). EPA deleted the provision in 40 CFR 93.153 that required Federal agencies to conduct a conformity determination for regionally significant actions where the direct and indirect emissions of any pollutant represent 10 percent or more of a nonattainment or maintenance area's emissions inventory for that pollutant.

20

Recommendations:

- Revise the FEIS to accurately reflect the general conformity rule and the federal agency role in the conformity determination process.
- The FEIS should demonstrate that the direct and indirect emissions of the project conform to the State Implementation Plan and do not cause or contribute to violations of the NAAQS. We recommend that the Corps work closely with the SMAQMD on its conformity determination. We also recommend that the draft general conformity determination be included in the FEIS, either as a detailed summary or as an appendix.

Page 3.2-17 provides an incomplete description of the status of the NAAQS for ground-level ozone by stating:

On January 6, 2010, EPA proposed to reconsider the 2008 NAAQS for ground-level ozone. The proposed revisions are based on a reevaluation of the scientific evidence about ozone and its effects on people and the environment. EPA is proposing to strengthen the 8-hour "primary" ozone standard, designed to protect public health, to a level within the range of 0.060-0.070 ppm. EPA is also proposing to establish a distinct cumulative, seasonal "secondary" standard, designed to protect sensitive vegetation and ecosystems, including forests, parks, wildlife refuges, and wilderness areas. EPA is proposing to set the level of the secondary standard within the range of 7-15 ppm-hours.

21

Recommendation:

To provide an accurate description of the status of EPA's ozone standard, we recommend changing the above text into past tense and adding text to indicate that, after this reconsideration, EPA did not change the 2008 8-hour primary and secondary ozone standards of 0.075 ppm (daily maximum 8-hour concentration). EPA finalized the 2008 ozone designations, which were made effective July 20, 2012.

Transportation Emissions

VMT is already high near the project area, with several intersections operating at poor levels of service (p. 3.15-7). Adding housing and commercial development in the SunCreek project area would increase VMT and associated air emissions, especially when considered cumulatively with other development projects proposed for the area. EPA encourages measures to reduce air emissions from VMT, and we note that reducing VMT per capita is also a goal for Sacramento County (p. 3.4-10). We support plans to incorporate a bus rapid transit (BRT) system into the proposed design for Rancho Cordova Parkway, as described on p. 2-58, as well as plans for bicycle and pedestrian pathways through the project area.

Recommendations:

- To further minimize emissions from VMT and assist the region in complying with air quality standards, we recommend that the FEIS include measures within the project design to accommodate transit access. The neighborhood design should include transit route development that maximizes ridership, as well as early identification of bus stops so that they can more easily be incorporated into the streetscape.
- It is unclear if a grid street pattern is currently planned for the project area. If not, consider using a grid pattern to reduce the travel distance for vehicles, bikes, and pedestrians for local trips. Grid patterns can also makes more trips possible to complete without use of a vehicle.

22

Commitments to Mitigation

Language used to introduce mitigation throughout the document refers to, “the project applicant for any particular discretionary development application” as the entity responsible for implementation. This language is confusing, and it is unclear which mitigation measures listed must be implemented as part of the project design, and which may, potentially, not be implemented.

23

Recommendation:

In the FEIS, revise text to clearly indicate which mitigation measures are being committed to as part of the project design, and which (if any) will only be implemented when certain conditions are met. Summarize information in Table ES-1, which lists all mitigation measures.

Assessment of Contaminated Groundwater

Page 3.8-4 introduces sites in the area with known groundwater contamination, which include Kiefer Landfill (.75 mi southeast), Inactive Rancho Cordova Test Site (1 mi north), and Mather Air Force Base (2.25 mi west), as well as nearby methyl tertiary butyl ether (MTBE) soil contamination from underground storage tanks. Page 3.9-10 provides additional information on the extent of the contamination, direction of plume movement, and monitoring activities. A more robust discussion is needed to disclose whether plumes may eventually migrate closer to the SunCreek project area, and potentially become a threat to residents. Page 3.9-55 states that groundwater use at full build out is not expected to result in substantial change in the movement of off-site contaminated groundwater plumes, but information is not provided to support this conclusion.

24

Recommendation:

In the FEIS, include a map depicting areas of potential groundwater contamination near the project area, including available information on plume migration direction and speed. Include an assessment in the FEIS of any potential future exposure in the SunCreek project area to contaminated groundwater through planned drinking water wells or through vapor intrusion from contaminated groundwater, through soil, and into inhabited spaces.

Sustainability

Creating an entirely new development provides ample opportunities to incorporate policies and designs that minimize demand for energy, minimize operational impacts, and create a high-quality living environment, with easy access to jobs, services, and recreation.

Recommendations:

- Consider obtaining Leadership in Energy and Environmental Design (LEED) for Neighborhood Development (ND) Certification for the project area or a portion of it. LEED-ND certification provides independent, third-party verification that a neighborhood development project is located and designed to meet high levels of environmentally responsible, sustainable development, with principles that are in line with the Sacramento Region Blueprint's growth principles.
- Consider obtaining LEED certification for homes, schools, and commercial buildings.
- Consider exceeding CALGreen standards in priority areas by meeting "optional" standards, including: pollutant control, indoor air quality, renewable energy, energy and water conservation, and low impact development.
- Consider recycled materials that could be used to replace raw materials for particular infrastructure components. Some options include tire-derived aggregate, crushed recycled concrete, recycled asphalt pavement, and rubberized asphalt concrete.
- Consider creating a policy to use locally sourced materials to reduce air emissions from transport.

25

EPA-1

The comment states that while the U.S. Environmental Protection Agency (EPA) provided comments on the Administrative and Supplemental Administrative ADEIS, EPA is concerned that several issues still have not been addressed.

The USACE carefully considered the comments submitted by EPA on the Administrative and Supplemental Administrative DEIS. The comments provided by EPA were appropriately addressed in the DEIR/DEIS as described below in responses to comments EPA-2 through EPA-25.

The comment further states that given the amount of regional development, cumulative impacts on waters of the U.S. and air quality would be difficult to mitigate.

With regards to cumulative impacts to waters of the U.S., a thorough analysis of cumulative impacts was presented on pages 3.3-61 – 3.3-64 of the DEIR/DEIS. As stated therein, "...related projects throughout the region would result in a cumulatively significant impact to wetlands and other biological resources associated with these [wetland] habitats. Project implementation would result in a cumulatively considerable incremental contribution to this cumulatively significant impact of regional loss because of the large acreage of habitats that would be lost as a result." Following the implementation of all feasible mitigation measures, the impact was determined to be cumulatively significant and unavoidable.

With regards to cumulative impacts to air quality, a thorough analysis of cumulative impacts was presented on pages 3.2-45 – 3.2-51 of the DEIR/DEIS. An exceedance of the project-level thresholds does not necessarily constitute a significant cumulative air quality impact pursuant to Sacramento Metropolitan Air Quality Management District (SMAQMD) standards (SMAQMD 2009:8-1). Because SunCreek is included in the Rancho Cordova General Plan and the Metropolitan Transportation Plan (MTP), the project is consistent with demographic projections (e.g., population, employment, vehicle miles traveled) assumed in the applicable air quality attainment plan, and a 15-point Air Quality Management Plan (AQMP) has been prepared for the project in accordance with SMAQMD recommendations (DEIR/DEIS Appendix M). Nonetheless, both short-term construction-related and long-term operation-related emissions of criteria air pollutants were determined to be cumulatively significant and unavoidable after implementation of all feasible mitigation measures. Furthermore, exposure of on-site sensitive receptors to TAC emissions (generated primarily by off-site diesel truck trips) were also determined to be cumulatively significant and unavoidable after implementation of feasible mitigation measures.

EPA-2

The comment states that although the project includes a 203.7-acre on-site wetland preserve, the DEIS does not demonstrate that sufficient mitigation for impacts to the waters of the U.S. would be available for the project in order to comply with the 2008 Compensatory Mitigation Rule and to achieve "no net loss of wetland functions and values."

This topic is discussed in detail on pages 3.3-37 – 3.3-41 of the DEIR/DEIS. As indicated therein, the *Final Rule for Compensatory Mitigation for Losses of Aquatic Resources* (73 CFR 19594) (Final Rule) establishes a preference for a "watershed approach" in selecting

locations for compensatory mitigation project locations, that mitigation selection must be “appropriate and practicable” and that mitigation banks must address watershed needs based on criteria set forth in the Final Rule. The watershed approach accomplishes this objective by expanding the informational and analytic basis of mitigation project site selection decisions and ensuring that both authorized impacts and mitigation are considered on a watershed scale rather than only project by project. This requires a degree of flexibility so that district engineers can authorize mitigation projects that most effectively address the case-specific circumstances and needs of the watershed, while remaining practicable for the permittee.

The majority of the SPA is within the Laguna Creek Watershed, but the northwest portion of the Kamilos property is within the Morrison Creek Watershed. Both of these watersheds are part of the Lower Sacramento River Watershed. Table 3.3-5 (DEIR/DEIS page 3.3-29) demonstrates that mitigation credits are available within the Laguna Creek Watershed at the Bryte Ranch, Laguna Terrace East, and the Sunrise Douglas Conservation Banks; however, there are no available mitigation credits within the Morrison Creek Watershed. If USACE determines that the use of mitigation bank credits is not sufficient mitigation to offset impacts within the SPA, the October 26, 2010 *Memorandum Re: Minimum Level of Documentation Required for Permit Decisions* (USACE 2010) requires USACE to specifically demonstrate why the use of bank credits is not acceptable to USACE in accordance with Section 33 CFR 332.3(a)(1).

The SPA is located within the Mather Core Recovery Area, in which significant cumulative impacts have occurred to vernal pools. Therefore, DEIR/DEIS Mitigation Measure 3.3-1b requires that any compensatory mitigation for impacts in the SPA be consistent with the USACE’s Record of Decision for the Sunridge Properties, which states that “(f)or future unavoidable impacts to vernal pool wetlands within the Mather Core Recovery Area...compensatory mitigation shall be (1) based on a method for assessing the functions of all waters of the U.S. on the project site; (2) accomplished at a ratio of greater than 1:1 (final ratio will be based, in part, on wetland functional condition determined during the functional assessment), after considering direct and indirect impacts, temporal loss and difficulties creating vernal pool wetlands; and (3) located in the Mather Core Recovery Area, unless determined impracticable or inappropriate by the Corps.” Based on the requirements of Mitigation Measure 3.3-1b, the applicants for projects within the SPA will be required to provide USACE information on available sites to be utilized for compensatory mitigation within the Mather Core Recovery Area. If it is demonstrated to USACE that there are no available sites or there is not sufficient acreage of compensatory mitigation within the Mather Core Recovery Area to fully compensate for unavoidable losses of waters of the U.S. within the SunCreek SPA, then alternative sites or mitigation banks would need to be utilized. If the South Sacramento County Habitat Conservation Plan (SSHCP) is adopted and available before the project is fully implemented, project applicants may participate in the SSHCP mechanisms, such as payment of fees, purchase of mitigation bank credits, acquisition of conservation easement(s), and/or acquisition of mitigation land(s) in fee title to mitigate project effects on wetland habitats. In the event that mitigation is not available through the SSCHP, the applicants must mitigate by purchasing a combination of appropriate credits from an agency-approved mitigation bank or providing an agency-approved off-site mitigation area. As stated on DEIR/DEIS page 3.3-45, impacts related to loss and degradation of jurisdictional wetlands and other waters of the U.S. would be significant and unavoidable after implementation of all feasible mitigation measures for the following reasons:

- ▶ The extent of habitat loss and degradation is extensive and contributes significantly to the loss of this habitat type in the region and within the Mather Core Area.
- ▶ Vernal pools and other wetland habitats within the wetland preserve and on adjacent parcels could be adversely affected by habitat fragmentation and indirect impacts for which no feasible mitigation measures are available.

However, the conclusion that direct and indirect impacts would remain significant and unavoidable pursuant to CEQA and NEPA is separate from the ultimate determination the USACE must make in order to issue permits to fill on-site wetlands, which is whether the project would cause “significant degradation of waters of the United States” (40 CFR 230.10[c]) (among other determinations). This subsequent determination has, by the express terms of the regulation, a necessarily broader focus than the individual watershed approach followed in this analysis. Therefore, the significant and unavoidable conclusion in this analysis does not preclude the USACE from issuing fill permits for the project if it finds the project mitigation is sufficient to avoid “significant degradation of the waters of the United States.”

EPA-3 *The comment indicates that EPA has submitted detailed comments regarding the project need; cumulative air quality impacts; disclosure of criteria air pollutant emissions; and commitments to mitigation measures.*

Responses to specific comments raised by EPA within the body of its letter are provided below.

EPA-4 *The comment notes that EPA’s detailed comments are also directed towards the incorporation of transit-oriented development and sustainable design measures to reduce long-term impacts to air, water, and other resources while also lowering energy demand. The comment states that these recommendations are consistent with the Sacramento Area Council of Governments’ (SACOG) Blueprint growth principles.*

The project incorporates transit-oriented development and sustainable design measures as shown in the Draft SunCreek Specific Plan (DEIR/DEIS Appendix C) and in the SMAQMD-approved 15-point AQMP (DEIR/DEIS Appendix M). The project is consistent with SACOG Blueprint growth principles, as discussed on pages 4-2 – 4-4 of the DEIR/DEIS.

EPA-5 *The comment provides information on new EPA procedures for submittal of future environmental documents.*

The information regarding the new procedures for submittal of documents to EPA is appreciated; the comment is noted.

EPA-6 *The comment states that the DEIS does not explain the project need, citing 40 Code of Federal Regulations (CFR) 1502.13. The comment requests that DEIS Section 1.4 be augmented to include a table showing population growth, housing, and jobs projections for the project and the region, including the MTP and Sacramento County General Plan; and display housing data that would be provided by SunCreek and other reasonably foreseeable projects in the area, in order to demonstrate that there is a need for the SunCreek project. The comment also requests that the entire DEIR/DEIS be “updated” with housing and commercial development demand data from the MTP and Sacramento County General Plan in order to provide additional reasoning as to the need for the project.*

DEIR/DEIS Section 1.4, “Statement of Project Purpose and Need” includes a 12-point bulleted list that provides a detailed explanation of the project need (see DEIR/DEIS page 1-3). 40 CFR 1502.13 simply requires the lead agency to do the following: “The statement [of purpose and need] shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” (Emphasis added.) In fact, 40 CFR 1502.13 specifically states that the purpose and need statement shall be brief. EPA, on the other hand, is requesting an extensive analysis of housing demand in the Sacramento region, the inclusion of which would not be consistent with the 40 CFR 1502.13 requirement to be “brief.” For the reasons stated above, USACE believes that the DEIR/DEIS already contains a sufficient explanation of the project need pursuant to 40 CFR 1502.13 and that the additional information requested by the commenter is not required; therefore no changes to the text of the DEIR/DEIS have been made.

EPA-7 *The comment states that the project is located within the Mather Core Area, cites to the historic loss of vernal pool habitat in the California, and indicates that EPA is concerned that the project could affect 24.19 acres of waters of the U.S.*

The comment restates information contained in Section 3.3, “Biological Resources” of the DEIR/DEIS; the comment is noted.

EPA-8 *The comment states there is a shortage of mitigation sites in the Mather Core Area and surrounding nearby areas to accommodate the project and other pending projects. The comment further notes that the SSCHCP may not be available for mitigation, and that mitigation for the project must be consistent with the Record of Decision (ROD) for the Sunridge Properties. The comment further states that the DEIR/DEIS does not demonstrate that sufficient mitigation credits are available, and therefore the project may not be able to comply with the 2008 Mitigation Rule and the Sunridge ROD.*

See response to comment EPA-2.

EPA-9 *The comment requests that USACE conduct “a comprehensive analysis of the mitigation resources remaining within the Mather Core Recovery Area” in order to assess whether this project and others currently seeking CWA Section 404 permits in the Mather Core Area have access to sufficient compensatory mitigation resources to move ahead in the absence of SSCHP.*

DEIR/DEIS Mitigation Measure 3.3-1b requires that any compensatory mitigation for SunCreek impacts be consistent with the USACE’s Record of Decision for the Sunridge Properties, which states that “(f)or future unavoidable impacts to vernal pool wetlands within the Mather Core Recovery Area...compensatory mitigation shall be (1) based on a method for assessing the functions of all waters of the U.S. on the project site; (2) accomplished at a ratio of greater than 1:1 (final ratio will be based, in part, on wetland functional condition determined during the functional assessment), after considering direct and indirect impacts, temporal loss and difficulties creating vernal pool wetlands; and (3) located in the Mather Core Recovery Area, unless determined impracticable or inappropriate by the Corps.” For this purpose, the SunCreek applicants have been informed by USACE that they must provide information regarding potential mitigation sites within the Mather Core Recovery Area, or within close proximity or the same watershed as the SPA. USACE does not have the resources to conduct an independent study of all potential lands within the Mather Core Recovery Area to determine what sites are available for compensatory mitigation. The applicants for the SunCreek project (as well as other projects within the Mather Core Recovery Area), will be required to provide

information to the USACE regarding potential mitigation sites. Furthermore, project buildout is expected to occur over a 20-year period, and thus in many cases, mitigation will not be required for many years into the future. USACE is not responsible for ensuring that there are currently available sufficient permittee-responsible mitigation acreage or mitigation bank credits to accommodate all projects proposed for development within the area. For all projects in which USACE issues a permit, compensatory mitigation will be required for unavoidable impacts, in order to ensure “no net loss” of wetland functions and services and compliance with the 2008 Mitigation Rule. If USACE decides to issue a permit for the proposed projects or other alternatives within the SPA, compensatory mitigation would be required as part of the permit(s). If another developer utilizes the mitigation sites or mitigation bank credits required by any permit(s) issued for projects within the SPA, the developers within the SPA would need to request a modification to required compensatory mitigation.

EPA-10 *The comment requests that the FEIS provide clear information and detailed locations on available, approved mitigation credits that could be used for this project and that comply with the Mitigation Rule and the Sunridge ROD.*

Table 3.3-5 (DEIR/DEIS page 3.3-29) provides a listing of mitigation credits that are known to be available at this time. See also response to comment EPA-2.

EPA-11 *The comment indicates that EPA is available to assist USACE with a determination of compliance with the Section 404(b)(1) guidelines and the Final Rule.*

USACE appreciates the offer extended by EPA to assist with a determination of the Section 404 Guidelines; the comment is noted.

EPA-12 *The comment states that the EPA believes the DEIS does not contain enough information for USACE to determine the Least Environmentally Damaging Practicable Alternative (LEDPA), and that the DEIS should contain a detailed analysis of the project’s alternatives consistent with the Section 404 Guidelines to support the LEDPA. The comment also states that the alternatives analysis should demonstrate that the project avoids and minimizes damages to waters to the maximum extent practicable.*

Under both NEPA and CEQA, the range of alternatives is governed by the rule of reason. The State CEQA Guidelines Section 15126.6 requires that “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” In relationship to NEPA alternatives, the CEQ suggests, “When there are potentially a very large number of alternatives, only a reasonable number of examples, covering the full spectrum of alternatives, must be analyzed and compared in the EIS. ... What constitutes a reasonable range of alternatives depends on the nature of the proposal and the facts in each case.” (CEQ 1981)

The Draft Section 404(b)(1) alternatives analysis (DEIR/DEIS Appendix Y) (which was prepared by the project applicants) contains additional on-site alternatives for each of the participating landowners, as well as alternatives to the proposed backbone infrastructure and off-site alternatives. The DEIR/DEIS evaluates four action alternatives (No USACE Permit, Biological Impact Minimization, Conceptual Strategy, and Increased

Development) at a similar level of detail as the Proposed Project Alternative, each of which would entail different land uses and different amounts of on-site preservation and avoidance of wetland fill. Therefore, since the DEIR/DEIS considered and evaluated a reasonable range of potentially feasible alternatives, the alternatives contained in the Draft Section 404(b)(1) analysis were not carried forward for further evaluation because all of the on-site alternatives consist of minor variations of the existing five action alternatives that would all entail a redesign of proposed land uses and relocation of proposed infrastructure, which are already covered by the spectrum of alternatives carried forward for detailed analysis. Furthermore, the off-site alternatives are infeasible because they consist of too many separate parcels of land (74 and 351, respectively) that could not all be acquired. A detailed description and analysis of reasonable alternatives is included in the DEIR/EIS in Chapters 2 through 4. Alternatives that were dismissed as not reasonable and therefore were not carried forward for detailed analysis are described in the DEIR/DEIS Section 2.9.

USACE will consider any comments received regarding alternatives to the proposed project, and will make a determination on compliance with the Section 404 Guidelines within the ROD and subsequent NEPA documents. See also response to comment EPA-14.

EPA-13

The comment states that EPA is unclear as to why a 404(b)(1) analysis is being developed for backbone infrastructure that would drive the project LEDPA, when typically a 404 analysis would be prepared for the entire project from which the LEDPA decision would be made.

The SPA contains 6 separate properties, consisting of: Sierra Sunrise property (SPK-2000-00414), Jaeger Ranch property (SPK-2006-00602), Luxouri Village property (SPK-2006-00603), Grantline 220 property (SPK-2006-00604), Shalako property (SPK-2006-00605) and Smith Property (SPK-2008-00795). To date, the USACE has received permit applications for the Sierra Sunrise, Jaeger Ranch, Shalako and Smith properties. Due to the uncertainty of project phasing, and because the infrastructure could be constructed by any one of the developers within the SPA, the City has submitted a permit application to USACE for the backbone infrastructure (SPK-2005-00888), including sewer, water and drainage improvements, water treatment plant, water wells, sewer pump station and on- and off-site roadway improvements. The DEIR/DEIS contains information submitted by the project applicants regarding the practicability of other alternatives to the Proposed Action. This alternatives information is not the 404(b)(1) analysis for the SPA. A Section 404(b)(1) analysis has not yet been prepared for any of the projects within the SPA, and will be conducted by USACE prior to a decision being made on whether or not to issue permits for the individual development projects therein. It is expected that for the backbone infrastructure and Sierra Sunrise, Jaeger Ranch, Shalako, and Smith properties, the Section 404(b)(1) analysis will be made within the ROD for this EIS. Because permit applications have not been submitted for the Luxouri Village and Grantline 220 properties, that Section 404(b)(1) analysis will be made within supplemental NEPA documents (e.g. supplemental EIS's or supplemental environmental assessments). Although the infrastructure for the SPA has been submitted as a separate permit application, and the applicant has submitted 404(b)(1) information for the backbone infrastructure, the alternatives analysis for the backbone infrastructure will be conducted by USACE in conjunction with the alternatives analysis for the other projects being evaluated.

EPA-14

The comment states that the 404 analysis contained in DEIS Appendix Y appears to improperly compare costs of the alternatives to the proposed project rather than the costs to meet the project purpose generally, and that this methodology is contrary to the USACE's Regulatory Guidance Letter 93-2. The comment also requests that Appendix Y be revised to address these concerns.

As stated in response to comment EPA-13, the alternatives information provided in Appendix Y of the DEIR/DEIS was prepared and submitted by the applicant to provide information on the practicability of various alternatives within the SPA. This information was provided as part of the DEIR/DEIS to allow the public to review the information submitted by the applicant and provide comments for USACE to utilize when making a permit decision. This alternatives information was neither prepared nor approved by USACE. Although USACE may use information within the alternatives information submitted by the applicant, the 404(b)(1) alternatives analysis will be prepared by USACE within the Record of Decision or other supplemental decision documents for the projects located within the SPA. USACE will consider and evaluate any comments made by EPA, other Federal, state, or local agencies, or members of the public regarding the alternatives information provided by the applicant and located in Appendix Y of the DEIR/DEIS. In developing the Section 404(b)(1) Alternatives Analysis, USACE will utilize all existing regulations and guidance.

EPA-15

The comment states that the discussion of the SSHCP contained in the DEIS, "as well as other information," is out of date, and requests that the DEIS be updated. The comment also states that the name of the Excelsior Estates project has changed and is now Jackson Township.

As shown in Chapter 4, "Errata" of this FEIS/FEIS, the discussion regarding the SSHCP on DEIR/DEIS page 3.3-30 has been updated. The comment regarding the name change of the Excelsior Estates project is noted. The comment also provides an opinion by EPA that other, unspecified information in the DEIR/DEIS is out of date. Because the City and USACE do not know what other information EPA is referring to, no further updates to the DEIR/DEIS can be made.

EPA-16

The comment notes that the project site is in a federally designated nonattainment area for ozone and particulate matter, and a maintenance area for carbon monoxide; states that the commenter is concerned about potential health effects from project construction and vehicle emissions; and recommends further disclosure of impacts, additional mitigation measures, and clearer commitments for implementation.

Attainment planning efforts, air pollutant emissions associated with the project, health effects from air pollutant emissions, and mitigation measures are comprehensively addressed in Section 3.2, "Air Quality" of the DEIR/DEIS. The party responsible for enforcing each mitigation measure is identified in the DEIR/DEIS immediately following the text of each mitigation measure. See also Master Response 1.

EPA-17

The comment suggests that it is unclear as to whether all relevant projects in the Sacramento Valley Air Basin (SVAB) have been fully considered in the analysis of the cumulative air quality impact from exposure of sensitive receptors to emissions. Two projects are cited as examples.

The SVAB is a very large area that includes Butte County, Colusa County, Glenn County, Shasta County, Sutter County, Tehama County, Yolo County, Yuba County, the western portion of Placer County, and the eastern portion of Solano County. Table 3.0-2

in the DEIR/DEIS is not intended to be an all-inclusive listing of every single past, present, and reasonably foreseeable future project related to air quality in each of the 10 counties listed above. The impacts of past, present, and reasonably foreseeable future related activities and air pollutant emission trends in the SVAB were, in fact, considered in the DEIR/DEIS, as appropriate, in the context of air quality attainment planning efforts, including the Capital Southeast Connector and New Brighton projects mentioned by the commenter. As described on pages 3.2-11 and -12 of the DEIR/DEIS, “*the Sacramento region is currently designated as a both a Federal and state nonattainment area for ozone and particulate matter.*” The non-attainment areas depend on the pollutant under consideration. For Federal ozone standards, the nonattainment area includes Sacramento and Yolo Counties, Placer and El Dorado Counties (except Lake Tahoe Basin portions), Solano County (eastern portion), and Sutter County (southern portion). Attainment planning occurs over this large area based, in part, on planning information for past, present, and future projects included in general plans of the affected jurisdictions, including the City of Rancho Cordova. As noted on page 3.2-46 of the DEIR/DEIS, since the project is included in the City’s General Plan, planning assumptions for the project have also been included in relevant air quality attainment planning efforts. Additional detail for project-related cumulative effects is provided in Section 3.2.5 of the DEIR/DEIS.

While ozone and particulate matter have relatively broad geographic areas that are appropriate for consideration relative to cumulative impacts, for toxic air contaminants (TAC), there are no ambient air quality standards and impacts are considered on a more local level. The thresholds of significance and analysis methodology used in the DEIR/DEIS explains the appropriate scope of analysis (including cumulative analysis). Please refer to pages 3.2-18 through 3.2-22. For example, the first three bullets under the “Thresholds of Significance” heading correlate air pollutant emissions from the project to any attainment plan that, according to federal or state air quality standards, has been required to address that pollutant. Attainment planning efforts are focused on different geographic areas, depending on the sources and effects of the specific pollutant involved. Numeric significance thresholds provided by the Sacramento Metropolitan Air Quality Management District (SMAQMD) are used as a proxy, in certain circumstances, to assess whether or not projects could adversely affect ongoing attainment planning efforts. For the TAC analysis, as described under the headings “Thresholds of Significance” and “Analysis Methodology,” the DEIR/DEIS is clear that the analysis is appropriately focused on local concentrations of air pollutant emissions (rather than areawide ambient concentrations).

The comment also requests verification that the EIR/EIS evaluates cumulative emissions and potential contributions to Federal ambient air quality standards from all applicable projects in the SVAB. The comment also suggests that the analysis should follow guidance provided by the Council on Environmental Quality (CEQ) in 1997.

Please refer to the discussion starting on page 3.2-20 of the DEIR/DEIS, which includes an analysis of state and Federal ambient air quality standards. The analysis included in the DEIR/DEIS is consistent with the referenced CEQ 1997 handbook entitled *Considering Cumulative Effects Under the National Environmental Policy Act*. As noted in the “Preface” to the CEQ handbook, the handbook is intended to introduce NEPA practitioners and others to cumulative impact analyses; it “*does not establish new requirements for such analyses. It is not and should not be viewed as formal CEQ guidance on this matter...*” (CEQ 1997:page iii).

Finally, the comment requests a table with criteria air pollutant and precursor emissions estimates from all applicable reasonably foreseeable future actions in the SVAB where data are readily available, including both the construction and operational phases of the projects.

The DEIR/DEIS provides quantified estimates of air pollutant emissions attributable to the project. The DEIR/DEIS also outlines impacts associated with related past, present, and reasonably foreseeable future projects and evaluates the project's cumulative contribution to such impacts. If the commenter is interested in reviewing a table illustrating forecasts for criteria air pollutant emissions in the SVAB, one resource is the Air Resources Board (ARB) Almanac, which until recently, had been updated annually (CARB 2010). Although construction and operational emissions are not broken out separately in this resource, in general, ozone precursors are expected to decline between 2010 and 2020 – by approximately 35% for oxides of nitrogen (NO_x) and approximately 10% for reactive organic gases (ROG). The 10% decline for ROG correlates well with the 8% decline forecast for the Sacramento Federal Nonattainment Area between 2011 and 2018 (SMAQMD 2008). Particulate matter emissions are anticipated to increase slightly over the same time period (for direct emissions of particulate matter, both PM₁₀ and PM_{2.5}). Carbon monoxide emissions are expected to decline (by approximately 119% between 2010 and 2020).

EPA-18

The comment reiterates information presented in the DEIR/DEIS related to TACs associated with the Kiefer Landfill and Triangle Rock Products. The comment inquires about the date of the determination that a health risk assessment (HRA) was not required for either of these facilities and whether SMAQMD guidance or the context may have changed during the intervening period. The comment also suggests coordination with SMAQMD regarding TAC emissions from Kiefer Landfill and Triangle Rock Products, Inc. and asks for quantitative analyses of diesel particulate matter (DPM) emissions with and without mitigation for construction-related emissions.

SMAQMD is a NEPA cooperating agency on this project, and coordination with SMAQMD regarding the analysis contained in the DEIR/DEIS has occurred. SMAQMD did not indicate any concerns related to the TAC analysis contained in the DEIR/DEIS or the dates included in the DEIR/DEIS related to the determination that a HRA was not required related to Kiefer Landfill and Triangle Rock Products.

It was not necessary in evaluating short-term TAC impacts to quantify DPM emissions associated with the various construction phases of the project and the various alternatives. As noted in the DEIR/DEIS (page 3.2-20), “[a]part from the general construction phasing map (Exhibit 2-22, Chapter 2.0, “Alternatives”), a more detailed schedule describing the timing and location of construction activities under the Proposed Project and the other four action alternatives was not available at the time of writing this EIR/EIS.” As stated on page 3.2-7 of the DEIR/DEIS, DPM is a subset of PM₁₀ emissions. DPM differs from other TACs in that it is not a single substance, but rather a complex mixture of hundreds of substances. Although DPM is emitted by diesel-fueled internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emission control system is present. Unlike the other TACs, no ambient monitoring data are available for DPM because no routine measurement method currently exists. However, as noted in SMAQMD’s *Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways* (SMAQMD 2011a), PM₁₀ can be used as a proxy for the relative measure of DPM. Therefore, please refer to Table 3.2-4 in

the DEIR/DEIS for an estimate of PM₁₀ with and without mitigation for each alternative for DPM. The impacts associated with construction- and operation-related DPM are discussed on pages 3.2-38 – 3.2-40 of the DEIR/DEIS, respectively. As for mitigation that would reduce DPM during construction, please refer to Mitigation Measure 3.2-1a, which requires contractors for specific projects within the SPA to implement SMAQMD's list of Basic Construction Emission Control Practices, Enhanced Fugitive PM Dust Control Practices, and Enhanced Exhaust Control Practices or whatever feasible mitigation measures are recommended by SMAQMD at the time individual portions of the site undergo construction. In addition to the current SMAQMD-recommended measures, construction operations are required by this mitigation measure to comply with all future additional SMAQMD rules and regulations that may be applicable at the time of construction. This mitigation measure includes enhanced exhaust control practices with performance standards and also cross references elements of Mitigation Measure 3.4-1 that would also reduce operation-related emissions, including DPM.

EPA-19

The comment expresses concern that emissions estimates for sulfur dioxide (SO₂), lead, and carbon monoxide (CO) are not disclosed. The commenter also expresses concern that mitigated impact values are only provided for construction emissions that have a local standard.

Please refer to Appendix L of the DEIR/DEIS, which presents estimates of SO₂ and CO. There are no known substantial sources of lead emissions associated with the project that should be evaluated as a part of this EIR/EIS. See also Master Response 1.

The comment also expresses concern that mitigated impact values are only provided for daily construction emissions with a local standard.

Local standards are developed for pollutants which, due to concentration levels and health risk, are the subject of past or present attainment planning. It is appropriate that analysis and mitigation for the project is focused on relevant pollutants of concern for the area in which the project is proposed. See also response to comment EPA-18. See also Master Response 1.

The comment further expresses an interest in the mitigation measures that were used to provide the estimates in DEIR/DEIS Tables 3.2-4 and 3.2-10 and notes that only mitigation included as a part of the project design or in the Record of Decision can be used in general conformity applicability.

Mitigation Measure 3.2-1a was applied to generate the estimates in the referenced tables and, in particular, the performance standard for enhanced exhaust control practices requiring a 20% NO_x reduction and 45% particulate matter reduction compared to the most current ARB fleet average. SMAQMD has published a construction mitigation calculator to assist project applicants with estimating the benefits of certain identified mitigation strategies. As noted on DEIR/DEIS page 3.2-30, implementation of SMAQMD's Basic Construction Emission Control Practices, Enhanced Fugitive PM Dust Control Practices for Soil Disturbance Areas, and Enhanced Fugitive PM Dust Control Practices for Unpaved Roads, as required by Mitigation Measures 3.2-1a and portions of 3.4-1, would reduce PM₁₀ and PM_{2.5} concentrations generated during the construction of the on-site elements by up to 75%, according to SMAQMD's CEQA Guide (SMAQMD 2011b). The party responsible for enforcing each mitigation measure is identified in the DEIR/DEIS immediately following the text of each mitigation measure. With respect to the comment regarding mitigation in the general conformity applicability, this comment is noted.

The comment also expresses interest in criteria air pollutant estimates and precursor estimates for each alternative, additional analysis for other criteria air pollutant emissions with and without mitigation, the mitigation measures that were used to calculate emissions estimates, and the consistency between the appendix and body of the EIR/EIS.

The air pollutant emissions impacts associated with the project and alternatives have been comprehensively analyzed and reported in the DEIR/DEIS. Please see DEIR/DEIS Section 3.2, “Air Quality” and Appendix L of the DEIR/DEIS, which present estimates of SO₂ and CO. Please refer to the prior paragraph regarding the mitigation measures applied when calculating emissions estimates. The commenter fails to provide details regarding any specific data that he believes to be inconsistent, therefore the City and USACE cannot respond with specificity other than to state that the values in Appendix L are consistent with those presented in the body of the EIR/EIS. See also Master Response 1.

Finally, the comment asks for a tabular comparison between each alternative’s emissions and the applicable de minimis levels and asks for clarification regarding the basis of the emissions estimates after mitigation.

Please refer to the discussion under Impact 3.2-6 (DEIR/DEIS pages 3.2-44 – 3.2-45), which provides the requested information. As noted in the DEIR/DEIS, “[t]he following de minimis levels apply to the Proposed Project and the other four action alternatives: NO_x—25 tons per year; VOC/ROG—25 tons per year; and PM₁₀—100 tons per year (40 CFR Section 93.153). A single year of construction activity was modeled (see Appendix L). As shown in Table 3.2-10, the projected annual emissions for the Proposed Project and the other four action alternatives would not exceed de-minimis levels.” See also Table 3.2-10 (page 3.2-45) of the DEIR/DEIS. The conformity determination for the SPA will be made in the ROD.

EPA-20

The comment states that one note in the DEIR/DEIS regarding conformity determinations is incorrect and expresses caution regarding the timing between the DEIR/DEIS and the ROD.

As shown in Chapter 4, “Errata” of this FEIR/FEIS, the sentence identified by the commenter: “In some instances, a state will make the conformity determination under delegation from a Federal agency” has been deleted. The comment regarding caution relative to the timing between the DEIR/DEIS and the ROD is hereby noted.

The comment makes note of changes in the general conformity rule as reflected in the deletion of a portion 40 CFR 93.153.

As shown in Chapter 4, “Errata” of this FEIR/FEIS, the DEIR/DEIS has been revised to remove those statements indicating that Federal agencies must conduct conformity determinations for regionally significant actions where emissions represent 10 percent or more of a nonattainment or maintenance area’s emissions.

Finally, the comment recommends that the Final EIR/EIS demonstrate that the project conforms to the State Implementation Plan (SIP) and would not cause or contribute to violations of the National Ambient Air Quality Standards (NAAQS), suggests that USACE should work closely with SMAQMD on its conformity determination, and recommends that the draft general conformity determination be included in the FEIS.

As noted previously, the DEIR/DEIS provides a comprehensive air quality analysis, with a focus on pollutants of concern relative to both state and Federal air quality standards. The suggestion that USACE should work closely with the SMAQMD on its conformity determination is noted. The conformity determination for the SPA will be made in the ROD. See also Master Response 1.

EPA-21

The comment provides an update regarding EPA reconsideration of the 2008 ozone NAAQS.

As shown in Chapter 4, “Errata” of this FEIR/FEIS, the text of DEIR/DEIS Section 3.2, “Air Quality” has been updated to reflect the information presented in this comment.

EPA-22

The comment discusses travel demand effects of the project, encourages measures to reduce vehicle miles traveled (VMT), and expresses support for extending transit, as well as bicycle and pedestrian facilities throughout the project area. The comment also recommends measures to accommodate transit.

Travel demand impacts are discussed in Section 3.15 of the DEIR/DEIS. Bicycle and pedestrian facilities are planned to extend throughout the SPA as discussed in detail in the Draft *SunCreek Specific Plan* (DEIR/DEIS Appendix C). To reduce operational emissions, project applicants would be required to implement measures prescribed in the SunCreek Specific Plan 15 Point Air Quality Mitigation Plan (AQMP), which was prepared in consultation with and approved by SMAQMD. The AQMP is intended to improve mobility, reduce VMT, and improve air quality. See, for example, AQMP measures 8, 15, 17, and 99B. As noted in the DEIR/DEIS, the AQMP is attached as Appendix M.

The comment also inquires as to whether the project anticipates a grid street pattern and notes that a grid street pattern encourages non-automobile mobility.

The project does not propose a traditional grid street network, where streets are oriented at right angles and regularly spaced. There were natural resource constraints on the project site and other considerations embodied in the final transportation network design. Please refer to the discussion in the AQMP (DEIR/DEIS Appendix M) under measures 5, 6, and 99a, which evaluate the transportation network.

EPA-23

The comment states that language throughout the DEIS used to introduce mitigation (i.e., “the project applicant for any particular discretionary development application”) is confusing.

Each mitigation measure in the DEIR/DEIS contains text identifying who is responsible for implementation, the mitigation measure timing, and who is responsible for mitigation measure enforcement. Under the heading “Implementation” of most mitigation measures, the following text is presented: “Project applicant for any particular discretionary development application.” SunCreek is a specific plan which is intended to be implemented in phases over a number of years, and is owned by five different entities. At this time, it is not possible to determine with certainty which of the five different property owners would be responsible for each and every mitigation measure in every location on the 1,200-acre project site. A “discretionary development application” is a development application submitted to the City of Rancho Cordova for which CEQA and/or NEPA coverage is required. Thus, the language in question here provides a legal description of who will be responsible for implementation of mitigation in the future once development

of the specific plan is implemented (i.e., the parcel owner who is seeking discretionary development approval).

The comment further states that it is unclear which mitigation measures are being committed to as part of the project design, which may potentially not be implemented, and which will be implemented only when certain conditions are met.

Mitigation measures, by their very nature, are not part of project design. They are additional actions necessary in order to reduce the environmental impacts of a project as designed. Therefore, the mitigation measures identified in the DEIR/DEIS are not measures committed to as part of the project design. A full and complete description of the project as designed is contained in DEIR/DEIS Chapter 2, “Alternatives.” Furthermore, there are no mitigation measures that would only be implemented “when certain conditions are met”; the mitigation measures contained in the DEIR/DEIS each stand on their own and each specifies the timing of the implementation of the measures. The City will make findings regarding the impacts and mitigation measures contained in the DEIR/DEIS as part of any project approval and mitigation measures will be adopted as enforceable conditions of approval based on those findings. As required by CEQA, a Mitigation Monitoring and Reporting Plan (MMRP) will be adopted by the City prior to project approval that lists each mitigation measure, the entity responsible for mitigation implementation, the mitigation timing, and mitigation verification. NEPA requires that USACE identify required mitigation measures, as well as any mitigation measures that USACE cannot enforce and the likelihood that those specific measures will be enforced by another entity or agency. The DEIR/DEIS provides this information by identifying the agency that is responsible for mitigation implementation. At present, USACE and the City know of no mitigation measures identified in the DEIR/DEIS that “potentially may not be implemented.” As required by the NEPA regulations, the USACE ROD will indicate whether all practicable mitigation measures have been adopted and if not will explain why not. The ROD will also indicate whether a monitoring and enforcement program has been adopted. Therefore, no changes to the DEIR/DEIS are required.

The comment also requests that Table ES-1 should be summarized.

Table ES-1 (DEIR/DEIS pages ES-8 – ES-103) is already a summary. It lists only the impact titles, mitigation measures, and significance conclusions after mitigation. Thus, USACE and the City have determined that it is not necessary to provide a summary of an existing summary table, and therefore the requested change to the DEIR/DEIS has not been made.

EPA-24

The comment summarizes information contained in DEIR/DEIS Section 3.9, “Hydrology and Water Quality” related to known groundwater contamination and requests that additional analysis be provided to support the conclusion that groundwater use would not substantially affect the movement of contaminated groundwater plumes in the project vicinity.

RMC-WRIME was retained to prepare an analysis of the effect that SunCreek groundwater use could have on movement of contaminated groundwater plumes associated with the Kiefer Landfill, the former Mather Air Force Base, the Inactive Rancho Cordova Test Site (i.e., Boeing), and the Aerojet General Corporation Superfund site. That analysis, entitled *Hydrologic Modeling of SunCreek Specific Plan, Analysis of Impacts to Groundwater Flow Direction and Gradients* (RMC-WRIME 2013) is attached to this FEIR/FEIS as Appendix A. As discussed therein, two different groundwater

scenarios were modeled in order to capture the anticipated maximum amount of groundwater that could be used at the SPA:

- **2015 Conditions.** This scenario assumes a delayed completion of the North Service Area Pipeline and therefore an increased reliance on off-site groundwater; however, because the SunCreek groundwater wells would not be constructed at this time, no groundwater obtained from the proposed SunCreek wells is included in this scenario.
- **Maximum Groundwater Usage.** This scenario incorporates a Future Conditions Baseline that assumes maximum groundwater pumping from the existing Vineyard Well Field and Mather Well Field, along with a corresponding decrease in the amount of surface water that is currently proposed for delivery through the North Service Area Pipeline. Water supply necessary for other projects in the vicinity, along with proposed SunCreek groundwater wells at maximum capacity in the year 2031 (i.e., at full project buildout), are then added.

A map showing the locations of each of the four contaminated groundwater plumes evaluated is contained in FEIR/FEIS Appendix A on page 2-2. The groundwater aquifer in the project vicinity is simulated in the SacIWRM model as three layers, representing shallow, intermediate, and deep groundwater. Layer 1 represents the shallow groundwater aquifer and is typically utilized by private wells for irrigation and domestic use. Potential effects on groundwater flow direction and gradient, which could affect movement of the contaminated groundwater plumes, were determined by comparing Baseline 2015 Conditions (without the project) to Proposed Project 2015 Conditions, and by comparing Maximum Groundwater Usage Without Project to Maximum Groundwater With Proposed Project. The results are presented in Tables 3-2 and 3-3 below.

Table 3-2 Flow Direction and Gradient Near Regional Contaminant Plumes Proposed Project at 2015 Conditions Compared to 2015 Baseline, Layer 1				
Plume	Flow Direction		Gradient (-)	
	2015 Conditions Baseline	Proposed Project at 2015 Conditions	2015 Conditions Baseline	Proposed Project at 2015 Conditions
Aerojet	SW	SW	0.0016	0.0016
Boeing	SW	SW	0.0009	0.0009
Kiefer Landfill	*	*	*	*
Mather Field	SW	SW	0.0006	0.0006
Notes:				
* Layer 1 is unsaturated at Kiefer Landfill.				
Source: RMC-WRIME 2013, Table 5-2, page 5-4.				

Table 3-3 Flow Direction and Gradient Near Regional Contaminant Plumes Maximum Groundwater Usage, Layer 1						
Plume	Flow Direction			Gradient (-)		
	Future Conditions Baseline	Maximum Groundwater Without Project	Maximum Groundwater with Proposed Project	Future Conditions Baseline	Maximum Groundwater Without Project	Maximum Groundwater with Proposed Project
Aerojet	SW	SW	SW	0.0015	0.0022	0.0022
Boeing	SW	SW	SW	0.0017	0.0021	0.0022
Kiefer Landfill	*	*	*	*	*	*
Mather Field	SW	S	S	0.0012	0.0013	0.0013
Notes: * Layer 1 is unsaturated at Kiefer Landfill. Source: RMC-WRIME 2013, Table 5-3, page 5-6.						

As shown in Table 3-2, under 2015 Conditions, neither the direction nor the gradient of groundwater flow would change as a result of groundwater use, even under the conditions modeled where there is a delay in delivery of surface water from the North Service Area Pipeline. As shown in Table 3-3, in the year 2031, if maximum groundwater pumping from the existing Vineyard Well Field and Mather Well Field were to occur, along with a corresponding decrease in the amount of surface water that is currently proposed for delivery through the North Service Area Pipeline (i.e., the Future Conditions Baseline), the groundwater flow gradient could change by 0.0012 to 0.0017; these changes are statistically insignificant. The addition of projects in the vicinity without SunCreek (i.e., Maximum Groundwater Without Project) could result in an additional groundwater flow gradient change of 0.0001 to 0.0007; again, a change that is not statistically significant. Finally, with the addition of groundwater pumped from the SunCreek wells at maximum well capacity under full buildout (i.e., Maximum Groundwater With Project), the groundwater flow gradients would not change. Thus, the modeling results demonstrate that there would be no statistically significant change in the groundwater flow gradients, and therefore a less-than-significant impact related to movement of the existing contaminated groundwater plumes from use of SunCreek groundwater would occur as stated on page 3.9-11 of the DEIR/DEIS.

The comment also requests an assessment of vapor intrusion of contaminants from groundwater, through soil, and into inhabited spaces.

As demonstrated by the *Hydrologic Modeling of SunCreek Specific Plan, Analysis of Impacts to Groundwater Flow Direction and Gradients* (RMC-WRIME 2013), which is discussed above and attached to this FEIR/FEIS as Appendix A, the impact related to movement of contaminated groundwater plumes from use of SunCreek groundwater is less than significant. Because none of the plumes are located on or immediately adjacent to the SPA, and because use of SunCreek groundwater would not induce movement of the groundwater plumes, there is no reason to prepare an analysis of movement of contaminants through the soil and into inhabited spaces.

The comment contains a bulleted list of items related to sustainability that EPA indicates should be incorporated into project design in order to minimize energy demand, minimize operational impacts, and create a high-quality living environment with easy access to jobs, services, and recreation.

USACE and the City note that this is not a comment on the environmental analysis contained in the DEIR/DEIS; rather, this is a planning-related request that certain features be incorporated into the project design. The purpose of the SunCreek EIR/EIS is to analyze the proposed project and other alternatives as they have been designed and are described in DEIR/DEIS Chapter 2, “Alternatives.” The proposed project incorporates sustainable design features designed to minimize energy demand and create a high-quality living environment with easy access to jobs, services, and recreation as described and illustrated in detail in the *Draft SunCreek Specific Plan* (DEIR/DEIS Appendix C) and the 15-point AQMP approved by SMAQMD (DEIR/DEIS Appendix M). The project’s operational impacts would be minimized through implementation of the 15-point AQMP (DEIR/DEIS Appendix M) and through implementation of more than 75 mitigation measures contained and described in detail throughout Sections 3.1 – 3.17 of the DEIR/DEIS (see, for example, Mitigation Measure 3.9-3 designed to maintain long-term water quality and Mitigation Measure 3.4-1b designed to reduce long-term operational generation of greenhouse gases).

B: State Comment Letters and Responses



DEPARTMENT OF TRANSPORTATION
2379 GATEWAY OAKS DR., STE. 150
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 274-0602
TTY 711



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November 19, 2012

0312-SAC-0079
SAC-50/ 11.45
SCH# 2006072067

Mr. Bret Sampson
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Sun Creek Specific Plan – Draft Environmental Impact Report (DEIR) / Draft Environmental Impact Statement (DEIS)

Dear Mr. Sampson:

Thank you for including the California Department of Transportation (Caltrans) in the CEQA review process for the project referenced above. The project proposes to construct a mixed use development on 1,265 acres in the Sunrise Douglas Community Plan area within the city of Rancho Cordova. The project will include a 60 acre Local Town Center with mixed commercial areas, and an elementary and combined high school/middle school. The Proposed Project Alternative also develops 4,698 new homes on 579 acres which will generate approximately 12,589 new residents, 2854 new jobs, and approximately 4700 p.m. trips from the proposed dwellings. The project is located approximately six miles south of the US 50/Sunrise Boulevard (Blvd.) interchange and one mile north of State Route (SR) 16. The following comments are based on the DEIR/DEIS.

1

US 50 Impacts

In regard to the proposed widening improvements needed on Hazel Avenue (Ave.) and Sunrise Blvd., and the proposed grade separation at Gold Country and Hazel, as per the DEIR, the General Plan calls for a maximum six lane thoroughfare on city and county roads, not eight. Therefore, project proponents will provide fair share funds to contribute to the construction of the Rancho Cordova Parkway (RCP)/US 50 interchange.

2

However, the full benefit of the new RCP Interchange cannot be attained without the reconstruction of the grade separated Hazel Interchange, as well as the added transition lane on US 50 from the Hazel interchange to the Folsom Blvd./US 50 interchange. The DEIR does not consider the ongoing Hazel Blvd./US 50 Interchange Improvements Project and appropriate fair share contribution as mitigation to impacts on US 50, Hazel Ave., and Sunrise Blvd. Also, the DEIR needs to be more specific as to which entity is funding improvements on Sunrise Blvd. and Hazel Blvd.

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Mitigation

On page 3.15-54, a number of bullet points listed under mitigation measure 3.15-1y, have already been completed. The remaining bullets, as per the DEIR, must be coordinated with the appropriate entities, i.e., Caltrans, the City of Rancho Cordova, and Sacramento County.

- Ramp metering has been installed on the EB ramps at the Mather/US 50 interchange.
- An auxiliary lane already exists on US 50 from Mather to Zinfandel.
- Auxiliary lanes on US 50 from Hazel Blvd. to Sunrise Blvd. will be included with the future construction of the RCP/US 50 Interchange.
- Traffic signal timing is usually coordinated with adjacent signalized intersections.
- Extension of International Drive is not planned to continue to Rio del Oro.
- HOV lanes have already been extended to Watt Ave. The next phase will possibly continue the HOV lanes to 26th Street/US 50.
- HOV bypass lanes can't always be constructed due to physical constraints, i.e. the sound-wall at the Mather Field/US 50 interchange.

As indicated in Mitigation Measure 3.15-1y, project proponents should contribute fair share funding to existing interchange improvement projects, HOV lane projects, ramp improvements, planned ramp meter installations, and construction of parallel facilities (i.e. Easton Valley Parkway and White Rock Road widening) to reduce US 50 impacts to a less than significant level.

Significant and Unavoidable Impacts

There are several instances throughout the document where mitigation is proposed on Caltrans facilities that would reduce impacts to a less than significant level. However, the DEIR states that since indentified improvements fall outside of the jurisdiction of the City or the project proponents, that impacts would be potentially significant and unavoidable. We disagree with this interpretation. The City of Rancho Cordova, as lead agency, is mandated under the California Environmental Quality Act (CEQA) to "not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment" (CEQA Guidelines 15021). The fact that US 50, SR 16, and other roads in Sacramento County are not under the jurisdiction of Rancho Cordova is not an allowable finding under CEQA to not mitigate a significant impact. Feasible traffic mitigation and design improvements are suggested throughout the document.

Encroachment Permit

Please be advised that any work or traffic control, including sign placement, that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to the address below.

"Caltrans improves mobility across California"

Mr. Bret Sampson/City of Rancho Cordova
November 19, 2012
Page 3

Bruce Capaul, District Office Chief, Office of Permits
California Department of Transportation
District 3, 703 B Street
Marysville, CA 95901

Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the website linked below for more information.
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Hydraulics

The existing FEMA flood map referred to in the DEIR is dated September 30, 1988. The most current FEMA map should be used. It is Panel 06067C0240H is dated August 16, 2012.

Please submit copies of the Master Drainage Study (Appendix D) with back-up calculations, the final floodplain map after it is developed, and the water surface modeling (HEC-RAS, steady, unsteady), preferably on a CD to:

Gurdeep Bhattal, TE, Hydraulics Branch
California Department of Transportation District 3
703 B Street
Marysville, CA 95901

Relinquishment of SR 16

Caltrans has entered into discussions with the City of Rancho Cordova, the County of Sacramento, and the City of Sacramento to relinquish SR 16 between US 50 and Grant Line Road. Should the relinquishment occur and the City of Rancho Cordova take ownership of this facility, then Caltrans will have no approval role on any or all modifications to Jackson Highway within the segment relinquished to the City. However, should relinquishment not occur, or occur after construction of this project begins, Caltrans cannot approve any design changes that would not comply with the design standards set forth by the Highway Design Manual, and cannot approve facility modifications that are incompatible with the SR 16 Transportation Corridor Concept Report.

For any questions regarding this letter, please contact Arthur Murray of my staff at (916) 274-0616 or by email at: arthur_murray@dot.ca.gov

Sincerely,



ERIC FREDERICKS, Chief
Office of Transportation Planning – South

c: Scott Morgan, State Clearinghouse

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- Caltrans-1 *The comment provides a summary of the SunCreek project.*
- The comment provides a brief summary of the SunCreek project; no response is required.
- Caltrans-2 *The commenter requests clarification of identified mitigation that includes participating in improvements to the U.S. 50/Rancho Cordova Parkway interchange, states that the full benefit of the planned U.S. 50/Rancho Cordova Parkway interchange cannot be attained without the reconstruction of the U.S. 50/Hazel Avenue interchange, and states that the DEIR/DEIS does not consider the ongoing U.S. 50/Hazel Avenue interchange improvement project.*
- The City and USACE agree that modification to the U.S. 50/Hazel Avenue interchange will affect operation of the U.S. 50 corridor, Sunrise Boulevard, Hazel Avenue, and the planned U.S. 50/Rancho Cordova Parkway interchange. The DEIR/DEIS includes mitigation for impacts to the U.S. 50/Hazel Avenue interchange (see Impacts 3.15-5s through 3.15-5v). While they are discussed individually, identified improvements, like widening the Hazel Avenue overcrossing of U.S. 50 and grade-separation of the Hazel Avenue/Folsom Boulevard intersection, would require reconstruction of the U.S. 50/Hazel Avenue interchange. The separate impact discussions in the DEIR/DEIS recognize the U.S. 50/Hazel Avenue interchange improvement study being conducted by Sacramento County. The County has developed three improvement alternatives for the interchange improvements that include several of these elements. As necessary, it is intended that the SunCreek project would participate in fair share funding towards the U.S. 50/Hazel Avenue interchange improvement project and that the funding would be used to implement the preferred interchange alternative.
- Caltrans-3 *The comment provides clarification that several of the bullet points listed under Mitigation Measure 3.15-1y, for impacts to U.S. 50, have been completed and that the remaining list of improvements should be coordinated with the appropriate entities like Sacramento County and Caltrans.*
- The clarification is appreciated and the comment is noted.
- Caltrans-4 *The comment indicates that as stated in Mitigation Measure 3.15-1y, the project proponents should contribute fair share funding to various roadway improvements.*
- As noted by the commenter, Mitigation Measure 3.15-1y requires the project proponents to contribute fair share funding to these roadway improvements.
- Caltrans-5 *The commenter disagrees with the DEIR/DEIS conclusions that impacts which are outside the jurisdiction of the City of Rancho Cordova would remain significant and unavoidable even though implementation of identified mitigation would substantially lessen or eliminate identified impacts.*
- The impact conclusions referenced by the commenter reflect the reality that successful implementation of some of the proposed improvements would require the cooperation of third party agencies (e.g., Sacramento County and Caltrans) over which the City of Rancho Cordova, as CEQA lead agency, has no control. For this reason, the City is

conservatively acknowledging the possibility that, despite its own commitment to work with these other agencies, mutually acceptable accommodation may not be reached. However, consistent with CEQA Guidelines Section 15091(a)(2), the City concludes that these other agencies can and should cooperate with the City in implementing the identified mitigation. See also Master Response 1.

Caltrans-6

The comment advises that work or traffic control within the State right-of-way requires an encroachment permit that is issued by Caltrans.

The comment is noted.

Caltrans-7

The comment notes that the FEMA floodplain map used in the DEIR/DEIS was updated in 2012, and therefore suggests that Exhibit 3.9-2 should be updated.

The City and USACE acknowledge that the referenced FEMA floodplain map has been updated. However, the updated 2012 FEMA floodplain map does not affect the significance conclusions or the mitigation measures contained in the DEIR/DEIS in any way. The most current version of the FEMA floodplain map will be used at the time that final drainage and development plans are submitted for approval.

Caltrans-8

The comment requests that copies of the final Master Drainage Study, the final floodplain map, and the final water surface modeling be submitted to Caltrans in the future, after they are developed.

The documents requested by the commenter will be submitted to Caltrans.

Caltrans-9

The comment advises that Caltrans has entered into discussions with the City of Rancho Cordova, the County of Sacramento, and the City of Sacramento, to relinquish SR 16 between U.S. 50 and Grant Line Road and that depending on the timing of relinquishment, relative to project implementation, Caltrans may or may not have a role in approving construction projects on this segment of SR 16. The comment further advises that should relinquishment not occur, Caltrans would require that improvements to SR 16 be consistent with the Highway Design Manual and the SR 16 Transportation Corridor Report.

The information is appreciated and the comment is noted.



CVRWQCB



Central Valley Regional Water Quality Control Board

6 November 2012

Bret Sampson
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

CERTIFIED MAIL
7011 2970 0003 8939 6229

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, SUNCREEK SPECIFIC PLAN PROJECT, SCH NO. 2006072067, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 5 October 2012 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Draft Environmental Impact Report for the SunCreek Specific Plan Project, located in Sacramento County.

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

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER
11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



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

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

2

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

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

3

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

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

4

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

5

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

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

6

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

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



Trevor Cleak
Environmental Scientist

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

- CVRWQCB-1 *The comment indicates that dischargers whose projects would disturb 1 acre or more are required to obtain coverage under the General Permit for Stormwater Discharges with Construction Activities (Construction General Permit), and are required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP).*
- The requirements related to compliance with the Construction General Permit and preparation of a SWPPP are discussed in detail on pages 3.9-12 – 3.9-13 and 3.9-18 – 3.9-20 of the DEIR/DEIS. In addition, Mitigation Measure 3.9-1 (pages 3.9-25 – 3.9-26) requires the project applicants to obtain coverage under the Construction General Permit and to develop and implement a SWPPP.
- CVRWQCB-2 *The comment indicates that MS4 permits require reduction of pollutants and runoff flows using best management practices (BMPs) and low impact development (LID) that includes hydromodification.*
- The requirements related to compliance with MS4 permits, use of BMPs, and LID are discussed in detail on pages 3.9-18 – 3.9-20 of the DEIR/DEIS. In addition, Mitigation Measure 3.9-2 (pages 3.9-28 – 3.9-30) requires the project applicants to incorporate BMPs, LID techniques, and hydromodification into the final drainage plans and specifications.
- CVRWQCB-3 *The comment indicates that storm water discharges from industrial sites must comply with the requirements contained in Industrial Storm Water General Permit Order 97-03-DWQ.*
- Other than a water treatment plant that would be constructed in the future, the proposed land uses at the SPA currently do not include any industrial land uses. The City and the project applicants understand that industrial land uses must comply with the requirements contained in Industrial Storm Water General Permit Order 97-03-DWQ.
- CVRWQCB-4 *The comment indicates that a Section 404 permit for fill of wetlands may be needed from USACE, and that CVRWQCB will review any such permit application to ensure that discharge does not violate water quality standards.*
- This project is a joint EIR/EIS and the project applicant is pursuing a Section 404 permit for fill of wetlands with USACE. The Section 404 permit is discussed on pages 3.3-18 and 3.3-35 – 3.3-37 of the DEIR/DEIS. Mitigation Measure 3.3-1b (pages 3.3-37 – 3.3-41) requires the project applicants to obtain a Section 404 permit and prepare a wetland mitigation and monitoring plan.
- CVRWQCB-5 *The comment indicates that a Section 401 water quality certification may be required.*
- The Section 401 permit is discussed on page 3.3-18 of the DEIR/DEIS. Mitigation Measure 3.3-1b (pages 3.3-37 – 3.3-41) requires the project applicants to obtain a Section 401 permit.

CBRWQCB-6

The comment states that if USACE determines that only non-jurisdictional waters of the State are present in the project area, a Waste Discharge Permit will be required from the CVRWQCB.

The USACE has determined that jurisdictional waters of the U.S. are present at the SPA. Waters of the State are also present. See pages 2-15 – 2-16 and Section 3.3, “Biological Resources” of the DEIR/DEIS. The comment is noted.

C: Regional and Local Comment Letters and Responses



Members of the Board:
Jeanette J. Amavisca
Priscilla S. Cox
William H. Lugg, Jr.
Chet Madison, Sr.
Jacob L. Rambo
Al Rowlett
Bobbie Singh-Allen

Robert L. Trigg Education Center
9510 Elk Grove-Florin Road, Elk Grove, CA 95624



Robert Pierce
Associate Superintendent
Facilities and Planning

(916) 686-7711
FAX: (916) 686-7754

November 15, 2012

Mr. Bret Sampson
City of Rancho Cordova, Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

SUBJECT: Comments on the Draft Environmental Impact Report for the SunCreek Specific Plan (State Clearinghouse #2006072067)

Dear Mr. Sampson:

The Elk Grove Unified School District (EGUSD) appreciates the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the SunCreek Specific Plan

The SunCreek Specific Plan would entail development of mixed uses on approximately 1,200 acres south of Douglas Road and west of Grant Line Road, within the city of Rancho Cordova. The entire project is within the boundaries of the EGUSD. The project includes the following entitlements: certification of the EIR/EIS and MMRP, amendment of the city’s General Plan, a zoning amendment, adoption of the SunCreek Specific Plan and a Development Agreement.

EGUSD requests that the following comments be considered and included in the Final Environmental Impact Report (EIR).

Correction to Page 2-15:

Please change the second sentence to: Of this total, 1,661 pupils would be in grades K-6, 490 would be in grades 7 – 8, and 911 would be in grades 9 – 12.

Comments on Page 2-17 (Exhibit 2-5):

Two 2-million gallon water storage tanks and associated pumps and equipment are indicated in Exhibit 2-5 to be located on the high school/middle school site. The following should be noted:

1. In the event of tank rupture, measures to prevent school site inundation should be provided, such as a levy or detention basin, sized to contain the full capacity of the tanks.

Elk Grove Unified School District—Excellence by Design

2. Boundaries of the high school/middle school site should be adjusted to compensate for the tank yard area.

cont.
3

Corrections to Page 3.14-3:

In the 'PUBLIC SCHOOLS' section:

4

In paragraph one, please correct the third sentence to: Located in southern and eastern Sacramento County, EGUSD covers 320 square miles and has been in existence for over 53 years.

Please correct the sentence in the middle of paragraph one to: In addition to the schools listed above, EGUSD has approximately nine future elementary schools and 2 future combined middle school/high school sites planned in the Sunrise-Douglas area....

5

In paragraph two, please correct the first sentence to read: *As shown on the EGUSD 2010-11 school attendance boundaries map, the project is currently within the boundaries for Sunrise Elementary School, Katherine Albani Middle School and Pleasant Grove High School.*

6

In Table 3.14-1, please correct the grade ranges to: Sunrise Elementary School = K-6 and Katherine Albani Middle School = 7-8.

7

In paragraph three, please change sentence one to read: Sunrise Elementary is located at 11821 Cobble Brook Drive, approximately 2.6 miles north of the SPA, and serves elementary school students in grades K-6.

8

Please change sentence one in paragraph four to read: Katherine Albani Middle School is located at 9140 Bradshaw Road, approximately 9.6 miles southwest of the SPA, and serves students in grades 7-8.

9

Corrections to Page 3.14-4:

Please change paragraph two as follows:

School construction within the EGUSD is funded by 50% state and 50% local sources. The district can receive local funding through developer impact fees and tax revenue from its Mello-Roos district. Developer impact fees are the major source of local facilities construction funding for the district. Based on its facility needs assessment, EGUSD demonstrated the need to levy Level II developer fees (described below in Section 3.14.2, "Regulatory Framework") that are higher than the statutory fee. As of August 2010, Level II fees for residential development are \$4.20 per square foot and \$0.47 per square foot for commercial/industrial construction (Grambusch, pers. Comm., 2010). Developer fees may be used to finance new schools and additions to existing facilities to maintain adequate housing for all the district's students. (Please strike the last sentence - Mello-Roos districts are defined tax areas usually associated with new residential subdivisions, which are often used for additional school taxes.)

10

Corrections to Page 3.14-13:

Please correct the elementary school grade range in paragraphs four and five to K-6.

11

Corrections to Page 3.14-14:

Please correct paragraph two to read:

~~Because the project applicant would pay state mandated school impact fees and would construct on site elementary schools sufficient to serve the SPA,~~ In 1998, Senate Bill 50 instituted a school facility funding program that mitigates the direct impact of new construction on school districts using a combination of developer school impact fees and state funding. Therefore, implementation of the Proposed Project, Biological Impact Minimization, Conceptual Strategy, and Increased Development Alternatives would have a less-than-significant, direct impact on elementary school services. The indirect impacts of constructing these facilities are addressed throughout the DEIR/DEIS in connection with discussion of the impacts of overall site development.

12

IMPACT 3.14-6 – Please correct middle school grade range in this entire section to grades 7-8

Corrections to Page 3.14-15:

Please change paragraph four to read:

~~Because the project applicant would pay state mandated school impact fees and would construct a middle school/high school sufficient to meet project needs,~~ In 1998, Senate Bill 50 instituted a school facility funding program that mitigates the direct impact of new construction on school districts using a combination of developer school impact fees and state funding. Therefore, implementation of the Proposed Project, Biological Impact Minimization, Conceptual Strategy, and Increased Development Alternatives would have a less-than-significant, direct impact on school services. The indirect impacts of constructing these facilities are addressed throughout the DEIR/DEIS in connection with discussion of the impacts of overall site development.

13

Corrections to Page 4.8:

In the last sentence of paragraph one, please change the number of planned elementary schools in the Sunrise Douglas area to ten.

14

EGUSD appreciates the County’s consideration of the comments and requests in this letter. EGUSD shall coordinate with the City and the SunCreek Specific Plan Property Owners Group to ensure the future residents of the area are provided with quality school facilities to meet their educational needs.

Sincerely,



Kim Williams
Planning Manager

14

Elk Grove Unified School District—Excellence by Design

- EGUSD-1 *The comment provides a brief summary of the project size, location, and requested entitlements.*
- The comment restates information contained in DEIR/DEIS Chapter 2, “Alternatives.”
The comment is noted.
- EGUSD-2 *The comment requests text changes in DEIR/DEIS Chapter 2, “Alternatives” (page 2-15) related to the number of students generated by the project within each grade level.*
- The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.
- EGUSD-3 *The comment requests that containment of potential inundation in the event of water tank rupture on the proposed middle school/high school site should be provided in the form of a levee or detention basin, and that the size of the school site should be increased to compensate for the tank yard.*
- The specific location of the future water tank(s) is not known at this time, and the location(s) shown in the DEIR/DEIS exhibit are schematic in nature and are provided for illustrative purposes only. Regardless of the final location of the water tank(s), measures are customarily included in the design of tanks to adequately control of the discharge from a ruptured tank to prevent inundation of adjoining properties (e.g., an on-site drainage system, spill containment measures, and overland release provisions).
- EGUSD-4 *The comment requests a correction to the environmental setting of DEIR/DEIS Section 3.14, “Public Services” (page 3.14-3) regarding the total number of years in which the Elk Grove Unified School District (EGUSD) has been operating.*
- The text change requested by the commenter has been made and is shown in Chapter 4, “Errata” of this FEIR/FEIS.
- EGUSD-5 *The comment requests corrections to the environmental setting of DEIR/DEIS Section 3.14, “Public Services” (page 3.14-3) regarding the number of future schools proposed by EGUSD in the Sunrise-Douglas area.*
- The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.
- EGUSD-6 *The comment requests a text change to the environmental setting of DEIR/DEIS Section 3.14, “Public Services”(page 3.14-3) that would remove the language specifying which interim schools the students generated by the project would attend prior to construction of the on-site SunCreek schools.*
- The City and the USACE appreciate the fact that depending on the timing of project construction, students generated by the project in the early phases may, in fact, attend different schools than the ones listed on DEIR/DEIS page 3.14-3. However, for CEQA and NEPA purposes, the DEIR/DEIS needs to identify the best available information that is known at the present time as to how school services would be provided in the early

phases of development prior to construction of the on-site schools. A text correction has been made and is shown in Chapter 4, “Errata” of this FEIR/FEIS indicating that students *may* attend the listed schools. The text contained in the DEIR/DEIS and the FEIR/FEIS does not limit the ability of EGUSD to determine which school(s) the early phase SunCreek students would attend; the City and the USACE understand that such determination would be made in the future based on classroom availability.

EGUSD-7 *The comment requests text corrections to the environmental setting of DEIR/DEIS Section 3.14, “Public Services” (page 3.14-3) regarding the grade ranges shown in Table 3.14-1.*

The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.

EGUSD-8 *The comment requests a text correction to the environmental setting of DEIR/DEIS Section 3.14, “Public Services”(page 3.14-3) regarding the grade ranges at Sunrise Elementary School.*

The text change requested by the commenter has been made and is shown in Chapter 4, “Errata” of this FEIR/FEIS.

EGUSD-9 *The comment requests a text correction to the environmental setting of DEIR/DEIS Section 3.14, “Public Services”(page 3.14-3) regarding the grade ranges at Katherine Albiani Middle School.*

The text change requested by the commenter has been made and is shown in Chapter 4, “Errata” of this FEIR/FEIS.

EGUSD-10 *The comment requests that the last sentence of the second paragraph on DEIR/DEIS page 3.14-4, which states, “Mello-Roos districts are defined tax areas usually associated with new residential subdivisions, which are often used for additional school taxes” be deleted.*

The City and the USACE believe that this broad-level statement is correct, and the commenter has provided no reason for the requested deletion; therefore, no change to the text of the DEIR/DEIS has been made.

EGUSD-11 *The comment requests text clarifications under DEIR/DEIS Impact 3.14-5 (page 3.14-13) to change the grade range of elementary school students.*

The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.

EGUSD-12 *The comment requests that the concluding paragraphs under Impacts 3.14-5 and 3.14-6 on DEIR/DEIS pages 3.14-14 and 3.14-15 be changed to discuss Senate Bill 50, and requests that the middle school grade ranges in Impact 3.14-6 be changed.*

The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.

EGUSD-13 *The comment requests a text clarification under the public services portion of the growth-inducing impacts analysis (DEIR/DEIS page 4-8) to change the total number of EGUSD planned elementary schools in the Sunrise Douglas area.*

The text change requested by the commenter has been made and is shown in Chapter 4, “Errata” of this FEIR/FEIS.

EGUSD-14

The comment states that EGUSD will cooperate with the City and the SunCreek Specific Plan property owners to ensure that future residents of the SPA are provided with quality school facilities to meet educational needs.

The City appreciates and looks forward to continued coordination with EGUSD in the future related to the SunCreek Specific Plan project.

ALUC

From: Greg Chew [GChew@sacog.org]
Sent: Tuesday, November 13, 2012 12:54 PM
To: Bret Sampson
Cc: Kelly Kennedy
Subject: Re: Notice of Availability of Draft EIR/EIS on the SunCreek Specific Plan

Mr. Sampson - on behalf of the Airport Land Use Commission for Sacramento County, I have reviewed the project described below for consistency with the Mather Field Comprehensive Land Use Plan (CLUP). The applicant seeks to develop mixed uses including residential on 1200 acres south of Douglas Road, west of Grant Line Road, and east of Sunrise Boulevard in the city of Rancho Cordova. This site is located outside of the safety and noise zones for the CLUP and therefore is a compatible use. If you have any further questions, please feel free to contact me.

Greg Chew
 SACOG/Airport Land Use Commission
 (916) 340-6227

>>> Kelly Kennedy <kkennedy@cityofranhocordova.org> 10/5/2012 5:14 PM >>>

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT AND PUBLIC HEARING ON THE SUNCREEK SPECIFIC PLAN PROJECT

The City of Rancho Cordova has prepared a draft environmental impact report (DEIR) for the SunCreek Specific Plan Project in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.).

Description of the Project: The SunCreek Specific Plan Project would entail development of mixed uses on approximately 1,200 acres south of Douglas Road and west of Grant Line Road. Development of the specific plan area would include approximately 555 acres of single family and multi-family residential, 66 acres of commercial uses, 100 acres of parks, 250 acres of wetland preserve and wetland preserve buffer, three elementary schools, a combined middle school/high school, and a municipal services facility (e.g., fire station, police station, library, etc.). The project also includes infrastructure necessary to serve the proposed development including 60 acres of detention basins and stormwater canals; sewer lines and lift stations; 102 acres of roads; and electrical and natural gas lines. Adoption of the project contemplates approval of the following City entitlements: certification of the EIR/EIS and Mitigation Monitoring and Reporting Program (MMRP); amendment of the City of Rancho Cordova General Plan; zoning amendment; adoption of the SunCreek Specific Plan; and a Development Agreement. Future City entitlement approvals may include, but are not limited to, the following: use permits; approval of large-lot zoning and tentative subdivision maps.

Project Location: The specific plan area lies south of Douglas Road, west of Grant Line Road, and east of Sunrise Boulevard.

Significant Environmental Impacts of the Project: The DEIR evaluates six land use development alternatives at an equal level of detail. Analysis of environmental impacts associated with the project identified potentially significant or significant impacts in the following issue areas: aesthetics, air quality, biological resources, climate change, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, traffic, utilities, and water supply. Significant and unavoidable environmental impacts would occur in aesthetics, air quality, biological resources, climate change, traffic, and utilities.

Public Review Period: The DEIR is available for review during a 45-day comment period that begins on October 5, 2012 and ends on November 19, 2012. A public hearing on the DEIR will be held on October 23, 2012 from 5-7 pm at the Rancho Cordova City Hall located at 2729 Prospect Park Drive, Rancho Cordova, CA 95670. Copies of

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the DEIR can be reviewed at the following locations:

City of Rancho Cordova Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Rancho Cordova Public Library
9845 Folsom Boulevard
Rancho Cordova, CA 95827

The Draft EIR/EIS is also available on the City's website at: <http://www.cityofranhocordova.org/Index.aspx?page=184>

Written comments on the DEIR must be postmarked no later than November 19, 2012 and should be sent to the following address:

Bret Sampson
City of Rancho Cordova
Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670
bsampson@cityofranhocordova.org



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ALUC-1

The comment indicates that the project is located outside of the safety and noise zones for the Mather Field Comprehensive Land Use Plan (CLUP), and therefore the project is a compatible use.

The City and USACE concur with the ALUC's review of the Mather Field CLUP and agree that the project is located outside the safety and noise zones identified in the CLUP. Therefore, the project constitutes a compatible land use.



County of Sacramento

March 15, 2013

Bret Sampson
Planning Department
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Subject: Revised Comments on Draft EIR/EIS – SunCreek Specific Plan Project
State Clearinghouse No. 2006072067

Dear Bret:

The purpose of this letter is formally revise the comments submitted to the City of Rancho Cordova on January 10, 2013 by the Sacramento County Department of Airports (Airports) regarding the Draft Environmental Impact Report/Environmental Impact Statement for the proposed SunCreek Specific Plan Project. In particular, the comments on aircraft overflights and noise on pages 3 – 7 of that letter are hereby retracted. Our brief comments on hazardous wildlife attractants (page 7) remain unchanged. The revised comments of Airports on aircraft overflights and noise are as follows.

Noise related to aircraft overflights above and/or near the SunCreek project area will be mitigated to the satisfaction of the County of Sacramento if the following three actions are implemented:

- Execution and recordation with the Sacramento County Recorder of Avigation Easements prepared by the Sacramento County Office of County Counsel on each individual residential parcel contemplated in the development in favor of the County of Sacramento. All avigation easements recorded shall, once recorded, be copied to the Director of Airports and shall acknowledge the property location within the Airport Policy Planning Area (APPA) for Mather Airport.
- Notification in the Public Report prepared by the California Department of Real Estate disclosing to prospective buyers that the parcel is located within the APPA for Mather Airport and that aircraft operations can be expected to overfly that area at varying altitudes less than 3,000 feet Above Ground Level (AGL).
- Installation of minimum noise insulation to protect persons from excessive noise within new residential dwellings, including detached single family dwellings, which will limit noise to 45 dB CNEL, with windows closed, in any habitable room.

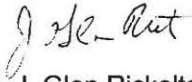


Paul Junkers
March 15, 2013
Page 2 of 2

Adoption of these three measures will suffice to alleviate our concerns regarding aircraft overflights and aviation-related noise. We appreciate the opportunity to amend our previous comments. Please contact me if you have any questions.

↑ Cont.
3

Sincerely,



J. Glen Rickelton
Manager - Planning and Environment
916-874-0482

C: Robert B. Leonard, Interim Director of Airports
Carl Mosher, Deputy Director – Planning and Design, County Airport System
Greg Rowe, Senior Environmental Analyst – Planning and Environment
Bree Taylor, Noise & Sustainability Programs Coordinator
Lauren Hocker, Assoc. Environmental Analyst – County Environmental Review
Philip Benedetto, Manager – Mather Airport
Paul Junker, Planning Director – City of Rancho Cordova

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SCAS-1-1

The comment indicates that the purpose of the letter is to revise the prior comments that were submitted by Sacramento County Airport System (SCAS) on January 10, 2013, by retracting the comments on pages 3-7 of that letter as related to aircraft overflights and noise.

The SCAS comment letter submitted on January 10, 2013 is presented in this FEIS/FEIR as SCAS-2. The comments on pages 3-7 of SCAS-2 related to aircraft overflights and noise have been redacted.

SCAS-1-2

The comment notes that SCAS' comments regarding hazardous wildlife attractants on page 7 of the January 10, 2013 letter are still valid and have not changed.

See responses to comments SCAS-2-3 and SCAS-2-6.

SCAS-1-3

The comment indicates SCAS will consider that its concerns related to noise from aircraft overflights above and/or near the SunCreek SPA have been sufficiently addressed if all of the following measures are implemented: (1) an aviation easement is recorded for each parcel within the SPA; (2) a disclosure is submitted to each prospective buyer indicating that the parcel is within the Mather Airport Policy Planning Area and that planes may fly over the parcel at varying altitudes less than 3,000 feet; and (3) noise insulation is installed in residential dwellings that would reduce the sound level to 45 dB CNEL with windows closed in any habitable room.

The City and the project applicants agree that an aviation easement shall be recorded for each parcel within the SPA and that a disclosure regarding aircraft overflights shall be provided to each prospective buyer. If the EIR is certified and the project is adopted, items (1) and (2) as described above and listed in the SCAS comment letter will be adopted by the City as conditions of approval.

As shown in Chapter 4, "Errata" of this FEIS/FEIS, the text of DEIR/DEIS Mitigation Measure 3.11-5 has been modified to include an additional bullet point requiring that noise insulation be installed in all residential dwellings that would reduce the potential sound level from single-event aircraft overflights to 45 dB CNEL with windows closed in any habitable room, which is consistent with the City's currently adopted noise standard.



County of Sacramento

January 10, 2013

Bret Sampson
Planning Department
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Subject: Comments on Draft EIR/EIS – SunCreek Specific Plan Project
State Clearinghouse No. 2006072067

Dear Bret:

This letter is a follow up to the meeting you convened with representatives of the Sacramento County Airport System (County Airport System) and other County departments on November 27, 2013. We appreciate the opportunity to review and comment on the Draft Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS) released in October 2012 by the City of Rancho Cordova for the SunCreek Specific Plan Project (SunCreek), and the extension of the comment period. As you know, the Planning and Environment (P&E) section of the County Airport Section was unaware of the draft DEIR/DEIS until notified by County Associate Environmental Analyst Lauren Hocker earlier in November. Our comments are below.

The County Airport System's comments generally focus on the nature of civil and military aviation operations at Mather Airport (MHR), conceivable aircraft overflight and associated noise impacts on SunCreek residents, and the potential for aquatic habitat and stormwater detention facilities to attract wildlife hazardous to aircraft operations. Our primary concern is the adequacy of the ambient noise analysis conducted for the DEIR/DEIS because it appears to be primarily based on aircraft operations during daytime hours, whereas the majority of cargo aviation activity at MHR occurs during evening and night hours when residents are more likely to be at home and therefore subject to the noise associated with relatively low-level overflights.

General background information regarding Federal Aviation Administration (FAA) policies regarding land use decisions near airports are described in the attached memo titled *FAA Regulations and Policies Relative to Local Land Use Decisions Near Public Use Airports With Respect to Proposed Projects Near Mather Airport* (hereinafter *FAA Land Use Policies Memo*). As a condition of providing federal grant-in-aid to facilitate

airport capital improvement projects, the FAA requires operators of public-use airports, such as MHR, to actively monitor and comment on proposed projects within the separation distances described on pages 12-13 of the *Land Use Policies Memo*, under the heading of "General Separation Criteria for Hazardous Wildlife Attractants on or Near Part 139 Airports." The MHR separation distances relevant to the proposed SunCreek Specific Project are shown in the enclosed aerial photography exhibit titled "Drawing 1 - Proposed SunCreek & NewBridge Developments." The five-mile perimeter is applicable to airports, such as MHR, that support turbine-powered (jet) aircraft.

↑
Cont.
1

General Comments

- **Mather Airport Separation Criteria.** As shown on Drawing 1, most of the proposed SunCreek project area is within the five-mile perimeter defining the approach, departure and circling airspace for MHR; i.e., within the airport separation distances defined by the FAA, and therefore requiring review and comment by the County Airport System.
- **Cumulative Impacts.** As you know, a number of large mixed use developments have been proposed near MHR in recent years, including Specific Plans for the NewBridge and Jackson Highway (formerly Excelsior Estates) projects. Each of these developments will be exposed to MHR overflights. Therefore, the County Airport System suggests that a more robust analysis is warranted with respect to potential noise impacts and hazardous wildlife attractants (although it appears that the current iteration of the proposed NewBridge and Jackson Township projects will not result in a significant increase in wetland habitat).
- **Inconsistent Distance References.** Below is a list of pages that reference the approximate distance from MHR to the proposed SunCreek Specific Plan Project. We suggest that these pages be reviewed for consistency, and that a consistently appropriate distance be determined. The DEIR/DEIS currently mentioned 3.5 miles most often, but this may not be the appropriate distance based on the information that follows.
 - Page 3.10-1: The second to last sentence under Adjacent Land Uses heading refers to 3 miles.
 - Page 4-9: The last sentence of first paragraph under Conversion of Adjacent Undeveloped Land to Urban Development refers to 3 miles.

2
3
4

MHR Operations

Typical aircraft operations at MHR include cargo, military, general aviation (GA) and test flights by aircraft manufacturers such as Boeing. These operations are summarized in the enclosed *FAA Land Use Policies Memo*. The County Airport System recommends that the type and frequency of operations described in the memo be more fully evaluated in the DEIR/DEIS.

5

Bret Sampson
January 10, 2013
Page 3 of 7

Comments
Retracted

Hazardous Wildlife Attractants

The enclosed *FAA Land Use Policies Memo* also describes general considerations regarding wildlife and habitat that can pose a threat to safe aircraft operations, and is provided as a general background guide for evaluating proposed development projects within the airport separation criteria promulgated by the FAA. The County Airport System appreciates the attention paid to hazardous wildlife potential in the Hazards and Hazardous Materials section. Based on the information we have been provided, it appears the DEIR/DEIS adequately addresses the potential wildlife strike hazard associated with the project's proposed water features. It would be our desire that the contemplated water features be initially monitored to confirm that they perform as intended and do not indeed act as hazardous wildlife attractants. We also suggest that the Covenants, Conditions and Restrictions (CC&Rs) for the SunCreek Project consider prohibiting the feeding of wildlife near water features and activities (such as recreational boating) that may provide opportunities to encourage the presence of wildlife hazardous to aircraft operations.

6

Thank you for the opportunity to review and comment on the DEIR/DEIS for the SunCreek Specific Plan Project. Questions and comments regarding this letter may be forwarded to J. Glen Rickelton, Manager – Planning and Environment, at 916-874-0482 or rickeltong@saccounty.net.

Bret Sampson
January 10, 2013
Page 7 of 7

Sincerely,



Greg Rowe
Senior Environmental Analyst
Planning and Environment
916-874-0698

C: Lisa Gibson, Regulatory Branch – U.S. Army Corps of Engineers
Carl Mosher, Deputy Director – Planning and Design, County Airport System
Glen Rickelton, Manager – Planning and Environment – County Airport System
Bree Taylor, Noise and Sustainability Programs Coordinator
Julie Car, Environmental Planner/Biologist

Enclosures

- Memo - FAA Regulations and Policies Relative to Local Land Use Decisions Near Public Use Airports With Respect to Proposed Projects Near Mather Airport (MHR)
- Exhibit: Five-Mile and 10,000-Foot Perimeters – Proposed SunCreek & NewBridge Developments
- Exhibit 1: SunCreek Flight Analysis, May 1, 2007
- Table 1 - Proposed SunCreek Specific Plan Project; Aircraft Operations Within 1.7 mile radius of Center of Penetration Gate - May 1, 2007
- Exhibit - MHR Flight Track Analysis, August 2012.

W:\PLANNING\ENVIRONMENTAL\EIR-EIS & Project Comments\Mather Airport Projects\SunCreek_Rancho Cordova_2012-13\SCAS Docs-Comments\SunCreekCommentLtr_SCAS(4)01-10-13.docx

SCAS-2-1

The comment states that the letter serves as followup to the meeting held on November 27, 2012. The comment thanks the City for the extending the DEIR comment period, because SCAS was unaware of the SunCreek DEIR/DEIS until it was notified by County Environmental Analyst Lauren Hocker in November of 2012.

The comment is noted.

The comment states a concern related to the adequacy of the ambient noise analysis because it appears to SCAS that the analysis was based primarily on aircraft operations during the daytime, while SCAS states that the majority of cargo operations occur at night when more residents are likely to be at home. The comment letter provides a variety of attached data and information for consideration by the City.

As described on page 3.11-18 of the DEIR/DEIS, the noise discussion therein was based on a study commissioned by SCAS and prepared by ESA Airports in 2006. This study took into account both daytime and nighttime aircraft flights and provided associated noise measurements. This study was the closest study to the SunCreek SPA that considered aircraft flights to and from Mather Airport, and was the only public information available to the City and USACE at the time the DEIR/DEIS was prepared related to single-event aircraft overflight noise measurements in the project vicinity. The City has considered the supplemental data provided by SCAS, which is contained in Appendix B to this FEIR/FEIS. See response to comment SCAS-2-5.

The comment further states that a copy of Federal Aviation Administration (FAA) policies concerning land use decisions near Mather Airport is attached to the comment letter. The comment also states that FAA requires public-use airports to monitor and comment on projects within a 5-mile distance from the airport, as related to hazardous wildlife attractants.

The comment is noted.

SCAS-2-2

The comment states that because the SPA is within a 5-mile distance from Mather Airport, review and comment by SCAS is required by the FAA.

The comment is noted.

SCAS-2-3

The comment suggests that because a variety of mixed-use developments have been proposed in recent years in the vicinity of Mather Airport, "a more robust analysis is warranted" related to cumulative noise impacts and hazardous wildlife attractants.

The City and USACE agree that a variety of mixed-use development projects have been proposed in recent years in the vicinity of Mather Airport. Those developments are listed in DEIR/DEIS Table 3.0-2 (pages 3.0-11 and 3.0-12) and are shown in Exhibit 3.0-1 (page 3.0-13) and therefore are included in the cumulative analysis. Furthermore, as stated on page 3.0-15 immediately prior to the discussion regarding development planning in Sacramento County, "The

regional cumulative analysis area covers the incorporated and unincorporated areas of Sacramento County and the City of Rancho Cordova.” Therefore, the cumulative impact analysis in the DEIR/DEIS considers the mixed-use developments in the vicinity of Mather Airport, including the Excelsior Estates project referenced by the commenter. SCAS does not provide additional information regarding any other specific development projects that it feels should have been included in the cumulative analysis.

With regard to the cumulative analysis of hazardous wildlife attractants, DEIR/DEIS Impact 3.8-3 in Section 3.8, “Hazards and Hazardous Materials” (pages 3.8-13 and 3.8-14) explains that the project would include the construction of 12 detention basins totaling approximately 46 acres of surface area, each of which would range from approximately 1 to 7 acres in size. The water in the detention basins would be gravity-released and would empty within approximately 48 hours after each storm event. The basins would be empty the vast majority of the time, although they might fill and drain numerous times each winter. Each basin would also include a small, permanently-wet water-quality feature in the floor of the basin that would average about 15% of the total volume of the typical detention facility. Although permanent ponding would occur within the water quality features in the floor of the detention basins, the size of these ponds would range from approximately 0.15 acres to 1.05 acres. Since permanent ponding features within the wetland basins would approximate a maximum of 7 acres over the entire SPA (i.e., 15% of the total acreage of proposed detention facilities), the total ponding acreage within the detention facilities would be substantially less than the total acreage of existing wetland habitat that would be displaced (i.e., 22.56 acres) from the SPA as a result of implementing the project. This would therefore represent an overall decrease in wetland habitat for waterfowl on the SPA. There are numerous other water bodies that are not far from Mather Airport (e.g., Blodgett Reservoir, the American River, various seasonal wetland features such as rivers and creeks) that would have a much greater attraction for waterfowl than the small amount of wetland features that would be created within the proposed on-site detention basins. The same is true for most other nearby development projects. Detention basins are generally designed only to slow the rate and volume of water during storm events; they are not “retention” basins that would hold large amounts of water throughout the year and therefore do not represent the cumulative creation of new habitat that would be attractive to waterfowl. Furthermore, the other development projects in the vicinity are also filling wetlands (see DEIR/DEIS Table 3.3-6 on page 3.3-62), and thus similar to SunCreek, are removing far more of the existing wetland habitat that is already attractive to waterfowl, than they are creating habitat with detention basins that are filled only for 48-hour periods. Therefore, the SunCreek project would not result in a cumulatively significant impact related to hazardous wildlife attractants.

SCAS-2-4

The comment provides two references to the distance of the SPA from Mather Airport in the DEIR/DEIS that are inconsistent with the distance stated in the noise section, and suggests that those references should be corrected.

As shown in Chapter 4, “Errata” of this FEIS/FEIS, the two references to the distance from Mather Airport that were listed by the commenter, on pages 3.10-1 and 4-9, have been corrected.

The comment states that aircraft operations at Mather Airport consist of cargo, military, general aviation, and test flights by aircraft manufacturers. The comment states that SCAS recommends that the type and frequency of these operations should be more fully evaluated in the DEIR/DEIS.

Section 21096 of the Public Resources Code requires that projects located within the boundaries of an airport land use compatibility plan or, if an airport land use compatibility plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, utilize the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation, in compliance with Section 21674.5 of the Public Utilities Code, to assist in preparation of environmental impact analyses as related to airport safety hazards and airport noise issues. Thus, the State CEQA Guidelines, Appendix G checklist, suggest that if a project is located within the 2-mile distance above, the potential for adverse impacts associated with airport noise and other associated airport hazards should be evaluated.

As stated in the DEIR/DEIS in several different locations including Section 3.8, “Hazards and Hazardous Materials” and Section 3.11, “Noise,” the SunCreek SPA is located approximately 3.5 miles from Mather Airport, and therefore does not fall within the 2-mile screening distance. As also stated in these two DEIR/DEIS sections, the SPA does not fall within the adopted Mather Airport Land Use Compatibility Plan (ALUCP) boundaries. SCAS has not disagreed with these statements.

As stated on page 3.11-16 of the DEIR/DEIS, the significance threshold used by the City and USACE to evaluate noise impacts is: “expose on-site receptors to single-event aircraft noise that would result in potential speech interference or sleep disruption. For purposes of this analysis, speech interference and sleep disruption would be anticipated to occur at noise levels of 60-dBA and 80-dBA SEL, respectively.” SCAS has not disagreed with the use of this significance threshold.

As discussed on pages 3.11-17 and 3.11-18 of the DEIR/DEIS, the SPA is located approximately 1.75 miles from the nearest point of the airport’s 60-dBA CNEL contour. Title 24 of the California Code of Regulations and the Rancho Cordova General Plan establish 45-dBA L_{dn} /CNEL as an interior noise threshold for acceptable residential development. Assuming an average interior-exterior noise attenuation of 25 dBA with windows closed (Veneklasen 1973), interior noise levels associated with aircraft operations would be well below the 45-dBA standard, and therefore residents within the SPA would not be exposed to excessive aircraft noise.

With regards to noise from single-event aircraft overflights related to Mather Airport, SCAS has submitted information attached to its comment letter on the DEIR, which the City has considered. The City and the project applicants have committed to implement the following measures as specifically requested by SCAS: (1) avigation easements shall be recorded for each parcel within the SPA, (2) disclosure notices regarding the potential for aircraft noise shall be provided to all prospective buyers within the SPA, and (3) an additional bullet point has been added to Mitigation Measure 3.11-5 to ensure that the site-specific acoustical analyses (which are already required as part of Mitigation Measure 3.11-5) will calculate the type and amount of insulation necessary to achieve a

45-dB CNEL interior residential noise level with windows closed (which is already required as part of the City's currently adopted noise standards). See also response to comment SCAS-1-3. Therefore, the City does not believe that any further analysis related to aircraft noise is warranted.

SCAS-2-6

The comment letter attaches a copy of the FAA Land Use Policies Memo related to hazardous wildlife attractants. The comment states that SCAS appreciates the attention given to this topic in the DEIR/DEIS, and concurs that the DEIR/DEIS adequately evaluated this topic. The comment requests that the proposed water features be monitored initially to ensure that they perform as intended and do not act as hazardous wildlife attractants.

The City agrees that the DEIR/DEIS adequately evaluates the potential for hazardous wildlife attractants. As stated on page 3.8-13 of the DEIR/DEIS, operational management practices related to the detention basins would be implemented, and those practices would include periodic weed abatement and other similar vegetation removal to prevent establishment of wetland habitat within the detention facilities and to ensure that the basins are performing as designed.

The comment further requests that the Covenants, Conditions, and Restrictions (CC&Rs) for the SunCreek project prohibit the feeding of wildlife near water features and also prohibit recreational activities (such as boating) that may provide an opportunity to encourage the presence of wildlife that would be hazardous to airport operations.

The City and the project applicants agree that language will be included in the CC&Rs that prohibits feeding of wildlife in or near water features and prohibits recreational activities (such as the use of boats) within water features.



November 19, 2012

Ms. Lisa Gibson
U.S. Army Corps of Engineers, Sacramento District
1325 J Street, Room 1350
Sacramento, CA 95814-2922

Mr. Bret Sampson
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, California 95670

Subject: Comments on the Draft Environmental Impact Report/ Environmental Impact Statement (Draft EIR/EIS) for the SunCreek Specific Plan Project

Dear Ms. Gibson and Mr. Sampson,

Thank you for the opportunity to comment on the Draft Environmental Impact Report/ Environmental Impact Statement (Draft EIR/EIS) for the SunCreek Specific Plan Project. The Sacramento Municipal Utility District (SMUD) is the primary energy provider for Sacramento County, in which the proposed project is located. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce climate change impacts, and lower the cost to serve our region. As a Responsible Agency, SMUD's goal is to ensure that the construction and operation of the proposed SunCreek Specific Plan Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

SMUD's active participation in the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) process ensures that our community power requirements are integrated into the planning and environmental review process. Our CEQA and NEPA involvement is consistent with SMUD's strategic directives and core values, which call for us to ensure a safe environment for its employees and customers (Policy SD-6) and to promote environmental leadership through community engagement, improved pollution prevention, energy efficiency and conservation, and conservation (Policy SD-7).

Based on SMUD's review of the Draft EIR/EIS and our understanding of the proposed project we have identified the following areas of interest and have provided comments accordingly.

Table 2-1 on page 2-11 Land Use information

Comment: Based on the land uses provided in Table 2-1, the estimated demand for the SunCreek Specific Plan Project is approximately 39 Megavolt amperes (MVA) and would

require the construction of one distribution substation within the specific plan boundaries (please see page 3 of this response).

↑ cont.
2

Section 2 Alternatives: (page 2-17) Exhibit 2-5

Comment: Please include detailed plans for the underground infrastructure improvements on the corner of Sunrise Blvd & Kiefer Blvd. These plans should provide trenching and grading details with respect to SMUD's 230kV lattice steel structure and the overhead conductors in the case of grade changes. Trenching or grading within the SMUD easement will be allowed only by an executed agreement through SMUD's Real Estate Department.

3

Section 2 Alternatives: (page 2-49) Last paragraph

Comment: Text excerpted from the document under the heading "Electricity" must be revised as follows (additions shown with underline): "All electrical lines less than 69 kilovolts (kV) would be routed underground within public utility easements outside the rights-of-way of on-site project streets. All electrical lines equal to 69kV will be routed overhead in an easement outside the rights-of-way of onsite project streets."

4

Section 2 Alternatives (page 2-50) 1st group of bullet Items

Comment: Bullet #2 & #4 excerpted from the document must be revised as follows (additions shown with underline):

"2. Construction of a new substation site ~~south of~~ within the SPA, ~~but immediately adjacent to~~ at the southeast corner of the SunCreek SPA."

"4. Installation of a 69 kV electrical line along Kiefer Boulevard...would be constructed ~~at~~ within the south east corner of the SunCreek SPA."

5

Section 2 Alternatives (page 2-50) Last paragraph of Electricity section

Comment: Please clarify 'SMUD would provide any necessary CEQA and/or NEPA coverage of its facilities, as they determine necessary in the future.' If the proposed project requires electrical infrastructure then the project proponent's environmental document should analyze the impacts associated. Please specify where in the document the impacts associated with electrical facilities shown in Exhibit 2-17 are addressed.

6

Section 2 Alternatives (page 2-57)

Comments: Text excerpted from the document under the heading "Electrical Facilities must be revised as follows (additions shown with underline):

7
↓



“Substation. A new electrical substation on a ½ to ¾-acre parcel would be constructed south of and immediately adjacent to within the southeastern project boundary,..”

“Electrical Lines. New 69kV electrical lines would be installed overhead along Kiefer Boulevard and Grant Line Road. Additional routes may be required depending upon where the new electrical substation is sited. SMUD would be responsible for installing these lines and providing any necessary CEQA or NEPA coverage.”

cont.
7

Table 3.3-5: Mitigation Banks Expected to Have Credits Available for Purchase to Compensate for Project Effects on Wetlands and Other Habitats

Comment: Please change name of the SMUD Mitigation Preserve to SMUD Nature Preserve Mitigation Bank.

8

Section 3.8 Hazards and Hazardous Materials (Mitigation Measure 3.8-1, page 3.8-11)

Comment: Please clarify ‘Obtain an assessment conducted by SMUD pertaining to the contents of any existing pole-mounted transformers that would be relocated or removed as part of project implementation. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act.’ SMUD will not provide a PCB assessment to the City or project proponents prior to relocation or removal of its facilities. If transformers are not tagged “Non-PCB”, SMUD will sample for PCBs once the transformer is removed from the field location and transport and dispose in accordance with state and federal regulations.

9

Since the inception of the Final PCB Ban Rule of 1979, imposed by the Environmental Protection Agency, SMUD has managed known PCB contaminated and PCB equipment in accordance to 40 Code of Federal Regulations 761. SMUD does not provide phase assessments for easements of transmission and distribution lines, nor does SMUD provide phase assessments for parcels where transmission and distribution substations are located.

Phase assessments performed by SMUD associated with PCB are for SMUD’s purpose of remedial and mitigation activities to protect food, feed stock, habitats, water ways, human health and the environment. All phase assessments requested of SMUD for the purpose of an EIR or EIS will be the responsibility of the property owner or agent.

Section 3.16 Utilities and Service Systems (page 3.16-7)

10



Comment: SMUD is not subject to the CPUC. The CPUC regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies; whereas SMUD is a public municipality.

↑
cont.
10

Section 3.16 Utilities and Service Systems (page 3.16-19 1st paragraph)

Comment: Text excerpted from the document must be revised as follows (additions shown with underline):

11

“...42.3 to 49.1 GWh/yr...”

Section 3.16 Utilities and Service Systems (page 3.16-19 bullet Items)

Comment: Correct the 2nd and 4th bullet items as indicated as underlined below:

12

“Construction of a new substation ~~south of~~ within the SPA, ~~but immediately adjacent to~~ at the southeast corner of the SPA.”

“Installation of a 69-kV electrical line along Kiefer Boulevard... would be constructed ~~at~~ within the south east corner of the SPA.”

Section 3.16 Utilities and Service Systems (page 3.16-26)

Comment: Delete the text shown below which is excerpted from the document in the paragraph discussing Electricity and replace with the text shown underlined.

13

Delete the following text: ~~“The total increase is unknown; however, SMUD has stated that it has capacity to serve the project.”~~

Replace deleted text with the following:

“The estimated peak demand associated with the proposed project at build out based on the land use information shown in Table 2-1, page 2-11, would be 39 MVA. SMUD has existing capacity available to serve initial phases; however, installation of a new distribution substation would be required to serve the project at build out.”

SMUD would like to be kept apprised of the planning, development, and completion of this project. Please ensure that the information included in this response is conveyed to the project planners and any project proponents.

14
↓



Future CEQA/NEPA documents should be sent to the attention of the Environmental Management Department at the following address:

↑ cont.
14

Sacramento Municipal Utility District
Attention: Environmental Management
6201 S Street, MS B203
Sacramento, CA 95817

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to comment on this Draft EIR/EIS. If you have any questions regarding this letter, please feel free to contact me at (916) 732-6676.

Sincerely,



Rob Ferrera
Environmental Specialist
Environmental Management
Legislative & Regulatory Affairs
Sacramento Municipal Utility District

SMUD-1

The comment states that as a Responsible Agency, the Sacramento Metropolitan Utility District's (SMUD) goal is to ensure that the construction and operation of the proposed SunCreek Specific Plan Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

The City and USACE believe that the DEIR/DEIS appropriately identifies and provides mitigation for (where feasible) the significant environmental impacts of the project on the environment. As described in DEIR/DEIS Chapter 2, "Alternatives," the project site is located in a rural area that is used for cattle grazing. The only SMUD facilities consist of a 69-kilvolt (kV) transmission line and a 230-kV transmission line that run parallel to one another diagonally across the project site as shown in Exhibit 2-17. The City and the USACE understand that development activities are extremely limited within the transmission line corridor, and nothing proposed for development within the SunCreek SPA (attached to the DEIR/DEIS as Appendix C) would result in any on-site environmental impact on SMUD facilities, employees, or customers. Other than roadway improvements and associated pedestrian and bicycle trail improvements that cross the transmission line corridor (as shown in DEIR/DEIS Exhibits 2-20 and 2-21 in Chapter 2, "Alternatives"), no improvements and/or features of the project are proposed for development within the transmission line corridors. As stated on DEIR/DEIS page 3.16-19, all on-site electrical facilities required to serve proposed development would be designed and constructed in accordance with SMUD's Standards and Rules and Regulations and as part of the project approval process, the project applicants of all project phases would consult with and meet the requirements of SMUD regarding the extension and locations of on-site infrastructure. The comment letter does not raise any specific topics or issue areas or provide any substantial evidence indicating that the project would, in fact, result in a significant environmental impact to SMUD facilities, employees, or customers.

The EIR/EIS under consideration here has been prepared to evaluate the environmental impacts of the SunCreek Specific Plan project on the environment. The environmental impacts associated with construction on the SunCreek project site are evaluated throughout DEIR/DEIS Sections 3.1 – 3.17, and in Chapter 4. Facilities that would be owned and operated by SMUD to provide service for this project would require a determination by SMUD as to whether or not the subject EIR/EIS meets the needs of SMUD for those facilities, or whether a future environmental document would need to be prepared by SMUD for its facilities. Furthermore, the responsibility to identify environmental impacts of any off-site facilities owned or operated by SMUD falls within the responsibility of SMUD.

SMUD-2

The comment states that SMUD estimates the electrical demand for the project would be 39 Megavolt amperes (MVA) and would require the construction of one electrical distribution substation within the project site.

The information regarding the estimate of electrical demand in terms of MVA for the proposed project is appreciated. Table 3.16-6 on DEIR/DEIS page 3.16-9 contains an estimate of electrical demand in terms of gigawatt hours per year for each alternative. A notation regarding the 39 MVA has been added to the analysis of the proposed project on

page 3.16-20 as shown in Chapter 4, “Errata” of this FEIR/FEIS. The original location of the distribution substation outside of the project site was provided by SMUD to the project applicants during the preliminary planning process. If SMUD now believes that the substation needs to be located within rather than outside of the SPA, the new location will be accommodated. Because the DEIR/DEIS already assumed that construction activities would take place at the new location identified by the commenter (i.e., medium density residential housing), moving the substation to this location has no effect on the existing analysis.

SMUD-3

The comment requests that detailed plans for underground infrastructure improvements on the corner of Sunrise Boulevard and Kiefer Boulevard be provided. The comment also notes that trenching or grading within the SMUD easement will be allowed only by an executed agreement through the SMUD Real Estate Department.

Detailed plans for underground infrastructure improvements on the corner of Sunrise Boulevard and Kiefer Boulevard cannot be provided at this time. The project is a specific plan, which would be constructed in phases over many years. As indicated in Chapter 2, “Alternatives” (DEIR/DEIS page 2-7), tentative subdivision maps and improvement plans are not proposed as part of this project at this time, but rather, would be submitted for approval at some point in the future. As stated under Impact 3.16-5 (DEIR/DEIS page 3.16-19), all on-site electrical facilities would be designed and constructed in accordance with SMUD’s Standards and Rules and Regulations to serve the SPA concurrently with development phases, and the location of this infrastructure would be identified in the final project design. As part of the project approval process, the project applicants of all project phases have committed to consult with and meet the requirements of SMUD regarding the extension and locations of on-site infrastructure. The City and the project applicants recognize that that trenching or grading within SMUD easements will be allowed only by an executed agreement through the SMUD Real Estate Department. Such approvals would be sought in the future when tentative subdivision maps and improvement plans are being prepared.

SMUD-4

The comment requests text changes on DEIR/DEIS page 2-49 to indicate that all electrical lines will be located within easements and to state that lines greater than 69kV will be installed overhead.

The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.

SMUD-5

The comment requests a text change on DEIR/DEIS page 2-50 to indicate that the new substation would be constructed within (rather than outside of) the SunCreek SPA. The comment also requests a minor wordsmithing change from “at” to “within.”

The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS. See also response to comment SMUD-2.

SMUD-6

The comment states that the SunCreek DEIR/DEIS should analyze the environmental impacts associated with all electrical infrastructure necessary to serve the project. The comment also requests clarification as to where this analysis is located in the DEIR/DEIS.

The environmental impacts associated with electrical infrastructure are evaluated specifically in Section 3.16, “Utilities and Service Systems” and the impacts associated with construction throughout the SunCreek project site are evaluated in DEIR/DEIS

Sections 3.1 – 3.17, and in Chapter 4. See also response to comments SMUD-1 and SMUD-2.

SMUD-7

The comment requests a correction to the text on DEIR/DEIS page 2-57 to indicate that the new substation would be constructed within (rather than outside of) the SunCreek SPA, as well as a sentence indicating that additional 69-kV routes may be required depending on the location of the substation. Finally, the comment requests that the text “SMUD would be responsible for constructing these substations and providing any necessary CEQA or NEPA coverage” be deleted.

The requested text corrections regarding the revised location of the substation and to indicate that additional 69-kV routes may be required have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS. However, the City believes that SMUD is responsible for constructing these and any other substations necessary to serve the project. As stated above in responses to comments SMUD-1, SMUD-2, and SMUD-7, the environmental impacts associated with construction on the SunCreek project site are evaluated throughout DEIR/DEIS Sections 3.1 – 3.17, and in Chapter 4. Facilities that would be owned and operated by SMUD to provide service for this project would require an evaluation by SMUD as to whether or not this EIR/EIS meets the needs of SMUD for those facilities, or whether a future environmental document would need to be prepared by SMUD for its facilities. Furthermore, the responsibility to identify environmental impacts of any off-site facilities owned or operated by SMUD falls within the responsibility of SMUD. Therefore, the requested text deletion on page 2-57 has not been made.

SMUD-8

The comment requests a text correction in the name of the SMUD mitigation bank listed in Table 3.3-5 on DEIR/DEIS page 3.3-39.

The text change requested by the commenter has been made and is shown in Chapter 4, “Errata” of this FEIR/FEIS.

SMUD-9

The comment states that since the inception of the EPA’s Final PCB Ban Rule of 1979, SMUD has managed known PCB contaminated and PCB equipment in accordance with 40 Code of Federal Regulations (CFR) 761. The comment further states that phase assessments performed by SMUD associated with PCBs are intended for SMUD’s purpose of remedial and mitigation activities to protect food, feed stock, habitats, water ways, human health, and the environment. Therefore, SMUD will not provide a PCB assessment to the City or the project proponents prior to relocation or removal of its facilities, contrary to the requirement in DEIR/DEIS Mitigation Measure 3.8-1. If transformers are not tagged “Non-PCB,” SMUD will sample for PCBs once the transformer is removed from the field location and will transport and dispose of PCBs in accordance with Federal and state regulations.

The City and USACE appreciate the clarification provided by SMUD with regards to its handling of PCBs in transformers. As shown in Chapter 4.0, “Errata” of this FEIR/FEIS, the text at the bottom of DEIR/DEIS page 3.8-3 and the top of page 3.8-4 related to “Polychlorinated Biphenyls” has been revised to reflect SMUD’s process with regards to PCBs. In addition, because SMUD has indicated that it will not provide an assessment of PCBs in its transformers, the fourth bullet point of Mitigation Measure 3.8-1 (DEIR/DEIS page 3.8-11) has been deleted. The removal of this bullet point does not affect the impact conclusion or the significance after mitigation.

- SMUD-10 *The comment refers to text contained in the “Regulatory Framework” portion of DEIR/DEIS Section 3.16 (page 3.16-7 and 3.16-8), which discusses the role of the California Public Utilities Commission (CPUC). The comment states that because SMUD is a public municipality, it is not regulated by CPUC.*
- The comment is noted. The text related to the CPUC on pages 3.16-7 and 3.16-8 has been modified to refer to the CPUC more generally, as opposed to specifically related to electricity, as shown in Chapter 4.0, “Errata” of this FEIR/FEIS.
- SMUD-11 *The comment requests a correction to a typographical error on page 3.16-19 from GHz/yr to GWh/yr.*
- The correction requested by the commenter has been made as shown in Chapter 4.0, “Errata” of this FEIR/FEIS.
- SMUD-12 *The comment requests a text change on DEIR/DEIS page 3.16-19 to indicate that the new substation would be constructed within (rather than outside of) the SunCreek SPA.*
- The text changes requested by the commenter have been made and are shown in Chapter 4, “Errata” of this FEIR/FEIS.
- SMUD-13 *The comment requests a text change on page 3.16-26 to replace the statement that the total increase in electrical demand from the related projects is unknown, to a statement of the project-specific electrical demand.*
- The text change requested by the commenter is not appropriate because the text on page 3.16-26 of the DEIR/DEIS refers to the total cumulative electrical demand that would be generated by all of the related projects considered in the cumulative analysis. The text change requested by the commenter deals with project-specific electrical demand, which is already discussed on pages 3.16-1 through 3.16-20. Therefore, the text change requested by the commenter has not been made.
- SMUD-14 *The comment provides an address for future correspondence and indicates that SMUD looks forward to further collaboration on the project.*
- The City appreciates and looks forward to continued collaboration with SMUD in the future related to the SunCreek Specific Plan project.

PG&E

From: Kennedy, Donald [DLKn@pge.com]
Sent: Friday, November 09, 2012 2:53 PM
To: Bret Sampson
Cc: Matthew Mudd
Subject: Suncreek Specific Plan Project - PG&E Comments to DEIR

Dear City of Rancho Cordova,

Thank you for giving PG&E the opportunity to review and comment on the Notice of Availability of DEIR for the **Suncreek Specific Plan Project**. PG&E has the following comments to offer.

PG&E operates and maintains a 230kV electric transmission tower line within the project boundaries. Land use is restricted around PG&E's facilities and within PG&E's easement area. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. One of PG&E's concerns is for continued access to its facilities with heavy equipment for maintenance and repair work. Another is for adequate ground clearance from the overhead electrical wires as set forth in California Public Utilities Commission General Order No. 95 for the proposed improvements. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

PG&E requests that the project proponent for this project will need to work closely with PG&E in obtaining a "**No Objection**" letter for their project prior to any final approvals are granted by the City of Rancho Cordova or prior to any construction activities taking place around PG&E's high voltage facilities. The project proponent shall work closely with PG&E to minimize potential impacts to existing utilities. Improvement plans should be sent to me at the address in my signature block below, and the plans should show the following information to be submitted for PG&E's review and approval:

- PG&E's Easement Area in Relation to Project Area
- Tower Structures
- Grading Plans (Existing & Proposed)
- Landscape and Lighting Plan around PG&E's easement area
- Any proposed crossings/encroachments within PG&E's Easement area

Below are a few examples of restrictions within PG&E's Electric Transmission 230kV Line Easements, but shall not be limited to the following:

- Buildings, Structures, and Wells are prohibited within PG&E's Easement area. This includes, but not limited to trash enclosures and block walls.
- Any and all light fixtures located within PG&E's easement area shall not exceed a maximum height of 15 feet above grade, and shall be located a minimum horizontal clearance of 15 feet from the conductor's at rest.
- No grading cuts or fills are allowed within PG&E's easement area without prior written approval from PG&E.
- No Trees are allowed to be planted within PG&E's easement area.
- There are restrictions when operating any equipment or tools in the proximity to the tower line. You must not erect, handle, or operate any such equipment or tools, closer to any of PG&E's overhead high-voltage electric conductors than the minimum clearances set forth in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety, but in no event closer than 17 feet.
- General Order No. 95 of the California Public Utilities Commission sets forth certain clearance requirements

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for the construction and operation of electric lines. Therefore, you must control your excavations and digging, including spoils, in such a manner as not to decrease the ground-to-conductor clearance below thirty feet.

↑ cont.
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Continued development will have a cumulative impact on PG&E's gas systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads. Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of gas system improvements needed to accommodate growth may include regulator stations, odorizer stations, valve lots, distribution and transmission lines.

2

We would like to recommend that environmental documents for your proposed project include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve the project and any potential environmental issues associated with extending utility service, and any possible relocations. This will assure the projects compliance with CEQA and reduce potential delays to the project schedule.

PG&E request's that the project proponent dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways, private drives and/or Irrevocable Offer of Dedication.

3

Gas service may be available to the area if desired. The project proponent should contact PG&E's Service Planning Department at 1-877-743-7782 as soon as possible to coordinate construction with their project so as not to delay the project. We would also appreciate being copied on future correspondence as these various projects develop.

4

Sincerely,

Donny Kennedy

Pacific Gas & Electric Company
343 Sacramento Street
Auburn, CA 95603
Internal: (8) 889-5089
External: (530) 889-5089
Fax: (530) 889-3392

PG&E is committed to protecting our customers' privacy.
To learn more, please visit <http://www.pge.com/about/company/privacy/customer/>

- PG&E-1 *The comment indicates that the project applicants should provide copies of improvement plans and work closely with PG&E. The comment also provides information regarding development restrictions within PG&E's 230-kV transmission line easement on the SPA.*
- The City and the project applicants understand the development restrictions outlined in the comment and will plan to work closely with PG&E in the future when the project reaches the improvement plan stage.
- PG&E-2 *The comment states that continued development will have a cumulative impact on PG&E's gas system and may require on-site and off-site additions and improvements to the facilities which supply these services. The comment recommends that the environmental documents for the project include an evaluation of cumulative impacts to utility systems, the utility facilities needed to serve the project, and any potential environmental issues associated with extending utility service, along with any possible relocations.*
- The proposed natural gas system to serve the SPA is discussed on page 2-50 and shown on DEIR/DEIS Exhibit 2-18 (page 2-53). This information was provided by PG&E to the project applicants during preliminary discussions regarding natural gas service for the SPA. The environmental impacts associated with construction activities for development and infrastructure within the SPA, including natural gas, are evaluated in DEIR/DEIS Sections 3.1 – 3.17 and in Chapter 4. However, facilities that would be owned and operated by PG&E to provide service for this project would require an evaluation by PG&E as to whether or not this EIR/EIS meets the needs of PG&E for those facilities, or whether a future environmental document would need to be prepared by PG&E for its facilities. The responsibility to identify environmental impacts of any off-site facilities owned or operated by PG&E falls within the responsibility of PG&E. Cumulative impacts related to provision of natural gas services are evaluated on DEIR/DEIS page 3.16-26.
- PG&E-3 *The comment requests that the project applicants dedicate a standard 12.5-foot-wide public utility easement for underground facilities and appurtenances adjacent to all public ways, private drives, and/or Irrevocable Offer of Dedication.*
- The project applicants understand that a standard 12.5-foot-wide utility easement will be necessary; the comment is noted.
- PG&E-4 *The comment states that gas service may be available to the area if desired, and suggests that the project applicants should contact PG&E's Service Planning Department to coordinate.*
- The project applicants have initiated preliminary planning discussions with PG&E regarding provision of natural gas service to the SPA, and the results of those discussions are reflected on DEIR/DEIS page 2-50 and are shown on Exhibit 2-18 (page 2-53). The project applicants look forward to continued collaboration with PG&E in the future on this project.

MAILING ADDRESS
SACRAMENTO COUNTY
 8631 BOND ROAD
 ELK GROVE, CA 95624

YOLO COUNTY
 1234 FORTNA AVENUE
 WOODLAND, CA 95695

1.800.429.1022
 FIGHTtheBITE.net

City Of Rancho Cordova
 Planning Department
 2729 Prospect Park Drive
 Rancho Cordova, CA 95670
 ATTN: Bret Sampson

November 19, 2012

Re: SunCreek Specific Plan Project DEIR/DEIS

The Sacramento-Yolo Mosquito and Vector Control District (District) appreciates the opportunity to review and comment on the Draft Environmental Impact Report for the SunCreek Specific Plan Project. The District is providing the following general comments and concerns relating the proposed project and Draft EIR.

**Section 3.3 Biological Resources and
 3.8.2 Regulatory Framework**

Under heading of “*State Plans, Policies, Regulations, and Laws*” please include Vector Control and District Law as contained in the California Health and Safety Code Section 2000. Include and insert the following language “Any policy, practice, or management plan for aquatic sites must explicitly recognize the obligations imposed on land-owners and managers by the California Health and Safety Code (sec. 2000 et seq) to avoid creating or maintaining public nuisance or public health threats through the establishment or maintenance of mosquito and other vector breeding habitats that can impact public health and welfare.”

**Hazards and Hazardous Materials
 Section 3.8.1 Affected Environment:**

Under *Mosquito/Vector Control*, paragraph one; change the first sentence to read “The Mosquito populations in the Sacramento Valley are typically most abundant in the warmer months of early spring through mid-fall.”

Change paragraph two sentence three to read “The District addresses mosquito breeding problems using Integrated Pest Management (IPM) techniques such as surveillance, monitoring of mosquito breeding sources, community outreach, public education, chemical and biological control methods, and the implementation of Mosquito Reducing Best Management Practices (BMPs). The District has developed and adopted a (BMP) Manual which can be downloaded from the District’s website at:
http://www.fightthebite.net/download/ecomanagement/SYMVCD_BMP_Manual.pdf. Please review and implement the District’s BMPs for design and



maintenance guidelines of all proposed individual projects to reduce or prevent the breeding of mosquitoes that can carry diseases such as West Nile virus (WNV), Western Equine Encephalitis (WEE) and St. Louis Encephalitis (SLE) etc.”

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Section 3.8.3 Environmental Consequences and Mitigation Measures

Under Impact 3.8-4, add a requirement to implement Mosquito Reducing BMPs to mitigation measures to avoid the creation of mosquito breeding sources.

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Section 3.8.5 Cumulative Impacts

Please recognize and address the impacts to the District for the increase in potential mosquito breeding habitats as contained in the on-site stormwater detention basins, vegetated swales, infiltration trenches, constructed wetland filter strips, wetland buffers and the wetland preserve as a direct result of this project. While each individual stormwater structure may be initially constructed to operate effectively; if not properly maintained on a routine basis, each facility may become a mosquito breeding source, and subject to District enforcement action. It has also been proven that long term urban runoff containing pesticide residue may cause adult mosquito and other insect resistance to control products.

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Alternatives

Page 2-16, Wetland Preserve Mitigation and Monitoring Plan: Please detail the requirements for the project applicants to develop a comprehensive Mitigation and Monitoring Plan (MMP) and Operations and Management Plan (O&M) that includes long term assurances of routine maintenance and the reduction of mosquito breeding sources within these sites as they occur.

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The District is facing new challenges with shrinking revenues, coupled with the costs of National Pollutant Discharge Elimination System (NPDES) permits, Endangered Species Act (ESA), and other environmental compliancy and regulatory issues. While the District is willing to work with and assist local agencies and developers in providing comprehensive mosquito control it is ultimately the responsibility of the land owner to comply with its obligations under state law to not develop or keep mosquito breeding sources on its property.

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Should you have any questions or concerns please feel free to contact me at (916) 405-2085 or email at: mscholl@FightTheBite.net.

Sincerely,



Marty Scholl
Ecological Management Supervisor

SYMVCD-1

The comment requests that text be added to the Regulatory Framework portion of DEIR/DEIS Section 3.3, "Biological Resources," to state that pursuant to California Health and Safety Code Section 2000-2007 (i.e., the Mosquito Abatement and Vector Control District Law), "any policy, practice, or management plan for aquatic sites must include language stating that it will avoid creating or maintaining public nuisance or public health threats through the establishment or maintenance of mosquito and other vector breeding habitats that can impact public health and welfare."

The City and USACE agree that the California Health and Safety Code defines public nuisances related to vectors and contains the provisions for enforcement and abatement actions that may be carried out by the Sacramento-Yolo Mosquito & Vector Control District (SYMVCD). However, nothing in California Health and Safety Code Section 2000-2007 (i.e., the Mosquito Abatement and Vector Control District Law) requires that a policy, practice, or management plan for aquatic sites include the language requested by the commenter.

SYMVCD-2

The comment requests a text change in DEIR/DEIS Section 3.8, "Hazards and Hazardous Materials" to indicate that mosquito populations are active from early spring through mid-fall.

The text referenced by the comment has been changed to indicate that mosquito populations are active through mid-fall, rather than just through early summer, as shown in Chapter 4, "Errata" of this FEIR/FEIS.

SYMVCD-3

The comment requests that the third paragraph on DEIR/DEIS page 3.8-6 be replaced with text provided by the commenter, which includes language specifically requesting that the project applicant review and implement SYMVCD BMPs.

The text change requested by the commenter is not substantially different from the text already contained in the second paragraph on page 3.8-6 to warrant revision. Furthermore, this portion of Section 3.8, "Hazards" constitutes the environmental setting portion of the DEIR/DEIS; therefore, it would not be appropriate to add the requested language here stating that the project applicant should review and implement SYMVCD BMPs. The website address where SYMVCD's BMP Manual can be obtained is appreciated.

SYMVCD-4

The comment requests that a mitigation measure be added to DEIR/DEIS Impact 3.8-4 requiring the project applicants to implement SYMVCD BMPs to avoid the creation of mosquito breeding sources.

DEIR/DEIS Impact 3.8-4 (page 3.8-14) found that the possible exposure of construction workers, project workers, and residents to human health hazards associated with mosquito-borne diseases would be less than significant. Therefore, no mitigation measures are required. The commenter has provided no evidence of any kind that Impact 3.8-4 should be determined to be significant rather than less than significant.

The City and USACE do not believe that project implementation would result in creation of a public nuisance or public health threat related to mosquito and other vector breeding habitats. As shown on Exhibit 3.3 (page 3.3-19) of the DEIR/DEIS, the SPA currently

contains 43.69 acres of existing wetlands, 22.976 acres of which would be filled as a result of project development. The project's on-site wetland preserve is intended to ensure that approximately half of the existing on-site wetlands continue to function. The wetlands are already present on the project site; therefore, the wetland preserve does not constitute creation of new mosquito or vector habitat. Furthermore, the on-site detention basins are true "detention basins" – they are not "retention basins." As discussed in detail on DEIR/DEIS page 3.8-13, the basins would empty within approximately 48 hours after each storm event. Furthermore, storm events occur during the winter months in Sacramento, when vector populations are lowest. Although a total of approximately 7 surface acres spread throughout various basins would remain wetted throughout the year within the water quality features, there would still be an overall net reduction in on-site wetted area of 15.76 acres. Therefore, project implementation would result in a reduction of the total amount of existing on-site vector habitat, rather than an increase. Finally, the wetland buffer areas are not wetlands that would serve as mosquito breeding habitat; rather, they are strips of land adjacent to the wetlands where no development is allowed in order to help protect the wetlands (i.e., a "buffer zone"). For the reasons stated above, the change requested by the commenter to add a new mitigation measure is not warranted and has not been made.

SYMVCD-5

The comment states that the DEIR/DEIS should include a cumulative analysis of impacts to the SYMVCD for the project's increase in mosquito breeding habitats, as contained in the on-site stormwater detention basins, vegetated swales, infiltration trenches, constructed wetland filter strips, wetland buffers and the wetland preserve.

For the reasons stated in response to comment SYMVCD-4, the City and USACE do not believe that project implementation would result in an increase in human health hazards associated with mosquito-borne diseases. Furthermore, the comment requests that an analysis be added of cumulative impacts on the SYMVCD. CEQA and NEPA require an analysis of a project's physical impacts on the environment, not an analysis of a project's impacts on an agency. Finally, the DEIR/DEIS already contains an analysis of cumulative impacts related to mosquito and vector control on page 3.8-16, and the impacts were found to be less than cumulatively considerable.

The comment further states that if not properly maintained on a routine basis, each facility may become a mosquito breeding source, and subject to SYMVCD enforcement action.

The City and USACE understand that mosquito breeding sources may be subject to SYMVCD enforcement action. However, maintenance of the detention basins is included as part of the project proposal, and is described in detail in DEIR/DEIS Appendix D and is briefly discussed in the DEIR/DEIS on pages 3.8-13 and 3.8-14.

SYMVCD-6

The comment requests details regarding the requirements for the project applicants to develop a comprehensive Mitigation and Monitoring Plan (MMP) and Operations and Management Plan (O&M), which SYMVCD states should include long-term assurances of routine maintenance and the reduction of mosquito breeding sources within these sites as they occur.

The required contents of the MMP and O&M are contained in DEIR/DEIS Mitigation Measure 3.3-1b on pages 3.3-37 – 3.3-41. See also response to comment SYMVCD-1.

SYMVCD-7

The comment states that SYMVCD is facing challenges with shrinking revenues, coupled with the costs of NPDES permits, the ESA, and other environmental compliancy and

regulatory issues, and that it is ultimately the responsibility of the land owner to comply with its obligations under state law to not develop or keep mosquito breeding sources on its property.

The comment does not pertain to the environmental analysis contained in the DEIR/DEIS; the comment is noted.

E: Individual Comment Letters and Responses



G&C 220

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Fifth Floor F 925 933 4126
Walnut Creek, CA 94596 www.msrlgal.com

Nadia L. Costa
nadia.costa@msrlgal.com
925 941 3235

November 19, 2012

VIA EMAIL AND MAIL

Bret Sampson
City of Rancho Cordova
Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

VIA EMAIL AND MAIL

Lisa Gibson
U.S. Army Corps of Engineers
Sacramento District
Regulatory Division, California Delta Branch
1325 J Street, Room 1350
Sacramento, CA 95814-5288

Re: SunCreek Specific Plan Project Draft EIR/DEIS

Dear Mr. Sampson and Ms. Gibson:

Our firm represents Grantline & Chrysanthy 220 Investors (G&C 220), the owner of the Grantline 220 property, an approximately 220-acre site that the City has included within the boundaries of the proposed SunCreek Specific Plan area.

As you know, the Grantline 220 property has been the subject of comprehensive planning efforts for years. G&C 220 desires to participate fully in the Specific Plan's environmental review process, and to that end, G&C 220 is diligently undertaking a comprehensive evaluation of the SunCreek Draft EIR/EIS.

G&C 220 supports the City's desire to implement a comprehensive planning approach to the Specific Plan area and surrounding community, which will help ensure the development of enhanced housing and commercial opportunities as well as facilitate a cohesive and thoughtful land use vision between the SunCreek Specific Plan area and adjacent lands, particularly those that are currently being developed to the north of the Grantline 220 property.



Bret Sampson
Lisa Gibson
November 19, 2012
Page 2

To that end, G&C 220 looks forward to working collaboratively with the lead agencies and the other SunCreek property owners with the collective goal of successfully implementing the land use vision for this crucial planning area.

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Very truly yours,

MILLER STARR REGALIA

Nadia L. Costa

Nadia L. Costa

NLC:jj

cc: Angelo Christie

GCTI1506161888033.1

G&C 220-1

The comment states that G&C 220 desires to fully participate in the environmental review process. The comment further indicates that G&C 220 is undertaking a review of the SunCreek DEIR/DEIS.

As discussed in Chapter 1, “Introduction” and Chapter 2, “Alternatives” of the DEIR/DEIS, certain requested entitlements apply only to Sierra Sunrise, Shalako, Investek, and Smith/Dunmore parcels. For Grantline 220 and Luxouri, it is anticipated that at some point in the future, those property owners would come forth with detailed land use plans, at which time the City and USACE would determine whether or not the CEQA/NEPA analysis provided in this document is sufficient, or whether additional environmental analyses is necessary for those parcels. The City and USACE note that the DEIR/DEIS public comment period closed on November 19, 2012, and no further comments from G&C 220 were received.

G&C 220-2

The comment indicates that G&C 220 supports the City’s desire to implement a comprehensive planning approach to the SPA and surrounding community, and that G&C 220 looks forward to working collaboratively with the lead agencies and the other SunCreek property owners.

The desire of G&C 220 to work collaboratively in the future is appreciated.

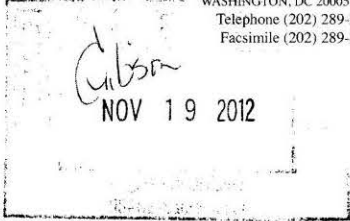
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THATCH

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November 16, 2012

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Lisa Gibson, Project Manager
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1350
Sacramento, CA 95814-2922

Bret Sampson
City of Rancho Cordova
Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Re: Comments on DEIS/DEIR for Suncreek Specific Plan Area
Corps Public Notice SPK-2005-00888

Dear Ms. Gibson and Mr. Sampson:

On behalf of Cordova Hills LLC we have reviewed the joint Draft Environmental Impact Statement/Draft Environmental Impact Report (“DEIS/DEIR”) for the Suncreek Specific Plan Area prepared by the Corps of Engineers and City of Rancho Cordova, and have the comments described below.

Existing Plus Project Scenario

The Cordova Hills Project is situated to the east of Grant Line Road and is adjacent to the Suncreek Specific Plan Area (“Suncreek Project”). Consequently, as a result of the development of the Suncreek Project and the Cordova Hills Project, they will share a common intersection at the future location of Chrysanthy Boulevard and Grant Line Road. That intersection is clearly shown on DEIS/DEIR Exhibit 3.15-1 “Project Location” and on Exhibit 3.15-12 “Average Daily Traffic Volume-Baseline Plus Project Conditions.” However, the DEIS/DEIR contains no analysis and no discussion of the traffic impacts the Suncreek Project will have on this new intersection. It appears to have been overlooked. There is no description in the DEIS/DEIR of what intersection improvements are anticipated to be provided by the development in the Suncreek Project.

At a minimum, during the Existing Plus Project Scenario, the Suncreek Project initially will have to build the intersection and install traffic control devices at the Chrysanthy and Grant Line intersection. Such traffic mitigation improvements may be as simple as stop signs, but will eventually require traffic signals when the traffic volume warrants them. The DEIS/DEIR has not mentioned any mitigation for this intersection or required the developers of the Suncreek

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Project to provide traffic improvements or pay their fair share of those improvements if they are built by others. We request that the DEIS/DEIR be amended to provide an analysis of the traffic that the Suncreek Project will contribute to the intersection of Chrysanthy and Grant Line and suitable mitigation for the Suncreek Project's impacts in the Existing Plus Project Scenario.

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Grant Line Road is evolving from a rural two-lane road into a thoroughfare as a result of the development that is taking place in the City of Rancho Cordova and eastern Sacramento County. We note that the DEIS/DEIR does not address any obligation the Suncreek Project would have to contribute to the cost of improving Grant Line Road from a two-lane rural road into a four-lane thoroughfare in the segment of Grant Line between White Rock Road and the Jackson Highway (State Route 16). While the DEIS/DEIR has the Suncreek Project participating in the intersection improvements required at the Grant Line and White Rock intersection to handle the additional traffic from the Suncreek Project, the Suncreek Project appears to have no obligations to participate in improving Grant Line Road itself. Such a conclusion is questionable, since in the Cumulative Plus Project scenario, the Suncreek Project is required to participate in the costs to widen Grant Line Road from four lanes to six lanes in this same roadway segment. We are concerned that this may have been another oversight in the DEIS/DEIR and request an analysis of the Suncreek Project's impacts to the segment of Grant Line Road between White Rock and the Jackson Highway.

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A third concern is with the impacts the Suncreek Project has on the segment of Douglas Road between Sunrise Boulevard and Grant line Road. While Mitigation Measure 3.15-1g requires installation of a traffic signal at the Grant Line and Douglas Road intersection, and Mitigation Measure 3.15-1h requires improvements to the intersection of Douglas Road and Sunrise Boulevard, there is no mitigation measure to address the impacts to the roadway segment of Douglas Road between those two intersections by the Suncreek Project's traffic. While other developments are currently widening Douglas Road between Sunrise Boulevard and Americanos Boulevard to four lanes, it appears that the Suncreek Project should have some obligation to provide for its fair share of the widening of the roadway segment of Douglas Road between Americanos Boulevard and Grant Line Road. Once again, we are concerned that this impact may have been overlooked in the DEIS/DEIR and request a traffic analysis and appropriate mitigation for the Suncreek Project's impacts to this segment of Douglas Road.

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Cumulative Plus Project Scenario

In the Cumulative Plus Project scenario, both the Suncreek Project and Cordova Hills Project would be built. That fact is reflected in DEIS/DEIR Table 3.0-2 entitled "Related Residential/Commercial Projects in Eastern Sacramento County and the City of Rancho Cordova." There will be four significant intersections constructed on Grant line Road under cumulative conditions in the vicinity of the Suncreek Project that will handle its traffic. These are the intersections of Grant Line Road/Douglas Road; Grant Line Road/North Loop Road; Grant Line Road/Chrysanthy Boulevard; and Grant Line Road/University Boulevard. We find the conclusions in the DEIS/DEIR regarding the Suncreek Project's impacts to those intersections questionable.

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At the Grant Line/Douglas Road intersection, the Suncreek Project was required to provide for intersection improvements in the Existing Plus Project scenario by Mitigation Measure 3.15-1g. The DEIS/DEIR appears to be inconsistent because in the Cumulative Plus Project scenario, no further improvements are required to that intersection by the Suncreek Project, especially in light of the fact that the DEIS/DEIR concluded that the Suncreek SPA should pay for a share of widening Grant Line Road from four to six lanes between White Rock Road and State Route 16 (See Mitigation Measures 3.15-4ss and 3.15-4tt).

cont.
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At the Grant Line Road/Chrysanthy Boulevard intersection, the DEIS/DEIR contains no requirement to provide for this intersection in the first instance, let alone improve it when Grant Line Road is widened to six lanes to accommodate the Suncreek Project's traffic in the Cumulative Plus Project scenario. There is no explanation in the DEIS/DEIR how such a conclusion was reached.

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With regard to the intersection of Grant Line Road and North Loop Road, and the intersection of Grant Line Road and University Boulevard, the DEIS/DEIR is similarly lacking any analysis of the Suncreek Project's traffic impacts to those intersections under the Cumulative Plus Project scenario.

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We find the DEIS/DEIR mitigation anomalous and incomplete because it would require the Suncreek Project to fund the widening of Grant Line Road, but not fund the cost of modifications to a number of the intersections along the same segment of Grant Line Road that will be necessary to accommodate the wider six-lane road. Once again, this lack of mitigation seems like another oversight on the part of the DEIS/DEIR's traffic impacts analysis.

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Thank you for the opportunity to comment on the Suncreek Project DEIS/DEIR.

Very truly yours,

LAW OFFICES OF
GREGORY D. THATCH



MICHAEL DEVEREAUX

MD/sj
D8091.doc

cc: Ron Alvarado, Cordova Hills LLC
Mark Hanson, Cordova Hills LLC

THATCH-1

The comment notes that SunCreek and Cordova Hills will share a common intersection at Chrysanthy Road and Grant Line Road, and requests an analysis of the project's impact on the Chrysanthy Boulevard/Grant Line Road intersection as well as a discussion of the project's contribution to mitigation for this intersection.

Chrysanthy Boulevard is located along the project's northern border and provides direct access to Grant Line Road. For purposes of the baseline plus project analysis, Chrysanthy Boulevard was assumed to be constructed as part of the project, including the intersection at Grant Line Road, with initial construction and subsequent improvements to Chrysanthy Boulevard to be completed to the satisfaction of the City of Rancho Cordova Public Works Department. Chrysanthy Boulevard is included in the City of Rancho Cordova Transportation Development Impact Fee (TDIF) Program. Consequently, the project would contribute its fair share towards Chrysanthy Boulevard improvements through payment of the City's TDIF and would likely be subject to fee credit or reimbursement for the portion of Chrysanthy Boulevard that the project constructs to provide initial site access, the total cost of which would exceed the project's fair share responsibility.

Under baseline plus project conditions, the Chrysanthy Boulevard/Grant Line Road intersection would operate acceptably (LOS C or better) with side-street stop control and the following lane configurations:

- ▶ One left-turn lane and one through lane on the northbound approach;
- ▶ One through lane and one right-turn lane on the southbound approach; and
- ▶ One left and one through lane on the eastbound approach.

Under baseline plus project conditions, the total volume entering the Chrysanthy Boulevard/Grant Line Road intersection in the PM peak hour is forecast to be approximately 1,130 vehicles, 360 of which would be associated with the project. Therefore, the project's traffic contribution to this new intersection would be approximately 32 percent. The project would build a side-street stop sign or required intersection control at Grant Line as part of its construction of Chrysanthy Boulevard.

THATCH-2

The comment notes that Grant Line Road is evolving from a two-lane rural road to a four-lane thoroughfare, and requests an analysis of the project's impacts to the segment of Grant Line Road between White Rock Road and Jackson Highway (SR 16) under baseline conditions.

DEIR/DEIS Table 3.15-12 (page 3.15-29) includes the analysis of the requested segment of Grant Line Road (White Rock Road to Jackson Highway) under baseline conditions. As shown in Table 3.15-12, the addition of project traffic would not affect the two-lane segment of Grant Line Road between White Rock Road and Jackson Highway (SR 16). Consequently, no mitigation was necessary. Grant Line Road is included in the City of Rancho Cordova TDIF Program. Therefore, the project would contribute its fair share towards Grant Line Road improvements through payment of the City's TDIF.

THATCH-3

The comment requests an analysis of the project's impacts to the segment of Douglas Road between Americanos Boulevard and Grant Line Road.

As outlined on DEIR/DEIS page 3.15-1, the baseline traffic scenario includes background traffic from projects that City staff members have identified as having already received tentative map approval (such as the Villages of Zinfandel), as well as traffic generated by development of up to 6,500 units in the Sunridge Specific Plan area. Consistent with the assumed background traffic from this development, the analysis incorporates roadway improvements that are currently under construction or are consistent with the approved projects. As shown on Exhibit 3.15-7, Douglas Road was analyzed as a four-lane arterial under baseline conditions.

DEIR/DEIS Table 3.15-12 (page 3.15-29) includes an analysis of the requested segment of Douglas Road (Americanos Boulevard to Grant Line Road) under baseline conditions. As shown in Table 3.15-12, the addition of project traffic would not have a significant adverse impact on the four-lane segment of Douglas Boulevard between Americanos Boulevard and Grant Line Road. Consequently, no mitigation was necessary. In addition, this segment of Douglas road would also operate acceptably as a two-lane roadway under baseline conditions with the addition of project traffic. The Douglas Road improvement project is currently under construction and is included in the City's TDIF program; therefore, payment of the TDIF program fees would cover the project's fair share obligation for improvements to Douglas Road.

THATCH-4

The comment questions the conclusions of the DEIS/DEIR regarding the cumulative impacts to the Grant Line Road/Douglas Road intersection, because the cumulative traffic conditions scenario does not require the project to provide mitigation for this intersection.

As acknowledged by the commenter, the DEIR/DEIS identifies impacts and mitigation to Grant Line Road between White Rock Road and SR 16 to accommodate the addition of traffic from the SunCreek project.

However, there is substantial uncertainty regarding the ultimate configuration along this segment of Grant Line Road, which makes it difficult to be specific about local access improvements. For example, the two other intersections referenced by the commenter (Grant Line Road/North Loop Road and Grant Line Road/University Boulevard) are being proposed to provide direct access to the proposed Cordova Hills development in Sacramento County (east of Grant Line Road). In addition, Grant Line Road is part of the Capital Southeast Connector, which proposes grade-separated interchanges at Douglas Road, Chrysanthy Boulevard, University Boulevard, Kiefer Boulevard, and SR 16, but no access at North Loop Road. Both of these access concepts are different than the City's General Plan.

The analysis and mitigation contained in the DEIR/DEIS is consistent with the City's General Plan and with implementation of the City's TDIF program. The TDIF includes widening of Grant Line Road and improvement of the intersections at Grant Line Road/Douglas Road, Grant Line Road/Chrysanthy Boulevard, Grant Line Road/Kiefer Boulevard, and Grant Line Road/SR 16. Payment of the TDIF program fees would cover the project's fair share obligation for improvements to the Grant Line corridor. Specific improvements would be identified by the City of Rancho Cordova Public Works Department through coordination with Sacramento County and the Capital Southeast Connector Joint Powers Authority.

THATCH-5

The comment questions the conclusions of the DEIR/DEIS regarding the cumulative impacts to the Grant Line Road/Chrysanthy Boulevard intersection, because no

mitigation has been required to improve the intersection to six lanes to accommodate SunCreek project traffic in the cumulative scenario.

See responses to comments THATCH-1 and THATCH-4.

THATCH-6

The comment states that the DEIR/DEIS does not analyze the project's cumulative impacts to Grant Line Road/North Loop Road and Grant Line Road/University Boulevard.

See response to comment THATCH-4.

THATCH-7

The comment states that mitigation in the DEIR/DEIS is incomplete because it would not require the project to fund various intersection improvements along Grant Line Road that would be necessary when that road is widened to six lanes.

See response to comment THATCH-4.

4 ERRATA

4.1 INTRODUCTION

This chapter shows revisions to the DEIR/DEIS, subsequent to the document’s publication and public review. The revisions are presented in the order in which they appear in the DEIR/DEIS and are identified by page number in respective chapters. These revisions are shown as excerpts from the DEIR/DEIS, with strikethrough (~~strikethrough~~) text in indicate deletions and underlined (underlined) text to indicate additions.

4.2 REVISIONS TO THE DEIR/DEIS

CHAPTER 1, “INTRODUCTION AND STATEMENT OF PURPOSE AND NEED”

The third bullet point under the heading “1.7.1 Lead Agencies” on page 1-6 is hereby revised as follows:

- ▶ approval of ~~pre~~-zoning (for the participating landowners)

CHAPTER 2, “ALTERNATIVES”

The second bullet point on page 2-7 is hereby revised as follows:

- ▶ ~~pre~~-zoning of the SPA for the participating land owners,

The first paragraph on page 2-15 is hereby revised as follows:

Buildout of the Proposed Project would generate approximately 3,062 pupils in grades K (kindergarten)–12. Of this total, 1,661 pupils would be in grades K–~~5~~6; 490 would be in grades ~~6~~7–8; and 911 would be in grades 9–12 and continuation high school. EGUSD based these projections on the current land use designations and yield rates generated from similar types of development.

The last paragraph on page 2-49 under the heading “Electricity” is hereby revised as follows:

Electrical service would be provided by Sacramento Municipal Utility District (SMUD). All electrical lines less than 69 kilovolt (kV) would be routed underground within public utility easements outside the rights-of-way of on-site project streets. All electrical lines equal to 69kV will be routed overhead in an easement outside the rights-of-way of on-site project streets.

The text at the top of page 2-50 under the heading “Electricity” is hereby revised as follows:

2. Construction of a new substation ~~south of the SPA, but immediately adjacent to~~ within the southeast corner of the SunCreek SPA. This substation site could range from 0.5 to 0.75 acre. SMUD has indicated that a typical substation is approximately 150 x 150 feet.
4. Installation of a 69 kV electrical line along Kiefer Boulevard that would connect the existing 69 kV electrical line at Grant Line Road to the substation that would be constructed ~~at~~ within the southeast corner of the SunCreek SPA.

The text on page 2-57 under the heading “Electrical Facilities” is hereby revised as follows:

- ▶ **Substation.** A new electrical substation on a 1/2- to 3/4-acre parcel would be constructed ~~south of and immediately adjacent to~~ within the southeastern project boundary, and service to SunCreek would

also be provided from a new substation constructed within the Anatolia development north of the SPA. SMUD would be responsible for constructing these substations and providing any necessary CEQA or NEPA coverage.

- ▶ **Electrical Lines.** New 69kV electrical lines would be installed overhead along Kiefer Boulevard and Grant Line Road. Additional routes may be required depending upon where the new electrical substation is located. SMUD would be responsible for installing these lines and providing any necessary CEQA or NEPA coverage.

SECTION 3.2, “AIR QUALITY”

The first two paragraphs on page 3.2-9 are hereby revised as follows:

...taken by the Federal government do not undermine state or local efforts to achieve and maintain NAAQS. Before a Federal action is taken, it must be evaluated for conformity with the SIP. All reasonably foreseeable emissions, both direct and indirect, predicted to result from the action are taken into consideration and must be identified as to location and quantity. If it is found that the action would create emissions above *de minimis* threshold levels specified in EPA regulations, ~~or if the activity is considered regionally significant because its emissions exceed 10% of an area’s total emissions,~~ the action cannot proceed unless mitigation measures are specified that would bring the project into conformance.

General conformity applies in both Federal nonattainment and maintenance areas. Within these areas, it applies to any Federal action not specifically exempted by the CAA or EPA regulations. Emissions from construction activities are also included. General conformity does not apply to projects or actions that are covered by the transportation conformity rule. If a Federal action falls under the general conformity rule, the Federal agency responsible for the action is responsible for making the conformity determination. ~~In some instances, a state will make the conformity determination under delegation from a Federal agency.~~ Private developers are not responsible for making a conformity determination, but can be directly affected by a determination. General conformity with respect to the project will be determined within the record of decision.

The text in the middle of page 3.2-13 is hereby revised as follows:

Federal 8-Hour Ozone (2008 NAAQS and 2010 Reconsideration)

On March 12, 2008, EPA strengthened its NAAQS for ground-level ozone, the primary component of smog. These changes will improve both public health protection and the protection of sensitive trees and plants. EPA revised the 8-hour “primary” ozone standard, designed to protect public health, to a level of 0.075 ppm. The previous standard, set in 1997, was 0.08 ppm.

EPA also strengthened the secondary 8-hour ozone standard to the level of 0.075 ppm making it identical to the revised primary standard. In addition, EPA changed the Air Quality Index (AQI) to reflect the new primary standard. The AQI is EPA’s color-coded tool designed for use by state and local authorities to inform the public about daily air pollution levels in their communities.

~~On January 6, 2010, EPA proposed to reconsider the~~ The 2008 NAAQS for ground-level ozone was confirmed, effective July 20, 2012, following a process where EPA considered whether to adjust these standards. The proposed revisions are based on a reevaluation of the scientific evidence about ozone and its effects on people and the environment. EPA is proposing to strengthen the 8 hour “primary” ozone standard, designed to protect public health, to a level within the range of 0.060-0.070 ppm. EPA is also proposing to establish a distinct cumulative, seasonal “secondary” standard, designed to protect sensitive

~~vegetation and ecosystems, including forests, parks, wildlife refuges, and wilderness areas. EPA is proposing to set the level of the secondary standard within the range of 7-15 ppm hours.~~

The last paragraph of text on page 3.2-44 is hereby revised as follows:

In order to determine whether conformity analysis is required, emissions of the action being considered are compared to “de minimis” thresholds that are established based on the severity of the nonattainment classification. The emissions considered are limited to those caused by the Federal action and over which the Federal agency will have control (40 CFR Section 51.852). For the SunCreek Specific Plan, this is limited to construction-related emissions. A conformity determination is required if emissions exceed de-minimis levels ~~or account for 10% or more of a nonattainment or maintenance area’s emissions inventory for the subject pollutant or precursor.~~ The following de minimis levels apply to the Proposed Project and the other four action alternatives: NO_x—25 tons per year; VOC/ROG—25 tons per year; and PM₁₀—100 tons per year (40 CFR Section 93.153). A single year of construction activity was modeled (see Appendix L). As shown in Table 3.2-10, the projected annual emissions for the Proposed Project and the other four action alternatives would not exceed de-minimis levels. This would be a **less-than-significant, direct** impact. **No indirect** impacts would occur. *[Similar]*

SECTION 3.3, “BIOLOGICAL RESOURCES”

The second paragraph on page 3.3-30 is hereby revised as follows:

Proposed South Sacramento County Habitat Conservation Plan

The SPA is located within the proposed South Sacramento County Habitat Conservation Plan (SSCHCP) area. The SSCHCP is intended to provide a regional approach to issues related to urban development, habitat conservation, and agricultural production, and open space planning. The SSCHCP would provide strategies to conserve habitat for ~~nine~~10 special-status plants and ~~42~~40 special-status wildlife species. ~~The conservation strategy has four components: conservation (habitat acquisition), restoration, enhancement, and a limited amount of avoidance and minimization. If adopted, it would serve as a multispecies, multihabitat conservation plan addressing the biological impacts of future urban development within the Urban Services Boundary (USB) in the southern portion of the County. The emphasis of the SSCHCP is to secure large, interconnected blocks of habitat that focus on protecting intact subwatersheds while minimizing edge effects and maximizing heterogeneity. Habitat losses within the USB would be offset primarily through the establishment of large preserves outside the USB, but three core preserves would be established within the USB and two satellite preserves would be established within the USB in the vicinity of the SPA. Habitat mitigation for impacts resulting from a particular project must take place on the same geological formation as the affected area. As currently conceived, land developers that convert habitat within the USB would pay a defined per-acre fee to mitigate impacts. These fees would be used to protect, restore, maintain, and monitor habitat. The process for developing the SSCHCP was initiated in 1992. The SSCHCP is currently undergoing environmental review and the best case estimate for completion and implementation is late 2011-early 2012 (McCormick, pers. comm., 2010). The SSHCP will be an agreement between state/federal wildlife and wetland regulators and local jurisdictions, which will allow land owners to engage in the "incidental take" of listed species (i.e., to destroy or degrade habitat) in return for conservation commitments from local jurisdictions. The options for securing these commitments are currently being developed and will be identified prior to the adoption of the SSHCP. The geographic scope of the SSHCP includes U.S. Highway 50 to the north, Interstate 5 to the west, the Sacramento County line with El Dorado and Amador Counties to the east, and San Joaquin County to the south. The Study Area excludes the City of Sacramento, the City of Folsom and Folsom’s Sphere of Influence, the Sacramento-San Joaquin Delta, and the Sacramento County community of Rancho Murieta. Sacramento County is partnering with the incorporated cities of Rancho Cordova, Galt, and Elk Grove as well as the Sacramento Regional County~~

Sanitation District and Sacramento County Water Agency to further advance the regional planning goals of the SSHCP. (Sacramento County 2010.) At this time, the SSCHCP is in draft form and still being developed. Since the SSCHCP is still being drafted, it would be premature to attempt to analyze the project’s consistency with the SSCHCP. Also, since it is not an adopted plan, the project’s consistency is not required to be analyzed under CEQA or NEPA. Therefore, an analysis of the project’s consistency with the SSCHCP is not included in this EIR/EIS.

The name of the SMUD facility in Table 3.3-5 on page 3.3-39 is hereby revised as follows:

SMUD <u>Nature</u>		Swainson's hawk foraging habitat	~1,140
<u>Preserve</u>	Sacramento	SMUD Vernal Pool Creation	25
<u>Mitigation</u>		Waters of the U.S. preservation	56
<u>Preserve-Bank</u>			

SECTION 3.8, “HAZARDS AND HAZARDOUS MATERIALS”

The text at the bottom of page 3.8-3 and the top of page 3.8-4 related to “Polychlorinated Biphenyls” is hereby revised as follows:

In 1979, SMUD discontinued the purchase of PCB-containing transformers and removed them from its existing inventory. Sites developed after 1979 generally received PCB-free transformers as part of the electrical service provided by SMUD. Some newer transformers are tagged “Non-PCB” with respect to PCB content. However, many transformers within the SPA likely predate 1979, and are not tagged regarding PCB content. No privately-owned transformers were observed within the SPA during field visits by WKA. No obvious evidence of transformer leakage was observed at accessible sites within the SPA (WKA 1999). SMUD has indicated that its phase assessments associated with PCBs are for SMUD’s purpose of remedial and mitigation activities to protect food, feed stock, habitats, water ways, human health, and the environment. SMUD has also indicated that if transformers are not tagged “Non-PCB,” SMUD will sample for PCBs once the transformer is removed from the field location and will transport and dispose of all PCBs in accordance with Federal and state regulations.

The text of the second paragraph on page 3.8-4 is hereby revised as follows:

The mosquito population in the Sacramento Valley is most active ~~in the spring and early summer~~ during the warmer months of early spring to mid-fall. The female mosquito needs blood in order to produce eggs. Hosts that can supply blood include reptiles, amphibians, mammals, birds, and humans. All mosquito species are potential vectors of organisms that can cause disease to pets, domestic animals, wildlife, or humans.

The text of the fourth bullet point of Mitigation Measure 3.8-1 on page 3.8-11 is hereby deleted:

- ~~► Obtain an assessment conducted by SMUD pertaining to the contents of any existing pole-mounted transformers that would be relocated or removed as part of project implementation. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act.~~

SECTION 3.10, “LAND USE AND AGRICULTURAL RESOURCES”

The fourth paragraph on page 3.10-1 is hereby revised as follows:

Land in Rancho Cordova south of U.S. 50 is in the process of urbanizing, and various residential, commercial, and mixed-use projects in the vicinity of the proposed SunCreek project are either in the planning process, under environmental review, have been approved, or are under construction. Adjacent land uses include the Anatolia III development, which has been partially constructed, but is still under construction to the west; and vacant land to the north, east, and south. Other nearby land uses include Kiefer Landfill, located approximately 1 mile southeast of the SPA, and the Sacramento Rendering Company, which is located southwest of the SPA at the intersection of Sunrise Boulevard and Kiefer Boulevard (see Section 3.2, “Air Quality” for additional details about these facilities). Mather Airport (formerly Mather Air Force Base) is located approximately 3.5 miles northwest of the SPA. There are no designated airport land use zones that overlap with the SPA.

SECTION 3.11 “NOISE”

The text of Mitigation Measure 3.11-5 on pages 3.11-35 and 3.11-36 is hereby revised as follows:

Mitigation Measure 3.11-5: Implement Measures to Improve Land Use Compatibility with Noise Sources.

To meet City noise standards set forth in the City General Plan and Noise Ordinance and improve compatibility between project land uses and noise sources, the project applicants for any particular discretionary development application for all project phases shall implement the following:

- ▶ Obtain the services of a qualified acoustical consultant to develop noise attenuation measures for the proposed construction of on-site noise-sensitive land uses (i.e., residential dwellings and school classrooms) that will provide a minimum composite Sound Transmission Class (STC) rating for buildings of 30 or greater, individually computed for the walls and the floor/ceiling construction of buildings, for the proposed construction of on-site noise-sensitive land uses (i.e., residential dwellings and school classrooms).
- ▶ When a project alternative is adopted, and prior to the submittal of small-lot tentative subdivision maps and improvement plans, the project applicants shall conduct a site-specific acoustical analysis to determine predicted roadway noise impacts attributable to the project, taking into account site-specific conditions (e.g., site design, location of structures, building characteristics). The acoustical analysis shall evaluate stationary- and mobile-source noise attributable to the proposed use or uses and impacts on nearby noise-sensitive land uses, in accordance with adopted City noise standards. For any noise impacts identified in the acoustical analysis that would be greater than City noise standards, the project applicant shall submit a noise reduction plan to reduce any identified impacts above adopted City noise standards. The noise reduction plan shall be reviewed and approved by the City and its implementation shall be required as a condition of approval of tentative maps or improvement plans. Feasible measures to be included in the noise reduction plan to reduce project-related noise impacts may include, but are not limited to, the following:
 - limiting noise-generating operational activities associated with proposed commercial land uses, including truck deliveries;
 - construction of exterior sound walls;
 - use of “quiet pavement” (e.g., rubberized asphalt) construction methods; or

- use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; exterior wall insulation); and
 - installation of noise barriers ranging from 6 to 14 feet in height to reduce exterior noise levels to the normally acceptable noise standard of 60 dBA CNEL at noise-sensitive locations. Noise barriers in excess of 10 feet may not be considered desirable or feasible.
- ▶ As part of the acoustical analysis, the information submitted by the Sacramento County Airport System regarding the potential for aircraft overflights at altitudes less than 3,000 feet over the SPA shall be used to determine the type and amount of noise insulation that would be necessary to reduce the interior noise levels in all residential dwellings to a level that does not exceed 45 dB CNEL with windows closed, in all habitable rooms. The insulation requirements shall be included in the noise reduction plan referenced above and shall be submitted to the City for review and approval. The insulation requirements determined by the acoustical engineer in order to achieve this sound level shall be implemented by the project applicants in all residential dwellings that are constructed within the SPA.
 - ▶ Where exterior noise barrier heights are not feasible, the City may, at its discretion, require the project applicant to instead achieve the conditionally-acceptable noise level of 65-dBA CNEL at noise-sensitive locations, provided that interior noise levels are in compliance with the City’s 45-dBA L_{dn} interior noise level standard. Noise barriers ranging from 6 to 10 feet in height would be required to reduce exterior noise levels to a conditionally acceptable level of 65-dBA CNEL at noise-sensitive locations relative to the corresponding roadway segment.

As an alternative to exterior noise barriers, site design may be taken into consideration to reduce noise levels within compliance of applicable noise standards. Where noise levels require sound walls in excess of a desirable height deemed by the City, residential areas may be redesigned so that houses front the noise source. For example, fronting the residences to the noise source would achieve a 5-dBA to 8-dBA reduction in traffic noise levels due to shielding provided by the intervening residential building facade at the outdoor activity area. Another alternative would be to increase minimum setback distances from the noise source.

SECTION 3.14, “PUBLIC SERVICES”

The first paragraph under “Public Schools” on page 3.14-3 is hereby revised as follows:

The SPA is located within the Elk Grove Unified School District (EGUSD) boundary. EGUSD is the fifth largest school district in California and the largest in northern California. Located in southern and eastern Sacramento County, EGUSD covers 320 square miles and has been in existence for over ~~41~~ 53 years.

The fifth sentence in the first paragraph under “Public Schools” on page 3.14-3 is hereby revised as follows

In addition to the schools listed above, EGUSD has approximately ~~several~~ nine future elementary school sites and two future combined middle school/high school sites planned in the Sunrise-Douglas area, with opening dates to be determined, based on market conditions and associated student generation.

The first sentence of the second paragraph on page 3.14-3 is hereby revised as follows:

As shown on the EGUSD 2010-2011 school attendance boundaries map, students living in the SPA in early stages of project development, before the proposed on-site schools are constructed, ~~would~~ may attend Sunrise Elementary School, Katherine Albiani Middle School, and Pleasant Grove High School (EGUSD 2010a).

The information shown in Table 3.14-1 on page 3.14-3 is hereby revised as follows:

Table 3.14-1 Elk Grove Unified School District Enrollment, 2010–2011				
School Name	Grade	Current Enrollment	State Standard Capacity	Estimated Remaining Capacity
Sunrise Elementary School	K– 5 6	738	850	112
Katherine Albiani Middle School	6 7–8	1,380	1,450	70
Pleasant Grove High School	9–12	2,453	2,650	197
Note: Student enrollment in the district changes daily as more students enroll and others leave; therefore, this table does not necessarily reflect exact current enrollment.				
Sources: EGUSD 2010a, 2010b, 2010c, 2010d, 2011; Williams, pers. comm., 2010				

The text of the third paragraph under “Public Schools” on page 3.14-3 is hereby revised as follows:

Sunrise Elementary is located at 11821 Cobble Brook Drive, approximately 2.6 miles north of the SPA, and serves elementary school students in grades K–~~5~~6.

The text of the fourth paragraph under “Public Schools” on page 3.14-3 is hereby revised as follows:

Katherine Albiani Middle School is located at 9140 Bradshaw Road, approximately 9.6 miles southwest of the SPA, and serves students in grades ~~6~~7–8.

The text of the No Project analysis under Impact 3.14-5 (page 3.14-13) is hereby revised as follows:

Under the No Project Alternative, no project-related development would occur and there would be no residential land uses that would generate elementary school students (grades K–~~5~~6). Therefore, **no direct** or **indirect** impacts on elementary school facilities and services would occur. *[Lesser]*

The fourth sentence in the second paragraph of text under Impact 3.14-5 (page 3.14-13) is hereby revised as follows:

The number of new elementary school students (grades K–~~5~~6) that would be generated under the Proposed Project and the other four action alternatives were calculated based on the EGUSD’s student-yield generation rate shown in Table 3.14-2 and are summarized in Table 3.14-3.

The second paragraph on the top of page 3.14-14 is hereby revised as follows:

~~Because the project applicant would pay state mandated school impact fees and would construct on-site elementary schools sufficient to serve the SPA, In 1998, Senate Bill 50 instituted a school facility funding program that mitigates the direct impact of new construction on school districts using a combination of developer school impact fees and state funding. Therefore,~~ implementation of the No USACE Permit, Proposed Project, Biological Impact Minimization, Conceptual Strategy, and Increased Development Alternatives would have a **less-than-significant, direct** impact on elementary school services. The **indirect** impacts of constructing these facilities are addressed throughout this DEIR/DEIS in connection with discussions of the impacts of overall site development. *[Similar]*

All text on page 3.14-14 under Impact 3.14-6 that relates to the middle school grade range is hereby revised as follows:

Impact 3.14-6 Increased Demand for Public Middle and High School Facilities and Services. *Project implementation would increase demand for middle schools (grades 6–8) and high schools (grades 9–12) to serve the project.*

NP

Under the No Project Alternative, no project-related development would occur and there would be no residential land uses that would generate middle school (grades 6–8) or high school students (grades 9–12).

NCP

Based on student-yield generation rates shown in Table 3.14-3, implementation of the No USACE Permit Alternative would generate approximately 474 new middle school students (grades 6–8) and approximately 883 new high school students (grades 9–12) at buildout..

PP, BIM, CS, ID

The number of new middle school students (grades 6–8) and the number of new high school students (grades 9–12) that would be generated under each action alternative were calculated based on the EGUSD’s student-yield generation rate shown in Table 3.14-2 and are summarized in Table 3.14-4.

The fourth paragraph on page 3.14-15 is hereby revised as follows:

~~Because the project applicant would pay state-mandated school impact fees and would construct a middle school/high school sufficient to meet project needs,~~ In 1998, Senate Bill 50 instituted a school facility funding program that mitigates the direct impact of new construction on school districts using a combination of developer school impact fees and state funding. Therefore, implementation of the Proposed Project, Biological Impact Minimization, Conceptual Strategy, and Increased Development Alternatives would have a **less-than-significant, direct** impact on school services. The **indirect** impacts of constructing these facilities are addressed throughout this DEIR/DEIS in connection with discussions of the impacts of overall site development. *[Similar]*

SECTION 3.15, “TRAFFIC AND TRANSPORTATION”

The text of Mitigation Measure 3.15-4ss on page 3.15-106 is hereby revised as follows:

Mitigation Measure 3.15-4ss: Participate in Improvements to Grant Line Road between White Rock Road and Douglas Road (Roadway Segment 24).

Improvements must be made to ensure that Grant Line Road operates at an acceptable LOS between White Rock Road and Douglas Road; specifically, this roadway segment should be widened to ~~four~~ six lanes. This mitigation is consistent with the City’s Circulation Element, which identifies Grant Line Road as a six-lane roadway. ~~Improvements beyond this mitigation are identified in the City’s Circulation Element; specifically, Grant Line Road is identified as a six-lane expressway.~~ However, full funding of this improvement has not been identified.

The text of Mitigation Measure 3.15-4tt on page 3.15-107 is hereby revised as follows:

Mitigation Measure 3.15-4tt: Participate in Improvements to Grant Line Road between Douglas Road and State Route 16 (Roadway Segment 25).

To ensure that Grant Line Road operates at an acceptable LOS D or better between Douglas Road and SR 16, this roadway segment should be widened to six lanes.

Implementation: Project Applicants.

Timing: As a condition of project approval and/or as a condition of the development agreement for any particular discretionary development application.

Enforcement: City of Rancho Cordova Public Works Department and Sacramento County

Implementation of Mitigation Measure 3.15-4tt would reduce the significant impact on Roadway Segment 25 from the No USACE Permit, Proposed Project, Biological Impact Minimization, Conceptual Strategy, and Increased Development Alternatives under cumulative (2032) conditions ~~to a less-than-significant level~~, by allowing this roadway segment to operate at an acceptable LOS D or better. However, the identified improvement would fall partially under the jurisdiction of the County; therefore, neither the City nor the project applicant(s) would have control over the timing or implementation of the improvements. Given these conditions, this impact is considered **significant and unavoidable**. If the County cooperates in allowing the identified improvement to move forward, the impact would be classified as significant in the short term but eventually would be reduced to a less-than-significant level in the long term.

SECTION 3.16, “UTILITIES AND SERVICE SYSTEMS”

The text at the bottom of page 3.16-7 and the top of page 3.16-8 is hereby revised as follows:

California Public Utilities Commission Decision 95-08-038

~~The California Public Utilities Commission (CPUC) Decision 95-08-038 contains the rules for the planning and construction of new transmission facilities, distribution facilities, and substations. The decision requires permits for the construction of certain power line facilities or substations if the voltages would exceed 50 kV or if the substation would require the acquisition of land or an increase in voltage rating above 50 kV. Distribution lines and substations with voltages less than 50 kV do not need to comply with this decision; however, the utility must obtain any nondiscretionary local permits required for the construction and operation of these projects. CEQA compliance is required for construction of facilities constructed in accordance with the decision.~~ The California Public Utilities Commission (CPUC) regulates the design, installation, and management of California’s public utilities, including electric, natural gas, water, transportation, and telecommunications. The CPUC also provides consumer programs and information, such as energy efficiency, low income programs, demand response, and California solar initiative for California’s energy consumers. The CPUC oversees almost all large utility construction projects and provides approval of other types of utility activity that might have a significant impact on the environment. The CPUC must comply with the requirements of CEQA when it approves any requested utility action that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

The bullet points in the second paragraph on page 3.16-19 are hereby revised as follows:

- ▶ Use of a substation that SMUD already plans to build at the northwest intersection of Village Way and Rancho Cordova Parkway (within the Anatolia III Specific Plan).

- ▶ Construction of a new substation ~~south of~~ within the SPA, ~~but immediately adjacent to~~ at the southeast corner ~~of the SPA~~. This substation site could range from 0.5 to 0.75 acre. SMUD has indicated that a typical substation is approximately 150 x 150 feet.
- ▶ Installation of a 69-kV electrical line along Grant Line Road from Kiefer Boulevard to Douglas Road.
- ▶ Installation of a 69-kV electrical line along Kiefer Boulevard that would connect the existing 69-kV electrical line at Grant Line Road to the substation that would be constructed ~~at~~ within the southeast corner of the SPA.

The text of the first full paragraph on page 3.16-20 is hereby revised as follows:

PP, ID

As shown on Table 3.16-6, buildout of the Proposed Project and Increased Development Alternatives would increase in electrical demand in the SMUD service area by 65.3 and 59.3 GWh per year, respectively, which would account for less than 1% of the total electrical demand in the SMUD service area (i.e., 39 MVA for the Proposed Project Alternative). Therefore, the increase in demand for electricity would not be substantial in relation to existing electrical consumption in SMUD’s service area.

CHAPTER 4.0, “OTHER STATUTORY REQUIREMENTS”

The last sentence of the first paragraph on page 4.8, under the heading “Public Services,” is hereby revised as follows:

The EGUSD has approximately ~~nine~~ 10 elementary school sites and two middle school/high school sites planned in the Sunrise-Douglas area, which includes those proposed in the SPA, with opening dates to be determined based on market conditions and associated student generation.

The first full paragraph on page 4-9 is hereby revised as follows:

The SPA is located within the Sunrise Douglas Community Plan area in the city limits of the City of Rancho Cordova and is generally undeveloped and sporadically used for dry land farming and grazing on spring grasses. Under existing conditions, adjacent land uses to the SPA include the Anatolia III development to the west, which has been partially constructed, but is still under construction, and vacant land to the north, east, and south. Other nearby land uses include Kiefer Landfill, located approximately 1 mile southeast of the SPA, and the Sacramento Rendering Company, which is located southwest of the SPA at the intersection of Sunrise Boulevard and Kiefer Boulevard. Mather Airport (formerly Mather AFB) is located approximately 3.5 miles northwest of the SPA.

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