

## **APPENDIX B**

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Scoping Report and Comment Letters



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# Scoping Report for

# SunCreek Specific Plan Project

*Prepared for:*

U.S. Army Corps of Engineers  
Sacramento District  
1325 J Street, Room 1480  
Sacramento, CA 95814



*and*

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



*Prepared by:*

EDAW | AECOM

2022 J Street  
Sacramento, CA 95814

**May 2007**

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# Scoping Report for

## SunCreek Specific Plan Project

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**May 2007**

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## INTRODUCTION

This document is a scoping report in support of a joint environmental impact report/environmental impact statement (EIR/EIS) being prepared for the SunCreek Specific Plan project (the “proposed action” for purposes of the National Environmental Policy Act [NEPA] and the “proposed project” for purposes of the California Environmental Quality Act [CEQA]). The City of Rancho Cordova (City) is the lead agency under CEQA, and the U.S. Army Corps of Engineers (USACE), Sacramento District is the federal lead agency under NEPA.

## PROPOSED PROJECT AND LOCATION

The approximately 1,253-acre SunCreek project site is located in eastern Sacramento County, south of U.S. Highway 50 (U.S. 50), in the city limits of the City of Rancho Cordova (City). The property is located south of Douglas Road, north of Jackson Highway (i.e., State Route 16), west of Grant Line Road, and east of Sunrise Boulevard (Exhibits 1 and 2).

The proposed action represents a federal action because it would require federal permits and authorizations for one or more of the following activities: issuance of a Section 404 Clean Water Act permit for discharges into waters of the United States; and issuance of a biological opinion and incidental-take statement pursuant to Section 7 of the federal Endangered Species Act for potential take of endangered or threatened species.

Required entitlements requested from the City of Rancho Cordova include, but are not limited to:

- ▶ adoption of the *SunCreek Specific Plan*,
- ▶ adoption of a Public Facilities Financing Plan,
- ▶ adoption of a Public Facilities Infrastructure/Phasing Plan,
- ▶ approval and execution of a development agreement between the City and the project applicants,
- ▶ approval of tentative subdivision maps
- ▶ issuance of use permits,
- ▶ approval lot line adjustments,
- ▶ approval Engineering Improvement Plans,
- ▶ approval infrastructure and roadway improvement projects, and
- ▶ design review.

Other discretionary approvals that may be required by other governmental agencies may include, but are not limited to:

- ▶ take permits for the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (DFG) under the federal and state Endangered Species Acts;
- ▶ water quality permitting (National Pollutant Discharge Elimination System and water quality certifications) under the Clean Water Act by the Central Valley Regional Water Quality Control Board;
- ▶ approval of infrastructure and wastewater conveyance facilities by Sacramento County Sanitation District No. 1 (CSD-1); and
- ▶ approval of school site acquisition and site plans by the Elk Grove Unified School District.

The project applicants consist of Pardee Homes, Investek, Lennar Communities, Gerry N. Kamilos, and Grantline 220.

## **BACKGROUND**

The proposed SunCreek Specific Plan project is part of the Sunrise Douglas Community Plan, which was initiated by Sacramento County in 1993. The Sunrise Douglas Community Plan plays a significant role in providing a location for new housing to meet the demand generated by existing, planned, and approved employment-generating uses within and adjacent to the U.S. 50 corridor. The U.S. 50 corridor has experienced substantial growth in employment-generating land uses since the 1970s. Since 1980, the communities (now incorporated) of Folsom and Rancho Cordova have experienced intense housing demand and rapid employment growth due to expansion of the high technology, electronics, and services industries. A substantial amount of land along the U.S. 50 corridor between the Bradshaw Road and Hazel Road freeway interchanges has developed as either industrial parks or business parks. As early as 1983, Sacramento County had initiated studies to address the growing imbalance between jobs and housing opportunities in the U.S. 50 corridor east of downtown Sacramento and extending to the El Dorado County boundary.

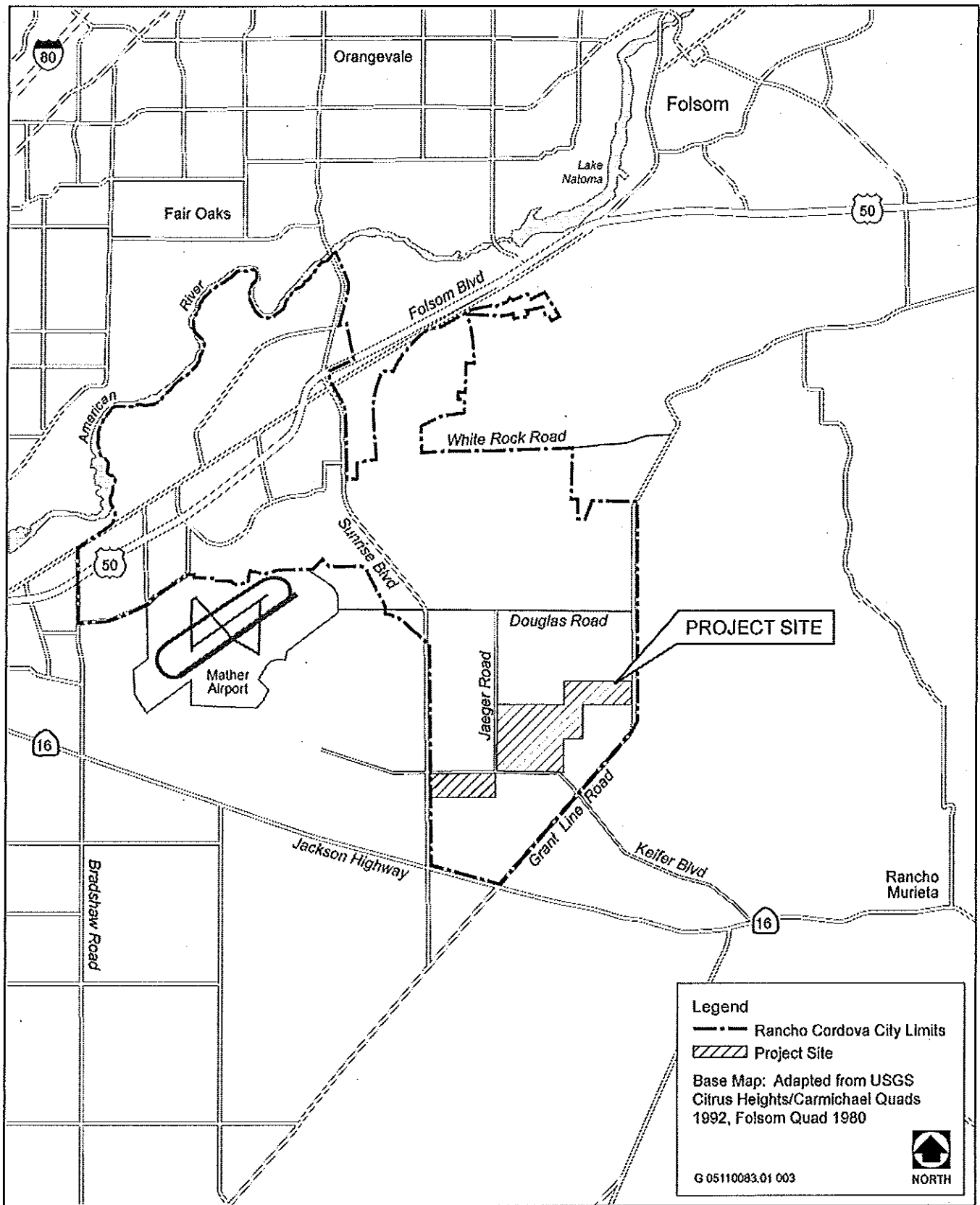
The Sunrise Douglas Community Plan established the policy framework and conceptual development plan for an estimated 6,042 acres in eastern Sacramento County. The Sunrise Douglas Community Plan Area is located within the Sacramento County General Plan Urban Policy Area and is shown as a new Urban Growth Area on the County General Plan map. The County designed the Sunrise Douglas Community Plan to be implemented by formation and adoption of more focused specific plans that would include detailed project development phasing and design standards.

The SunRidge Specific Plan, which preceded the proposed SunCreek Specific Plan, was the first of the specific plans included in the community plan. Modifications to the original SunRidge Specific Plan have caused the preparation of a second specific plan, SunRidge East. The SunCreek Specific Plan will be the third specific plan to implement the Sunrise Douglas Community Plan.

## **ALTERNATIVES TO THE PROPOSED PROJECT**

In addition to the proposed project, the project applicants' preferred alternative, several alternatives to the proposed project have been developed that will be analyzed at an equal level of detail pursuant to NEPA, including:

- ▶ Conceptual Strategy Alternative
- ▶ Biological Impact Minimization Alternative
- ▶ No USACE Permit Alternative
- ▶ Increased Development Alternative
- ▶ No Project/No Action Alternative

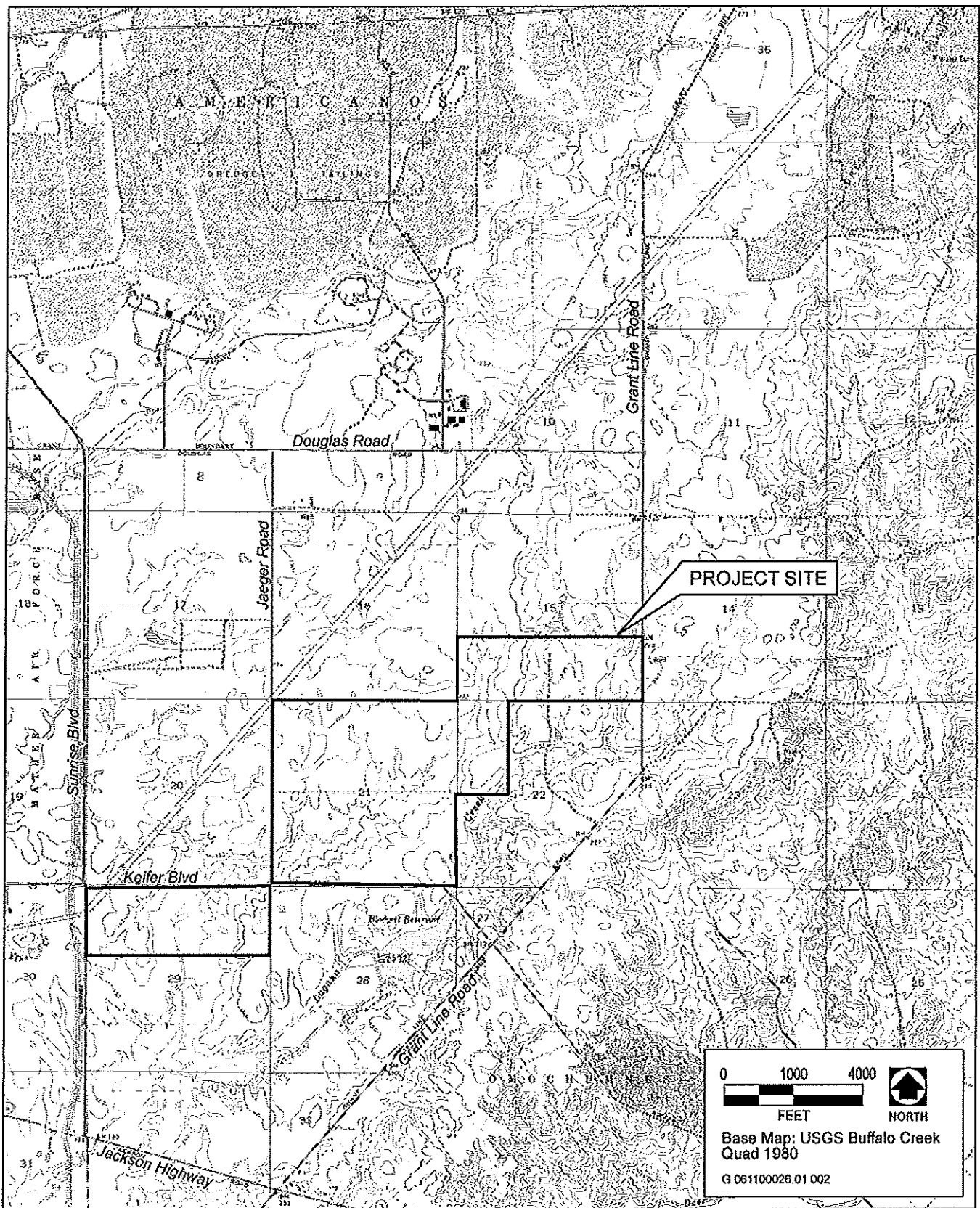


Source: Data compiled by EDAW Inc. in 2007

**Local Project Setting**

**Exhibit 1**





Source: Data compiled by EDAW Inc. In 2007

**Project Vicinity Map**

**Exhibit 2**

## NOTICE OF PREPARATION

On July 14, 2006, the City issued a notice of preparation (NOP) (Appendix A) to inform agencies and the general public that a joint environmental impact report/environmental impact statement (EIR/EIS) was being prepared and invited comments on the scope and content of the document and participation at a public scoping meeting. The NOP was filed with the State Clearinghouse and was mailed to approximately 15 state agencies. It was also posted on the City of Rancho Cordova website. The NOP circulated for 30 days as mandated by California Environmental Quality Act (CEQA). The NOP public comment period closed on August 14, 2006.

The following issue areas were tentatively proposed for evaluation in the EIR/EIS:

- ▶ agricultural resources;
- ▶ air quality;
- ▶ biological resources;
- ▶ cultural resources;
- ▶ drainage, hydrology, and water quality;
- ▶ environmental justice;
- ▶ hazards and hazardous materials;
- ▶ land use and planning;
- ▶ noise;
- ▶ parks and recreation;
- ▶ population and housing;
- ▶ public health and safety;
- ▶ transportation and traffic;
- ▶ utilities and service systems; and
- ▶ visual resources.

## NOTICE OF INTENT

On July 13, 2006, the United States Army Corps of Engineers (USACE) issued a notice of intent (NOI) (Appendix B) to inform agencies and the general public that a joint EIR/EIS was being prepared and invited comments on the scope and content of the document. The NOI also provided information on the dates and times of public scoping meetings. The NOI was published in the Federal Register, Vol. 71, No. 134, on July 13, 2006. There is no mandated time limit to receive written comments in response to the NOI under the National Environmental Protection Act (NEPA).

## PUBLIC SCOPING MEETINGS

The City and the USACE jointly held a public scoping meeting to solicit input from the community and regulators to be considered on project design, alternatives selection, and the scope and content of the EIR/EIS. The meeting was held on July 26, 2006, from 6:30 p.m. to 8:00 p.m. at the City of Rancho Cordova City Hall, in Rancho Cordova, California. There was only one person in attendance.

Attendees at the public meeting were given an overview of the project purpose and history, project goals, key considerations and potential project elements, the CEQA/NEPA process and schedule, conceptual alternatives to the proposed project to be considered, and issue areas to be addressed in the EIR/EIS. (See Appendix C for a copy of the PowerPoint presentation given at the meeting.) Attendees were given the opportunity to ask questions and to provide both written and oral comments. A summary of comments received at the scoping meeting is provided below.

## SUMMARY OF PUBLIC SCOPING MEETING COMMENTS

No comments were received during the public scoping meeting.

## SUMMARY OF WRITTEN PUBLIC COMMENTS

To date, the City and the USACE have received seven comment letters from individuals and organizations in response to the NOP/NOI. The NOP public comment period officially ran from July 14, 2006 to August 14, 2006. The NOI was published on July 13, 2006 with no closing period. Table 1 lists the names of agencies that submitted written comments.

<b>Table 1</b>	
<b>Agencies that Provided Comments during the Comment Period</b>	
<b>Name</b>	<b>Agency</b>
Al Vargas	California Department of Water Resources
Bruce De Terra	California Department of Transportation
Jeane Borkenhagen	Sacramento Metropolitan Air Quality Management District
Kenneth D. Sanchez	U.S. Fish and Wildlife Service
Michael Meyer	Sacramento Regional County Sanitation District
Robert Sherry	County of Sacramento, Municipal Services Agency, Planning and Community Development
Sandra Morey	California Department of Fish and Game

Source: Data compiled by EDAW in 2007.

The following pages present a summary of all written comments received, categorized by commenter.

# NOP Summary of Written Comments Received

Issue	Comment Code	Scoping Period	Comment
<b>Al Vargas, Staff Environmental Scientist, Floodway Protection Section, California Department of Water Resources</b>			
Hydrology	DWR - 01	NOP	If the project encroaches on an adopted flood control plan, an encroachment permit from the Reclamation Board will be required before initiating any activities.
<b>Bruce De Terra, Office Chief, Office of Transportation Planning - South, California Department of Transportation</b>			
Traffic	DOTP - 01	NOP	A Traffic Impact Study (TIS) should be prepared.
Traffic	DOTP - 02	NOP	The TIS should incorporate the following scenarios: existing conditions without the project; existing conditions plus the project; cumulative conditions without the project; cumulative conditions with project buildout.
Traffic	DOTP - 03	NOP	Potential traffic impacts to the mainline U.S. 50 and SR 16 interchanges and intersections should all be analyzed within the scope of the TIS.
Traffic	DOTP - 04	NOP	The traffic analysis should provide a level-of-service (LOS) analysis for the freeway ramps and ramp terminal intersections. A merge/diverge analysis should be performed for the freeway and ramp junctions.
Traffic	DOTP - 05	NOP	All analysis should be based on AM and PM peak-hour volumes.
Traffic	DOTP - 06	NOP	The analysis should include the individual (not averaged) LOS and traffic volumes applicable to all intersection road approaches and turn movements.
Traffic	DOTP - 07	NOP	Mitigation measures should be identified where the project would have a significant impact. Caltrans considers the following to be significant impacts: Off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway; vehicle queues at intersections that exceed existing lane storage; project traffic impacts that cause any ramp's merge/diverge LOS to be worse than the freeway's LOS; project impacts that cause the freeway or intersection LOS to deteriorate beyond LOS E for a freeway and LOS D for intersections. If the LOS is already "E" or "F," then a quantitative measure of increased queue lengths and delay should be used to determine appropriate mitigation
Traffic	DOTP - 08	NOP	Proportional-share funding for new or modified interchanges at Alta-Sunrise and Hazel Avenue and other interchange improvements (i.e., auxiliary lanes, ramp terminal intersection modifications, ramp meter upgrades, ramp widening and signalization improvements) and intersection upgrades may be required as mitigation measures to maintain adequate traffic operations in the vicinity of this project.

# NOP Summary of Written Comments Received

Issue	Comment Code	Scoping Period	Comment
Traffic	DOTP - 09	NOP	The analysis of future traffic impacts should be based on a 20-year planning horizon.
Traffic	DOTP - 10	NOP	Future transportation system improvements assumed for cumulative conditions should only include those improvements in SACOG's latest Transportation Plan.
Traffic	DOTP - 11	NOP	With regard to any proposed mitigation measures, please provide Caltrans with the proposed timing of each improvement involving a State facility. Mitigation measures for significant traffic impacts should be implemented prior
Land Use/ Traffic	DOTP - 12	NOP	Residential projects should be designed to encourage basic livability concepts.

## **Jeanne Borkenhagen, Associate Air Quality Planner Analyst, Sacramento Metropolitan Air Quality Management District**

Air/ Noise	SMAQMD - 01	NOP	An air quality analysis should be done to determine if there are significant impacts.
Air/ Noise	SMAQMD - 02	NOP	For construction impacts, if those impacts are significant, the SMAQMD standard construction mitigation measures should be used.
Air/ Noise	SMAQMD - 03	NOP	For operational air quality impacts, if they are found significant, we recommend the creation and implementation of an Air Quality Mitigation Plan that would seek to reduce emissions by 15% per the City of Rancho Cordova's General Plan.
Air/ Noise	SMAQMD - 04	NOP	The proponent should work with SMAQMD as early as possible to create the plan.

## **Kenneth D. Sanchez, Assistant Field Supervisor, U.S. Fish and Wildlife Service**

Biological Resources	USFWS - 01	NOP	Based on the current scientific and commercial data available, federally listed species are likely to be adversely affected by the proposed project. As such, the lead federal agency must consult with the USFWS under Section 7 of the Endangered Species Act.
Biological Resources	USFWS - 02	NOP	A biological assessment (BA) must be prepared under 5 CFR 402.12. The BA must evaluate the direct, indirect, and cumulative effects of the action, including any interrelated or interdependent actions, on listed and proposed species and designated and proposed critical habitat.

# NOP Summary of Written Comments Received

<b>Issue</b>	<b>Comment Code</b>	<b>Scoping Period</b>	<b>Comment</b>
Biological Resources	USFWS - 03	NOP	The USFWS December 15, 2005, Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon (recovery plan) suggests that 85-95% preservation of vernal pool habitat within this core area is necessary to achieve recovery of vernal pool species.
Biological Resources	USFWS - 04	NOP	Preliminary development plans should be designed to meet the specific recovery criteria and objectives of the recovery plan.
Biological Resources	USFWS - 05	NOP	USFWS recommends the early development of an interdisciplinary team of vernal pool experts to help plan and evaluate alternatives and compensatory mitigation plans under NEPA.
Biological Resources	USFWS - 06	NOP	The environmental effects of the proposed project and compensatory mitigation should be treated in the same NEPA document.
<b>Michael Meyer, Senior Civil Engineer, Sacramento Regional County Sanitation District</b>			
Utilities	SRCSD - 01	NOP	Because the properties proposed for development are within the SRCSD and CSD-1 sphere of influence, entitlement approval for use of district systems and services will be required from both districts.
Utilities	SRCSD - 02	NOP	Interim solutions, such as connections to an adjacent interceptor, may be feasible and should be addressed in the EIR.
Utilities	SRCSD - 03	NOP	A sewer study will be required prior to the approval of any final maps or submittal of improvement plans for plan check.
Utilities	SRCSD - 04	NOP	The sewer study shall be in accordance with the SRCSD and CSD-1 Minimum Sewer Study Requirements (latest version April 3, 2006).
Utilities	SRCSD - 05	NOP	To provide sanitary sewer service to this area, a project of this nature will require open-cut trench excavation for pipeline installation. Working platforms may be as large as 100 feet wide and depths could reach as much as 30 feet below ground surface. Facilities could include pumping stations, force mains, and gravity pipelines to convey sanitary sewer.
Utilities	SRCSD - 06	NOP	Costs associated with required sanitary sewer trunk design and construction may be reimbursed by CSD-1. However, pre-approval is required.

## **Robert Sherry, Planning Director, County of Sacramento Municipal Services Agency, Planning and Community Development**

Land Use	SACMSA - 01	NOP	The EIR should identify development impacts (i.e., odor and groundwater contamination) surrounding the Kiefer Landfill buffer area as a result of the project's proximity to the landfill.
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# NOP Summary of Written Comments Received

<b>Issue</b>	<b>Comment Code</b>	<b>Scoping Period</b>	<b>Comment</b>
Biological resources Hydrology	SACMSA - 02	NOP	The EIR should address the channelization and rerouting of Laguna Creek along the south side of Keifer Blvd. and how development adjacent to the creek buffers within the specific plan area will affect the creek's ability to recharge groundwater.
Hydrology	SACMSA - 03	NOP	The Specific Plan indicates the existence of a canal on the northeast boundary of the Specific Plan area. County staff is unable to determine a purpose or function for this canal. The purpose of this canal should be clearly identified.
Biological Resources	SACMSA - 04	NOP	The EIR should address how the development will be consistent with the South Sacramento Habitat Conservation Plan preservation strategy.
Biological Resources	SACMSA - 05	NOP	The EIR should explain the purpose of the narrow wetland buffer, how the preserves will make functional wetlands and connect to the preserve to the north, and how the development concept meets the intent of Policy NR 1.1.1 of the Rancho Cordova General Plan.
Hydrology	SACMSA - 06	NOP	The EIR should address how this area will acquire water for the planned area and address rural wells drying from urban groundwater pumping and its effect on nearby property owners.
Air/ Noise	SACMSA - 07	NOP	The EIR should consider the proximity of this development to odor-generating operations such as the rendering plant.
Air/ Noise	SACMSA - 08	NOP	The EIR should consider the proximity of odor-generation land uses, and evaluate the ability of existing odor controls at those facilities to minimize project impacts.
Air/ Noise	SACMSA - 09	NOP	The EIR should address Mather Airport noise-related issues and establish aviation easements if necessary for the awareness of the property owners and the protection of the airport.
<b>Sandra Morey, Regional Manager, California Department of Fish and Game</b>			
Biological Resources	DFG - 01	NOP	The project's impact on fish and wildlife and their habitat should be evaluated.
Biological Resources	DFG - 02	NOP	The project's impact on significant habitats such as wetlands, particularly vernal pools and riparian habitat, should be evaluated. The project should be designed so that impacts to wetlands are avoided. Mitigation should be provided for unavoidable impacts based upon the concept of no net loss of wetland habitat values or acreage.
Biological Resources	DFG - 03	NOP	The project's impact to special-status species, including species that are State and Federally listed as threatened or endangered, should be evaluated. There are a number of records for sensitive species at the project site.

# NOP Summary of Written Comments Received

<b>Issue</b>	<b>Comment Code</b>	<b>Scoping Period</b>	<b>Comment</b>
Biological Resources	DFG - 04	NOP	The project's growth-inducing and cumulative impacts on fish, wildlife, water quality, and vegetative resources in the surrounding area should be evaluated.
Alternative Analysis	DFG - 05	NOP	The DEIR should provide an analysis of specific alternatives that reduce impacts to fish, wildlife, water quality, and vegetative resources.
Land Use/ Biological Resources	DFG - 06	NOP	The DEIR should contain an evaluation of the proposed project consistency with the applicable land use plans, such as general plans, specific plans, and watershed master plans, and the draft South Sacramento Habitat Conservation Plan.
Biological Resources	DFG - 07	NOP	The DEIR should consider and analyze whether implementation of the proposed project will result in reasonably foreseeable potentially significant impacts subject to regulation by DFG under Section 1600 et seq. of the Fish and
Biological Resources	DFG - 08	NOP	If implementation of the proposed project involves activities such as diverting, obstructing, or changing the natural flow or the bed, channel, or bank of any river, stream, or lake; use of material from a streambed; or result in the disposal or deposition of debris, waste, or other material where it may pass into any river, stream, or lake, and those activities will result in reasonably foreseeable substantial adverse effects on fish or wildlife, a Lake or Streambed Alteration Agreement (LSAA) will be required by the DFG.
Biological Resources	DFG - 09	NOP	Because issuance of an LSAA is subject to review under CEQA, the DEIR should identify potentially feasible mitigation measures that will avoid or substantially reduce impacts requiring an LSAA from the DFG.
Biological Resources	DFG - 10	NOP	This project will have an impact to fish and/or wildlife habitat. Assessment of fees is required under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4.



**CALTRANS**

State of California, Department of Transportation  
District 3, Sacramento Office - MS 15  
2389 Gateway Oaks, P.O. Box 942874  
Sacramento, Ca 94274-0001

FAX # (916) 274-0648

Date 7/31/06

TO: MR BEN RITCHIE

Agency/Division CITY OF RANCHO CORDOVA / PLANNING

Fax # (916) 361-1574

Telephone # (916) 361-8384

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FROM: MR. KEN CHAMPION, OFFICE OF TRANSPORTATION

PLANNING - SOUTH  
Telephone # (916) 274-0615

Urgent

For Review

Please Reply

**COMMENTS:**

CALTRANS DISTRICT 3 COMMENTS IN ADVANCE OF MAILING.

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 3 - SACRAMENTO AREA OFFICE  
VENTURE OAKS, MS 15  
P. O. BOX 942874  
SACRAMENTO, CA 94274-0001  
PHONE (916) 274-0638  
FAX (916) 274-0648  
TTY (530) 741-4509



*Flex your power!  
Be energy efficient!*

July 27, 2006

06SAC0116  
03 SAC-16/50 PM 11.474/12.496  
SunCreek Specific Plan  
Notice of Preparation  
SCH#2006072067

Mr. Ben Ritchie  
City of Rancho Cordova  
Planning Department  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670

Dear Mr. Ritchie:

Thank you for the opportunity to review and comment on the SunCreek Specific Plan. Our comments are as follows:

- This SunCreek Specific Plan, a 1,253 acre mixed-use project, composed of 5,602 residential dwelling units, 19.21 acres of commercial-retail, 109.97 acres of park land, 20.97 acres of open space, 216.0 acres of wetland preserve and 113.71 acres for school uses, located within the Sunrise-Douglas Community Plan, will generate substantial traffic. The proposed plan area lies to the south of the U.S. 50/Sunrise Boulevard Interchange, the proposed U.S.50/Alta-Sunrise Interchange, and the U.S. 50/Hazel Avenue Interchange, and will significantly impact these facilities. Increased generated traffic further south of this specific plan area will also adversely affect the State Route (SR) 16/Sunrise Boulevard and SR16/Grant Line Road intersections. The peak hour trips generated from this proposed project will potentially degrade the Level of Service (LOS) at these locations. Accordingly, a Traffic Impact Study (TIS) should be prepared. The complete Caltrans TIS guidelines are at the following website:  
<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/>.
- The TIS should incorporate the following scenarios:
  - Existing conditions without the project
  - Existing conditions plus the project
  - Cumulative conditions (without the project)
  - Cumulative conditions (with project build-out)
- Potential traffic impacts to the mainline of U.S. 50 and SR16 and the aforementioned interchanges and intersections should all be analyzed within the scope of the TIS. The traffic analysis should provide a Level of Service (LOS) analysis for the freeway ramps and ramp terminal intersections. A merge/diverge analysis should be performed for the freeway and ramp

Mr. Ben Ritchie  
July 27, 2006  
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junctions and all analysis should be based on AM and PM peak hour volumes. The analysis should include the (individual, not averaged) LOS and traffic volumes applicable to all intersection road approaches and turn movements. The procedures contained in the Year 2000 Highway Capacity Manual should also be used as a guide for the traffic study.

- Mitigation measures should be identified where the project would have a significant impact. Caltrans considers the following to be significant impacts:
  - Off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway.
  - Vehicle queues at intersections that exceed existing lane storage.
  - Project traffic impacts that cause any ramp's merge/diverge Level of Service (LOS) to be worse than the freeway's LOS.
  - Project impacts that cause the freeway or intersection LOS to deteriorate beyond LOS E for freeway and LOS D for intersections. (If the LOS is already "E" or "F", then a quantitative measure of increased queue lengths and delay should be used to determine appropriate mitigation measures.)
- Proportional share funding for new or modified interchanges at Alta-Sunrise and Hazel Avenue and other interchange improvements (ie. auxiliary lanes, ramp terminal intersection modifications, ramp meter upgrades, ramp widening and signalization improvements) and intersection upgrades may be required as mitigation measures to maintain adequate traffic operations in the vicinity of this project.
- The analysis of future traffic impacts should be based on a 20 year planning horizon.
- Future transportation system improvements assumed for cumulative conditions should only include those improvements in the latest Sacramento Area Council of Government's Metropolitan Transportation Plan.
- With regard to any proposed mitigation measures, please provide Caltrans with the proposed timing of each improvement involving a State facility. Mitigation measures for significant traffic impacts should be implemented prior to the impact.
- Residential projects should be designed to encourage basic livability concepts, including but not limited to:
  - Community size should be designed so that housing, jobs, daily needs and other activities are within easy walking/biking distance of each other.

Mr. Ben Ritchie

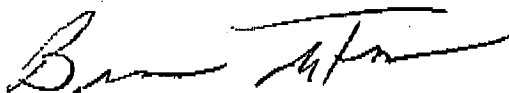
July 27, 2006

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- The design and circulation network for the project should be planned to encourage and facilitate the use of alternative transportation modes, including bicycles, transit, and pedestrian travel.
- Direct and lighted pedestrian access throughout the housing areas and transit stops that incorporate Americans with Disabilities Act (ADA) features (ie. scalloped curbing for wheelchairs) are recommended.
- The California Environmental Quality Act (CEQA) was amended and Public Resources Code Sections 21081.4, 21081.6 and 21081.7, now mandate that lead agencies under CEQA provide the California Department of Transportation with information on transportation-related mitigation monitoring measures for projects that are of statewide, regional, or area-wide significance. The enclosed "Guidelines for Submitting Transportation Information from a Reporting or Monitoring Program to the Department of Transportation" (MM Submittal Guidelines) discuss the scope, purpose and legal requirements for mitigation monitoring reporting and submittal, specify the generic content for reports, and explain procedures for the timing, certification and submittal of the required reports. This project has impacts that are of regional or area-wide significance. Therefore, the enclosed Mitigation Monitoring Certification Checklist form should be completed and submitted to our office when the mitigation measures are approved, and again when they are completed for all improvements related to The SunCreek Specific Plan project.

Please provide our office with a copy of the draft TIS for this project and its scope for our review. If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,



Bruce De Terra, Office Chief  
Office of Transportation Planning - South

Enclosures

c: Scott Morgan, State Clearinghouse  
Don Smith, Regional Transit

~~California Department of Transportation (Department)~~

## **GUIDELINES FOR SUBMITTING TRANSPORTATION INFORMATION FROM A REPORTING OR MONITORING PROGRAM TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (DEPARTMENT)**

**INTRODUCTION** The California Environmental Quality Act (CEQA) requires, under Public Resources Code (PRC) Section 21081.6, the adoption of reporting or monitoring programs when public agencies include environmental impact mitigation as a condition of project approval. Reporting or monitoring takes place after project approval to ensure implementation of the project in accordance with mitigation adopted during the CEQA review process.

Assembly Bill 1807 (effective January 1, 2001) amended the PRC in a number of ways. Section 21080.4 was amended to add a requirement that lead agencies submit Notices of Preparation (NOPs) to the Governor's Office of Planning and Research when they determine that an environmental impact report will be required to approve a project.

Section 21081.7 was amended with two additional provisions. The first provision required that transportation information resulting from a reporting or monitoring program adopted by a public agency in accordance with Section 21081.6 be submitted to the Department of Transportation (Department) when a project has impacts that are of statewide, regional, or area-wide significance. The second provision required that the Department adopt guidelines for the submittal of those reporting or monitoring programs.

### **PURPOSE**

The purpose of these guidelines is to establish clear and consistent statewide procedures to be used by both Department District Intergovernmental Review (IGR) Program Coordinators to identify the scope and timing of transportation information needed from lead agencies, and public agencies when submitting transportation information to the Department, in accordance with Section 21081.7.

**Mitigation Reporting or Monitoring Submittal Guidelines**

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**PROCEDURES     A.     The District IGR Program Managers and/or Coordinators shall:****1. Prior to implementation of mitigation measures:**

a. Notify the CEQA lead agency by letter during "early consultation," the Notice of Preparation (NOP) stage, or the Initial Study (IS) phase of the CEQA review process that the transportation information included in the reporting or monitoring program will need to be provided to the Department following project mitigation agreement.

b. Provide the name, address, and telephone number of the District IGR contact to the lead agency.

c. Provide, as an enclosure to the notification letter, a copy of these "Guidelines" and the Department's "CEQA Lead Agency Checklist/Certification" form. (Part 1 of the form, *Checklist*, is to be signed by the lead agency following project approval, and a copy submitted to the District along with the transportation reporting or monitoring information. Part 2 of the form, *Certification*, is to be signed by the lead agency and the District upon implementation of all agreed-upon mitigation measures.)

**2. Following implementation of mitigation measures as identified in Part 1, *Checklist*, of the CEQA Lead Agency Checklist/Certification form, and certification of implementation by the lead agency in Part 2, *Certification*:**

Ensure sign off of Part 2, indicating that the mitigation measures have been implemented.

1) If the project required encroachment onto a state highway, obtain the District Permit Engineer's signature in Part 2.

2) If the project did not involve encroachment onto a state highway, the District IGR Coordinator shall sign Part 2.

**Mitigation Reporting or Monitoring Submittal Guidelines****Page 3**

- 3) The District IGR Coordinator shall: (a) Retain the original document; (b) forward a copy to the District Permit Engineer (if the Permit Engineer signed Part 2); (c) forward a copy to the Department's Headquarters IGR Program Manager; and, (d) send a copy to the lead agency.

**B. The CEQA lead agency shall:****1. Following project approval:**

Submit the following information to the Department District IGR contact:

- 1) Name, address, and telephone number of the CEQA lead agency contact responsible for the mitigation reporting or monitoring program.
- 2) Location and custodian of the documents or other material, which constitute the record of proceedings upon which the lead agency's decision to approve the project is based.
- 3) Assurances that the Department can obtain copies of the aforementioned documents and materials, if needed, to clarify details or resolve issues related to the mitigation adopted.
- 4) Detailed information on impact assessment methods, the type of mitigation, specific location, and implementation schedule for each transportation impact mitigation measure included in the reporting or monitoring program.
- 5) A copy of the "CEQA Lead Agency Checklist/Certification" form, with Part 1, *Checklist*, signed and dated, and the reporting or monitoring program transportation information attached or enclosed. The CEQA lead agency, at its discretion, may submit the complete reporting or monitoring program with the required transportation information highlighted.

Mitigation Reporting or Monitoring Submittal Guidelines

Page 4

2. Following implementation of mitigation measures:

a. Sign and date Part 2, *Certification*, of the "CEQA Lead Agency Checklist/Certification" form.

b. Forward the "CEQA Lead Agency Checklist/Certification" form, with appropriate completion documents attached, to the District IGR contact, certifying that the mitigation measures agreed upon and identified in the reporting or monitoring program have been implemented, and that all other reporting requirements have been adhered to, in accordance with PRC Sections 21081.6 and 21081.7.

APPROVED:

Brian J. Smith 8/2/04  
Date  
BRIAN J. SMITH  
Deputy Director  
Planning and Modal Programs

L.H. Orcutt 7-9-04  
Date  
LARRY ORCUTT  
Acting Deputy Director  
Maintenance and Operations



# CEQA LEAD AGENCY CHECKLIST/CERTIFICATION TRANSPORTATION INFORMATION FROM A REPORTING OR MONITORING PROGRAM

## Part 1 - Checklist

Project Name: \_\_\_\_\_  
 Lead Agency: \_\_\_\_\_  
 Lead Agency Contact (Name, Title, Agency, Address & Phone): \_\_\_\_\_  
 State Clearinghouse (SCH) File #/s: \_\_\_\_\_  
 Document Type/s: \_\_\_\_\_  
 Findings & Approval Date/s: \_\_\_\_\_  
 Project Proponent (Name, Title, Company, Address & Phone): \_\_\_\_\_

For each specific Transportation Related Mitigation Measure associated with this Project, The following information items are included in the attached materials:

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Location/Custodian Of CEQA Documents, Proceedings, Records
<input type="checkbox"/>	<input type="checkbox"/>	Description Of How To Obtain Copies Of Above Documents
<input type="checkbox"/>	<input type="checkbox"/>	Mitigation Measure Name & Identifying Number
<input type="checkbox"/>	<input type="checkbox"/>	Detailed Description of Measure & its Purpose (attach blueprints if necessary)
<input type="checkbox"/>	<input type="checkbox"/>	Measure Location Description, Latitude/Longitude, & Vicinity Map
<input type="checkbox"/>	<input type="checkbox"/>	Location of Impacted State Highway Component (County, Route, Postmile)
<input type="checkbox"/>	<input type="checkbox"/>	Caltrans Encroachment Permit Number (if one was needed)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Other Agency Permits required for this Measure (if needed)
<input type="checkbox"/>	<input type="checkbox"/>	Completion Criteria (including detailed performance objectives)
<input type="checkbox"/>	<input type="checkbox"/>	Implementation Schedule
<input type="checkbox"/>	<input type="checkbox"/>	Estimated Monetary Value of Completed Measure & % Local Agency Funded
<input type="checkbox"/>	<input type="checkbox"/>	Responsible Contractor (Name, Company, Address & Phone)

*The above project mitigation measures will be implemented as indicated in the adopted reporting or monitoring program, and the California Department of Transportation will be notified upon implementation.*

CEQA Lead Agency \_\_\_\_\_ Date \_\_\_\_\_  
 Part 2 - Certification

*We certify that the agreed upon mitigation measures have been implemented, and all other requirements have been adhered to, in accordance with PRC Sections 21081.6 and 21081.7. Attached: 1. Completion evaluation (including field inspection reports); 2. Photograph of completed measure.*

Signature & Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 CEQA Lead Agency

\_\_\_\_\_  
 California Department of Transportation

\* This form is to be used by public agencies to submit their mitigation reporting or monitoring programs to the California Department of Transportation (Department) when a CEQA project has been found to have transportation or circulation impacts that are of statewide, regional, or area-wide significance. Copies of this form, and the Department Guidelines developed pursuant to PRC Section 21081.7, can be downloaded from our website [http://www.dot.ca.gov/hq/transportation/ceqa/ceqa\\_procedures.htm](http://www.dot.ca.gov/hq/transportation/ceqa/ceqa_procedures.htm). Completed form with attached materials may be post-mailed, e-mailed, or faxed to the appropriate Department District Planning Office, Attention: Intergovernmental Review (IGR) Coordinator. (Form Version 07/2004)



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

Sacramento Valley – Central Sierra Region  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670  
(916) 358-2900



AUG 16 2006

August 1, 2006

MUNICIPAL  
CONSULTANTS

Mr. Ben Ritchie  
City of Rancho Cordova  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670

Dear Mr. Ritchie:

The Department of Fish and Game (DFG) has reviewed the Notice of Preparation of a draft Environmental Impact Report (DEIR) for the SunCreek Specific Plan (SCH #2006072067). The project is the second Specific Plan within the Sunrise Douglas Community Plan area and proposes residential, commercial/mixed uses, schools, parks, wetland preserve areas, pedestrian paseos and trails, and public/quasi-public uses on the 1,253-acre project site. The project is located east of Sunrise Boulevard, west of Grantline, south of Douglas Boulevard, and north of Jackson Highway, in the City of Rancho Cordova, Sacramento County.

Wildlife habitat resources consist of a large area of vernal pool grasslands. Significant natural resources of the project include habitat for sensitive species particularly species that are associated with vernal pools. Also, Laguna Creek crosses the project site.

We recommend that the DEIR discuss and provide adequate mitigation for the following concerns:

1. The project's impact upon fish and wildlife and their habitat.
2. The project's impact upon significant habitats such as wetlands, particularly vernal pools and riparian habitat. The project should be designed so that impacts to wetlands are avoided. Mitigation should be provided for unavoidable impacts based upon the concept of no net loss of wetland habitat values or acreage.
3. The project's impact to special status species including species which are State and Federal listed as threatened or endangered. There are a number of records for sensitive species at the project site. In fact the project site has been described as regionally significant for the vernal pool

tadpole shrimp (*Lepidurus packardi*), and of Statewide significance for Sacramento (*Orcuttia viscida*) and slender Orcutt grass (*Orcuttia tenuis*). The DEIR should discuss the project's potential for jeopardizing the continued survival of the Sacramento Orcutt grass. California Natural Diversity Database files contain records for the following species, on or near the project site:

Swainson's hawk	( <i>Buteo swainsoni</i> )
tricolored blackbird	( <i>Agelaius tricolor</i> )
burrowing owl	( <i>Athene cunicularia</i> )
black-shouldered kite	( <i>Elanus leucurus</i> )
western spadefoot	( <i>Spea hammondi</i> )
vernal pool tadpole shrimp	( <i>Lepidurus packardi</i> )
vernal pool fairy shrimp	( <i>Branchinecta lynchi</i> )
mid-valley fairy shrimp	( <i>Branchinecta mesovallensis</i> )
California lindereilla	( <i>Lindereilla occidentalis</i> )
Ricksecker's water scavenger	( <i>Hydrochara rickseckeri</i> )
Ahart's dwarf rush	( <i>Juncus leiospermus</i> var. <i>aharti</i> )
Bogg's lake hedge-hyssop	( <i>Gratiola heterosepala</i> )
Sacramento orcutt grass	( <i>Orcuttia viscida</i> )
slender orcutt grass	( <i>Orcuttia tenuis</i> )
legenere	( <i>Legenere limosa</i> )

4. The project's growth-inducing and cumulative impacts upon fish, wildlife, water quality, and vegetative resources in the surrounding area.
5. The DEIR should provide an analysis of specific alternatives which reduce impacts to fish, wildlife, water quality, and vegetative resources.
6. The DEIR should contain an evaluation of the proposed project's consistency with the applicable land use plans, such as General Plans, Specific Plans, Watershed Master Plans, etc. In particular, we recommend that the DEIR include an analysis of the project's potential for adversely impacting the draft South Sacramento Habitat Conservation Plan.

The DEIR should also consider and analyze whether implementation of the proposed project will result in reasonably foreseeable potentially significant impacts subject to regulation by the DFG under section 1600 et seq. of the Fish and Game Code. In general, such impacts result whenever a proposed project involves work

Mr. Ritchie  
August 1, 2006  
Page Three

undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel, including ephemeral streams and water courses. Impacts triggering regulation by the DFG under these provisions of the Fish and Game Code typically result from activities that:

- Divert, obstruct, or change the natural flow or the bed, channel, or bank of any river, stream, or lake;
- Use material from a streambed; or
- Result in the disposal or deposition of debris, waste, or other material where it may pass into any river, stream, or lake.

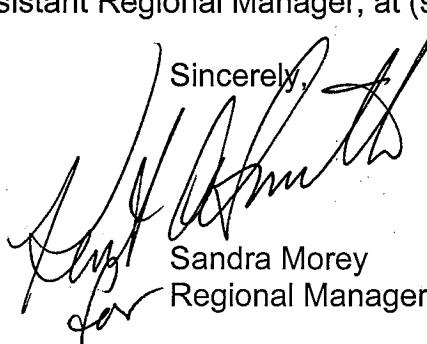
In the event implementation of the proposed project involves such activities, and those activities will result in reasonably foreseeable substantial adverse effects on fish or wildlife, a Lake or Streambed Alteration Agreement (LSAA) will be required by the DFG. Because issuance of a LSAA is subject to review under the California Environmental Quality Act (CEQA), the DEIR should identify potentially feasible mitigation measures that will avoid or substantially reduce impacts requiring a LSAA from the DFG.

This project will have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Dan Gifford, Senior Wildlife Biologist, at (209) 369-8851 or Mr. Kent Smith, Acting Assistant Regional Manager, at (916) 358-2382.

Sincerely,



Sandra Morey  
Regional Manager

Mr. Ritchie  
August 1, 2006  
Page Four

Cc: Ms. Holly Herod  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Room W2605  
Sacramento, CA 95825

Mr. Kent Smith  
Mr. Dan Gifford  
Department of Fish and Game  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 942360001  
(916) 653-5791



AUG 30 2006

SEP 5 2006

**PACIFIC MUNICIPAL  
CONSULTANTS**

Ben Ritchie  
City of Rancho Cordova  
2729 Prospect Park Drive  
Rancho Cordova, California 95670

SunCreek Specific Plan  
State Clearinghouse (SCH) Number: 2006072067

The project corresponding to the subject SCH identification number has come to our attention. We are unable to ascertain from the limited project description whether the proposed project encroaches on an Adopted Plan of Flood Control. If your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The enclosed Fact Sheet provides further information on how you may determine if your project encroaches on a plan of flood control and explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

A handwritten signature in black ink that reads "Al Vargas".

Al Vargas  
Staff Environmental Scientist  
Floodway Protection Section

cc: Governor's Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

Enclosure

# Fact Sheet

## Reclamation Board Encroachment Permit Application Process

### Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

### Reclamation Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at [http://recbd.ca.gov/designated\\_floodway/](http://recbd.ca.gov/designated_floodway/) and CCR Title 23 Sections 101 - 107.

### Regulatory Process

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

### Application Review Process

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

### Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

#### Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a “responsible agency” within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the “lead agency” [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other



agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.



**Municipal Services Agency**

**Planning and Community  
Development**

Robert Sherry, Director

Terry Schutten, County Executive  
Cheryl Creson, Agency Administrator

**County of Sacramento**

Richard Maddox, Code Compliance  
Leighann Moffitt, Long Range Planning  
Dave Pevny, Community Planning  
Ana Rhodes, Administration

August 10, 2006

David Young  
City of Rancho Cordova  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670

**RE: NOTICE OF PREPARATION - SUNCREEK SPECIFIC PLAN**

Dear David:

Thank you for the opportunity to review the above-captioned report. The staff of the Planning & Community Development Department has reviewed the document and offers the following comments:

*Kiefer Landfill*

A 2000 foot development buffer exists around the Kiefer Landfill to protect surrounding properties from odor and groundwater contamination issues that may arise around the landfill. Some properties within the Specific Plan area appear to fall within this buffer area. The Environmental Impact Report (EIR) for the SunCreek Specific Plan should identify development impacts surrounding the buffer area as a result of their proximity to the landfill.

*Laguna Creek Chanelization*

Laguna Creek is an important natural feature within Sacramento County and serves as both an active habitat corridor and as a source of groundwater recharge. The wide buffers along the creek through the Plan area will help preserve much of the important aspects of the creek. The ongoing efforts of the Laguna Creek Collaborative should be recognized as a part of this preservation effort. Sacramento County is concerned about the apparent channelization and rerouting of Laguna Creek along south side Kiefer Boulevard. This channelization eliminates the connectivity of the wildlife corridor and is inconsistent with the Laguna Creek Collaborative and Policy NR 3.2 in the Rancho Cordova General Plan. We would like the EIR to address the channelization and rerouting of Laguna Creek and how development adjacent to the buffers will impact the creek's ability to effectively recharge groundwater. The Specific Plan further indicates the existence of a canal on the northeast boundary of the Specific Plan area. County staff is unable to determine a purpose or function for this canal. The purpose of this canal should be clearly identified in the EIR.

*South Sacramento Habitat Conservation Plan*

Rancho Cordova is a participant and supports the development of the South Sacramento Habitat Conservation Plan. The plan contains a preservation strategy for habitat. The EIR should address how this development will be consistent with the SSHCP preservation strategy.

SunCreek Specific Plan NOP

Wetland Areas

The Specific Plan indicates several small, isolated preserve sites. The location at the intersection of Kiefer Boulevard and Sunrise Boulevard will exist at a significant arterial intersection and exist adjacent to intense development. Another small, narrow buffer exists at the edge of the Plan area, south of the location where the Laguna Creek buffer area intersects the Plan boundary. The EIR should explain the purpose of the narrow wetland buffer, explain how these preserves will make functional wetlands and connect to the preserve to the north, and how this development concept meets the intent of Policy NR 1.1.1 of Rancho Cordova General Plan.

Water Supply

Current water supply plans did not anticipate growth in this Specific Plan area. The EIR should address how this area will acquire water for the planned area and for it address rural wells drying from urban groundwater pumping and its effect on nearby property owners.

Odor Control

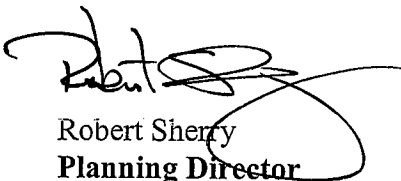
This EIR should consider the proximity of this development to odor-generating operations, such as the rendering plant, and analyze the effectiveness of controls installed on the rendering plant. It should also determine the adequacy of these controls regarding their ability to minimize impact in this area.

Noise Impacts

Due to the proximity of this Specific Plan location to Mather Airport, the EIR should address noise related issues and establish avigation easements if necessary for the awareness of the property owners and the protection of the airport.

Please contact Surinder Singh or Anna Whalen of my staff at (916) 874-6141 if you have any questions regarding these comments.

Sincerely,



Robert Sherry  
**Planning Director**

SS:ss:aw:rr:tt

c: Surinder Singh  
Leighann Moffitt  
Anna Whalen  
Rich Radmacher  
Tim Tadlock



10545 Armstrong Avenue  
Mather, CA 95655  
Tele: [916] 876-6000  
Fax: [916] 876-6160  
Website: www.srcsd.com

August 30, 2006

Mr. David Young  
City of Rancho Cordova  
2729 Prospect Park Drive  
Ranch Cordova, CA 95670

**Subject:** Notice of Preparation – Sun Creek Specific Plan Environmental Impact Report/Environmental Impact Statement

**Board of Directors**

Representing:

- County of Sacramento
- County of Yolo
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento
- City of West Sacramento

Dear Mr. Young:

County Sanitation District 1 (CSD-1) and Sacramento Regional County Sanitation District (SRCSD) reviewed the subject documents and have the following comments.

The subject property is within the Sacramento County Urban Service Boundaries as defined in the Sacramento County General Plan. Conveyance and treatment of wastewater (sanitary sewer) for the subject property shall be as specified in the SRCSD Interceptor Master Plan 2000 and the CSD-1 Sewerage Facilities Expansion Master Plan (update pending – Fall 2006). Because the properties proposed for development are within SRCSD and CSD-1 sphere of influence, entitlement approval for use of district systems and services will be required from both districts.

Ultimately the Laguna Creek interceptor will serve this area. However, it is planned to begin construction after the year 2015. Interim solutions, such as connections to an adjacent interceptor, may be feasible and should be addressed in the Environmental Impact Report (EIR). To more fully understand the impact the proposed plan would have on the sanitary sewer system, a sewer study will be required prior to the approval of any final maps or submittal of improvement plans for plan check. The sewer study shall be in accordance with the SRCSD and CSD-1 Minimum Sewer Study Requirements (latest version April 3, 2006).

To provide sanitary sewer service to this area, a project of this nature will require open cut trench excavation for pipeline installation. Working platforms may be as large as 100-feet wide and depths could reach as much as 30-feet below ground surface. Facilities could include pumping stations, force mains and gravity pipelines to convey sanitary sewer.

- Mary K. Snyder  
District Engineer
- Stan R. Dean  
Plant Manager
- Wendell H. Kido  
District Manager
- Marcia Maurer  
Chief Financial Officer

SEP 5 2006

PACIFIC MUNICIPAL  
CONSULTANTS

Mr. David Young

August 30, 2006

Page 2

Cost associated with required sanitary sewer trunk design and construction may be reimbursed by CSD-1. However, pre-approval is required. Interim facilities may not qualify for reimbursement and are evaluated on a case by case basis.

If you have any questions regarding these comments please don't hesitate to call me at (916) 875-7123.

Sincerely,

A handwritten signature in black ink that reads "Michael Meyer". The signature is written in a cursive style with a large, sweeping "M" and a long, horizontal tail.

Michael Meyer  
Senior Civil Engineer

cc: Ruben Robles  
Melenie Davis  
Amber Schalansky  
Wendy Haggard  
Elizabeth Sparkman, City of Ranch Cordova



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846

In reply refer to:  
1-1-06-TA-1309

SEP 5 2006

Mr. Ben Ritchie  
City of Rancho Cordova  
2729 Prospect Park Drive  
Rancho Cordova, California 95670

**Subject:** Comments on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) / Environmental Impact Statement (EIS) for the SunCreek Specific Plan, in the City of Rancho Cordova (City), Sacramento County, California

Dear Mr. Ritchie:

This letter provides U.S. Fish and Wildlife Service's (Service) comments regarding the NOP of the SunCreek Specific Plan EIR/EIS (proposed project/action) relative to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act). This proposed project is a mixed-use development located on 5 parcels totaling approximately 1,253 acres, within the Sunrise Douglas Community Planning Area (SDCPA). Due to staffing limitations, these comments were not submitted to prior to your closing date of August 14, 2006, however, we request you still consider these comments.

We understand the City and the U.S. Army Corps of Engineers (Corps) have made a determination to prepare a joint EIR/EIS for the proposed project, and the Corps will be the lead federal agency under the National Environmental Policy Act (NEPA). Based on the current scientific and commercial data available, federally-listed species are likely to be adversely affected by the proposed project. As such, the lead federal agency must consult with the Service under Section 7 of the Act. The decision to prepare an EIS for construction activities constitutes a major federal action and prior to initiation of consultation, a biological assessment (BA) must be prepared pursuant to 50 CFR §402.12. The BA must evaluate the direct, indirect, and cumulative effects of the action, which includes any interrelated or interdependent actions, on listed and proposed species, and designated and proposed critical habitat. An official list of these species and critical habitat, suggested BA template, and guidelines/survey protocols may be obtained through our web-site at the link below.

As you are aware, in June 2004, the Service, U.S. Environmental Protection Agency and the Corps (agencies) finalized a conceptual-level strategy for avoiding, minimizing and preserving aquatic resources within the SDCPA (strategy). The NOP's reference to a September 2004 SDCPA does not appear to be a version the agencies have approved of. Since the finalization of the strategy, projects in the SDCPA have been developed that are inconsistent with this strategy, which undermines the efforts and intent of the strategy. This strategy was also developed prior to the finalization of the Service's *December 15, 2005, Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* (recovery plan). As such, a newer strategy may be more appropriate and needed for planning purposes.

The proposed project is also within the Mather core area as defined in the recovery plan. The recovery plan specifically identifies this area as a primary zone of conservation for recovering federally-listed vernal pool species, and identifies specific recovery criteria for habitat protection. This recovery plan suggests that an 85-95% preservation of vernal pool habitat within in this core area is necessary to achieve recovery of vernal pool species. Furthermore, the proposed project area was proposed as critical habitat for federally-listed vernal pool species, including the endangered vernal pool tadpole shrimp (*Lepidurus packardii*) and threatened vernal pool fairy shrimp (*Branchinecta lynchi*), but was removed from final critical habitat designation for economic reasons, not biological reasons. Critical habitat was proposed to be designated in this area because it contains physical and biological features essential to the conservation of the species.

We recommend preliminary development plans be designed to meet the specific recovery criteria and objectives of the recovery plan. We believe this recommendation requires preserving a substantial portion of the uplands and wetlands within the proposed project. To minimize effects, preservation areas should be based on the biological needs of federally-listed species and the watersheds that support them, while maintaining corridors to other preserves through Morrison and Laguna Creeks. The Service believes there is a strong demand for vernal pool preservation and restoration in the area, and an economic benefit may be derived through the establishment of vernal pool preservation and/or restoration bank. A vernal pool ecosystem conservation bank would help minimize effects to the local watershed by providing an important wildlife corridor between existing preserves, thereby reducing habitat fragmentation and edge effects, while also providing an open-space and aesthetic amenity to the local community.

As a federal agency with jurisdiction over the action, and special expertise with respect to environmental impacts, we assume the lead agency will request that the Service participate in the NEPA process as a cooperating agency. Given the importance of the resources that will be affected, the Service recommends the early development of an interdisciplinary team (IDT) of vernal pool experts to help plan and evaluate alternatives and compensatory mitigation plans under NEPA. The IDT may help streamline local and Federal permitting issues and should include, but not be limited to, the Service, Corps, U.S. Environmental Protection Agency, California Department of Fish and Game, Sacramento County Planning Department, and local riparian and vernal pool experts. Given that compensatory mitigation depends on the larger action for justification, we recommend that the environmental effects of the proposed project and

compensatory mitigation be treated in the same NEPA document.

We are committed to working with you to achieve a reasonable development while meeting the recovery goals and ensuring compliance with the Act. If you have questions regarding this proposed project, please contact Justin Cutler, Senior Biologist, or Holly Herod, Sacramento Valley Branch Chief, of my office at (916) 414-6600. Our web-site [www.fws.gov/sacramento/](http://www.fws.gov/sacramento/) is also available for Endangered Species Act information within the Sacramento Fish and Wildlife Office.

Sincerely,



for Kenneth D. Sanchez  
Assistant Field Supervisor

cc:

David Young, City of Rancho Cordova  
Sandra Morey, California Department of Fish and Game  
William Ness, U.S. Army Corps of Engineers  
Paul Jones, U.S. Environmental Protection Agency  
Hilary Anderson, City of Rancho Cordova  
Richard Radmacher, Sacramento County Planning Department  
Anna Whalen, Sacramento County Planning Department





August 29, 2006

Mr. David Young  
Planning Department  
City of Rancho Cordova  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670

SEP 5 2006  
PACIFIC MUNICIPAL  
CONSULTANTS

**SUBJECT: Notice of Preparation of a Draft EIR for the Suncreek Specific Plan**

**SMAQMD # SAC200300007C**

Dear Mr. Young:

Thank you for providing the project listed above to the Sacramento Metropolitan Air Quality Management District (District). I apologize that these comments are late. Staff comments follow.

As you know, the District has adopted CEQA thresholds of significance for use in preparing and reviewing environmental documents. Separate thresholds were established for the construction phase and operational phase of projects. Those thresholds are available at [www.airquality.org](http://www.airquality.org).

Because of the size of this project, we believe it will generate short term (construction) and perhaps long-term (operations) air quality impacts which may be in excess of the established District threshold for construction. An air quality analysis should be done on the project in order to determine if those impacts are significant. Be advised we have suggested protocol for air quality analysis of construction impacts for any buildings that are greater than two stories. It may be useful in analyzing the high density residential product. Relative to the construction impacts, if those impacts are significant, the SMAQMD standard construction mitigation measures should be used. Those measures include both on-site strategies and the possibility of a mitigation fee. They can be found on our website. I have included a SMAQMD protocol document describing the preferred process.

Relative to the operational air quality impacts, if they are found significant, we recommend the creation and implementation of an Air Quality Mitigation Plan which would seek to reduce emissions by 15% per the City of Rancho Cordova's General Plan. In order to achieve this timing, we recommend that the proponent work with us as early as possible in order to create that plan. I would be the point of contact for that effort. I have included our current list of suggested operational mitigation measures as well as a SMAQMD protocol document describing the preferred process.

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. Please see the attached document describing SMAQMD Rules which may apply to this project.

Please send the environmental document, including the air quality analysis to me. If you have questions, please contact me at 874-4885 or [jborkenhagen@airquality.org](mailto:jborkenhagen@airquality.org)

Sincerely,



Jeane Borkenhagen  
Associate Air Quality Planner Analyst

cc: Larry Robinson SMAQMD  
Enc: SMAQMD Rules & Regulations Statement  
SMAQMD Recommended Operational Measures,  
aka "Recommended SMAQMD Guidance for Land Use Emission  
Reductions"  
SMAQMD Operational Air Quality Mitigation Protocol  
SMAQMD Construction Air Quality Mitigation Plan Protocol

## SMAQMD Rules & Regulations Statement

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

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. Specific rules that may relate to construction activities may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration.

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

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

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

Other general types of uses that require a permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

## **Sacramento Metropolitan Air Quality Management District (the District) Operational Air Quality Mitigation Protocol**

### **WHEN?**

When the air quality analysis demonstrates that a proposed project's operational emissions may exceed the District's 65 lbs/day threshold of significance for ROG or NOx, then CEQA requires "all feasible mitigation" be applied.

### **WHAT? Air Quality Mitigation Plan: CEQA Feasible Mitigation**

It has been the District's practice to work with project proponents as they choose from a list of SMAQMD recommended operational measures in order to craft an Air Quality Mitigation Plan which reduces the operational emissions of the proposed project by a minimum of 15% and meets the CEQA "all feasible measures" requirement. Historically, the 15% emission reduction target came from the County of Sacramento's General Plan Policy AQ-15 which requires a 15% reduction of emissions for significant projects. Since then, this type of Plan has been used as feasible mitigation for significant projects in Sacramento County and its jurisdictions.

The District may recommend the preparation of an Air Quality Mitigation Plan which achieves more than a 15 percent emission reduction in the event a project has unanticipated or unique operational impacts.

### **PLAN CONTENT**

The Air Quality Mitigation Plan should be a stand-alone document separate from any other project documents that may be required by some jurisdictions by ordinance or policy. This is important in order for the Air Quality Mitigation Plan to be used both for implementation and ongoing monitoring of the mitigation measures by the jurisdiction or the District. The document should provide narrative, descriptions, and exhibits that illustrate and justify the measure being chosen and the proposed point value. Providing more detail will facilitate a complete evaluation and recommendation on the part of the District. It is advisable to meet with District staff as early in the process as possible to reduce delays in the environmental review process.

It is important that each Air Quality Mitigation Plan be crafted with thought and consideration given to the unique aspects of the project that may be able to be enhanced or improved by the measures chosen for the Plan. The care taken to choose measures will help to develop a Plan that results in the maximum cost-effective air quality benefit for the project and the community.

### **PROCESS**

The Air Quality Mitigation Plan should be referenced as both a Condition of Approval **and** as a mitigation measure to ensure implementation. The specific measures in Air Quality Mitigation Plans are typically selected by the developer/proponent of the project with assistance from District staff. Once the Air Quality Mitigation Plan meets the satisfaction of all parties, it is endorsed by the District through a letter sent to the lead agency and the proponent. Without this endorsement letter, concurrence on the part of the District should not be assumed.

### **TIMING**

The endorsed Air Quality Mitigation Plan should be referenced in the air quality section of, and appended to, the draft environmental document. In that way, decision makers and members of the public can understand and comment on the measures that have already undergone District review. Lead agencies and consultants should encourage proponents to contact the District as early as possible in the environmental review process, to ensure that the Air Quality Mitigation Plan is included as part of the draft EIR or Mitigated Negative Declaration (MND). Preferably contact should be made no later than the release of the Notice of Preparation.

## **OPERATIONAL MITIGATION FEE IN MITIGATED NEGATIVE DECLARATIONS (MNDs)**

### **WHAT?**

If the Air Quality Mitigation Plan does not reduce emissions below the significance threshold, then the Lead Agency must prepare an EIR or the applicant must agree to additional mitigation. In most cases, the only additional measure available is an off-site operational mitigation fee.

### **PROCESS**

When the applicant opts to include the fee, the municipality should add the off-site mitigation fee and the Air Quality Mitigation Plan into the environmental document, project approval conditions, and in the Mitigation Monitoring and Reporting Program (MMRP) for the project.

The District has developed a spreadsheet for fee calculation which is available for use by municipalities and consultants. The fee calculation takes into account the excess operational emissions, a year's worth of emissions, and the cost to reduce emissions. The current acceptable cost to reduce one ton of emissions is \$14,300 (based on the cost-effectiveness formula established in the California Carl Moyer Incentive Program).

### **TIMING NOTES**

The fee calculation needs to be performed prior to the publication of the MND. This way, the fee can be included in the MND as a specific mitigation. Payment of that fee should be required to be remitted to the District **before** the issuance of a building permit.

### **SPECIAL NOTE:**

#### **Relationship of the District Air Quality Mitigation Plan to municipality-specific TSM Plans required by zoning ordinances**

Several municipalities in Sacramento County have zoning ordinances that require projects over a certain size to create a Transportation System Management Plan with certain alternative commute mode goals or objectives. The TSM plan is different from an Air Quality Mitigation Plan. They are separate documents: one deals with trip reduction and one deals with air quality mitigation. Some of the measures included in these distinct plans may be similar, but in no way is the TSM Plan to be seen as a substitute for the District's Air Quality Mitigation Plan. Because the TSM Plans, on occasion, have some relevance to the measures in the District's Air Quality Mitigation Plan, it's preferable that District staff be copied and consulted on TSM plans as they are developed by the proponent and approved by the jurisdiction in order to ensure consistency.

## **Sacramento Metropolitan Air Quality Management District (the District) Construction Air Quality Mitigation Plan Protocol**

### **PLANNING PHASE**

#### **WHEN?**

When the air quality analysis demonstrates that a proposed project's construction emissions may exceed the District's 85 pounds per day NO<sub>x</sub> Threshold of Significance, CEQA requires "all feasible mitigation" to be applied.

#### **WHAT? Feasible Construction Mitigation**

The District's standard construction mitigation helps developers establish compliance with the "all feasible mitigation" requirement. The standard construction mitigation language, below, is added to the environmental document and becomes part of the approval of the project:

##### *Category 1: Reducing NO<sub>x</sub> emissions from off-road diesel powered equipment*

The project shall provide a plan for approval by [DERA, City of x, SMAQMD, etc] demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction; and

The project representative shall submit [to DERA, City of x, SMAQMD, etc.] a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

**and:**

##### *Category 2: Controlling visible emissions from off-road diesel powered equipment*

The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and [DERA, City of x, SMAQMD, etc.] shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

#### **Off-Site Construction Mitigation Fee**

If the projected construction related emissions for a project are not reduced to the District's threshold of significance (85lbs/day) by the application of the standard construction mitigation, then an off-site construction mitigation fee should be applied. This fee is used by the District to purchase off-site emissions reductions. This is done primarily through the District's Heavy Duty Incentive Program through which select owners of heavy duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies.

## **PROCESS**

The municipality adds the standard construction mitigation language into the environmental document, project approval conditions, and in the Mitigation Monitoring and Reporting Program (MMRP) for the project.

The municipality (or the agent for the municipality) calculates the off-site mitigation fee and includes it, if applicable, in the environmental document, project approval conditions, and in the MMRP. The District has developed a spreadsheet for fee calculation which is available for use by municipalities and agents. The fee calculation takes into account the excess construction emissions, the number of days those emissions are emitted, and the cost to reduce emissions. The current acceptable cost to reduce one ton of emissions is \$14,300 (based on the cost effectiveness formula established in California's Carl Moyer Incentive Program).

## **TIMING NOTES**

The fee calculation needs to be performed prior to the publication of the EIR or MND. This way, the fee can be included in the environmental document as a specific mitigation. Payment of that fee should be required to be remitted to the District **before** the issuance of a grading permit or approval of Improvement Plans.

## **CONSTRUCTION PHASE**

### **WHEN?**

Prior to mobilizing equipment to begin construction activities, the project proponent and/or construction company must contact the District and provide the equipment list for District review.

### **WHY?**

To insure the equipment complies with the standard construction mitigation requirements.

## **PROCESS**

The proponent sends in a list of their off-road mobile construction equipment (>50 horsepower and used more than 40 hours on the job) to the District. The proponent may use the model equipment list which is found on our website: [www.airquality.org/CEQA/plans/](http://www.airquality.org/CEQA/plans/). Through the use of the spreadsheet and the construction mitigation calculator spreadsheet (also on the website), the District and proponent can easily determine if the proposed equipment fleet will result in the 20% reduction in NOx and 45% reduction in particulate emissions. If the equipment fleet does not meet the reduction requirements, the District will work with the proponent to develop an equipment fleet that will meet the reduction requirements. The District will then endorse the list (called the Construction Mitigation Plan) and send a letter of endorsement to the proponent and to the municipality.

## **TIMING NOTES**

The review and endorsement process must be completed prior to the municipality issuing a grading permit or approving improvement plans. The municipality can put a hold on any site work until proof of District endorsement is provided or can stop work if at any time the contractor is out of compliance.

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type	Point Value	Comments
<b>Bicycle/Pedestrian/Transit</b>				
1	Non-residential projects provide bicycle lockers and/or racks	C	0.5	
2	Provide an additional 20 percent of required Class I and Class II bicycle parking facilities	C	0.5	
3	Non-residential projects provide personal showers and lockers	C	0.5	
4	Bicycle storage (Class I) at apartment complexes or condos without garages	R	0.5	
5	Entire project is located within 1/2 mile of an existing Class I or Class II bike lane and provides a comparable bikeway connection to that existing facility	R, C, M	1.0	All facilities must be in place before 20% of the occupancy permits are granted or before 2005, whichever occurs first.
6	The project provides for pedestrian facilities and improvements such as overpasses and wider sidewalks	R, C, M	1.0	All facilities must be in place before 20% of the occupancy permits are granted or before 2005, whichever occurs first.
7	Bus service provides headways of 15 minutes or less for stops within 1/4 mile; project provides essential bus stop improvements (i.e., shelters, route information, benches, and lighting).	C	1.0	Maximum combined credit for measure #7 and #84 is 2.0
8	Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents	R, C, M	0.5	
9	High density residential, mixed, or retail/commercial uses within 1/4 mile of existing transit, linking with activity centers and other planned infrastructure	R, C, M	2.0 for light rail, 1.0 for bus only	Planned infrastructure must be in General Plan or Community Plan. Office uses considered under "Commercial Building Design" category. Maximum credit is 2.0 (light rail and bus points cannot be combined).
10	High density residential, mixed, or retail/commercial uses within 1/4 mile of planned transit, linking with activity centers and other planned infrastructure	R, C, M	1.0 for light rail, 0.5 for bus only	Planned transit must be in MTP or RT Masterplan; planned infrastructure must be in General Plan or Community Plan. Office uses considered under "Commercial Building Design" category. Maximum credit is 1.0 (light rail and bus points cannot be combined). Cannot get points for both this measure and measure #9.



**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Parking</b>				
11	Employee and/or customer paid parking system (no validations)	C	3.0	Must be coordinated with TMA
12	Provide minimum amount of parking required	C, M	0.5	
13	Provide parking reduction: Office 25%, Medical office 8%, Commercial 5%, Industrial 10%, Additional 10-20% if located along transit station (special review of parking is required)	C, M	2.5	
14	Provide grass paving or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard paving by 10% or more	R, C, M	0.5	
15	Increase parking lot shading by 20% over code	R, C, M	1.0	
16	Provide electric vehicle charging facilities	R, C, M	1.0	Details of facilities' provision must be coordinated with City or County of Sacramento and SMAQMD.
17	Provide preferential parking for carpool/vanpools	C	0.5	
18	Covered carpool/vanpool spaces near the entrance to the building(s)	C	0.5	
19	Loading and unloading facilities for transit and carpool/vanpool users	C	0.5	
20	Project is located within one mile of a park and ride lot operated by a transportation agency	R	0.5	
21	Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances	C	0.5	

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Commercial Building Design</b>				
22	Office FAR is 0.75 or greater within 1/4 mile of a planned transit stop	C, M	1.5 for light rail, 0.8 for bus only	Planned transit must be in MTP or RT Masterplan. Cannot get points for both this measure and the below measure.
23	Office FAR is 0.75 or greater within 1/4 mile of an existing transit stop	C, M	2.5 for light rail, 1.5 for bus only	
24	Setback distance is minimized between development and existing transit, bicycle, or pedestrian corridor	C, M	1.0	
25	Setback distance is minimized between development and planned transit, bicycle, or pedestrian corridor	C, M	0.5	Planned transit, bicycle or pedestrian corridor must be in MTP, RT Masterplan, General Plan, or Community Plan. Cannot get points for both this measure and the above measure.
<b>Residential Development</b>				
26	Average residential density 7 d.u. per acre or greater	R	1.5, 3.0, 4.5	1.5 points for 7-14 du/acre, 3.0 points for 15-29 du/acre, 4.5 points for 30+ du/acre
27	Multiple and direct street routing (grid style)	R, C, M	2.5	Full credit for internal connectivity factor (CF) >= 0.70, and average 1/4 mile or less between external connections. [CF = # of intersections / (# of cul-de-sacs + intersections)]
28	Granny Flats - Have ancillary "granny units" (requires Special Development Permit but no Accessory Structure Use Permit)	R	1.0	

Recommended SMAQMD Guidance for Land Use Emission Reductions

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Mixed Use</b>				
29	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site. A "single site" may include contiguous properties.	M	3.0	Cannot get points for both this measure and any "Convenience Services" measures. Also mutually exclusive with #30.
30	Mixed use - Have at least 3 of the following on site and/or within 1/4 mile: Residential Development, Retail Development, Personal Services, Open Space, Office	R, C, M	1.0	Cannot get points for both this measure and any "Convenience Services" measures. Also mutually exclusive with #29.
31	Neighborhood serving as focal point with parks, school and civic uses within 1/4 mile	R, M	0.5	
32	Separate, safe, and convenient bicycle and pedestrian paths connecting residential, commercial, and office uses	R, C, M	2.0	
33	The project provides a development pattern that eliminates physical barriers such as walls, berms, landscaping, and slopes between residential and non-residential uses that impede-bicycle or pedestrian circulation	C, M	1.0	
<b>Convenience Services</b>				
34	Day care facilities are provided on site	R, C, M	1.0	
35	Restaurant or cafeteria on site or within 1/4 mile of site	R, C, M	0.2	
36	Bank or ATM on site or within 1/4 mile of site	R, C, M	0.2	
37	Dry cleaners on site or within 1/4 mile of site	R, C, M	0.2	
38	Post office on site or within 1/4 mile of site	R, C, M	0.2	
39	Entertainment (movie/video) on site or within 1/4 mile of site	R, C, M	0.2	
40	Recreation facility/fitness center on site or within 1/4 mile of site	R, C, M	0.2	

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type	Point Value	Comments
		R=Res C=Comm M=Mixed		
<b>Building Component Measures</b>				
41	Install lowest emitting commercially available fireplace	R	1.0	
42	Install lowest emitting commercially available furnace	R, C, M	0.5	
43	Install ozone destruction catalyst on air conditioning systems, in consultation with SMAQMD	R, C, M	2.5	
44	Install Energy Star labeled roof materials	C	0.5	
45	Provide fiber optic wiring and connections	R, C, M	0.5	
46	Provide T-1 wiring and connections	R, C, M	0.5	
47	Install roof photovoltaic energy systems	R	0.5	2.5 if offered as a standard feature on all homes
48	Comply with SMUD Advantage (Tier I) energy standards	R	0.5	
49	Comply with SMUD Advantage Plus (Tier II) or EPADOE Energy Star Home energy standards	R	1.0	Cannot get points for both this measure and the above measure.
50	Orient 75 or more percent of homes and/or buildings to face either north or south (within 30 degrees of N/S), and include shading masterplan	R	0.5	Moved from Commercial Building Design and Residential Development sections.

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>TDM and Misc. Measures</b>				
51	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other non-revocable funding mechanism.	R, C, M	2.5	
52	Carpool Matching Assistance	C	0.2	Must be coordinated with TMA.
53	Provide financial incentives to carpoolers for vehicle tune-up or maintenance	R, C, M	0.2	Must be coordinated with TMA.
54	Provide Flextime for non-SOV commuters	C	0.2	Must be coordinated with TMA.
55	Provide Guaranteed Ride Home	C	0.2	Must be coordinated with TMA.
56	Implement compressed work week schedules	C	0.2	Must be coordinated with TMA.
57	Provide on-site Transportation Coordinator	R, C, M	0.2	Must be coordinated with TMA.
58	Contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use.	C	2.0	
59	Make physical development consistent with requirements for neighborhood electric vehicles	R	1.5	
60	Install videoconferencing system	C, M	0.5	
61	Promote teleworking and implement an employee-telework policy	C, M	1.0	
62	Provide free-access telework terminals in multi-family projects	R	1.0	At least one terminal per 100 apartments
63	Implement Clean Air Business Practices such as using low-emission delivery vehicles, contract with alternative-fuel waste hauling companies, etc., in consultation with SMAQMD	C	tbd	
64	Provide electric shuttle to transit stops	R, C, M	2.0	Maximum combined credit for measure #7 and #64 is 2.0
65	Provide a complimentary cordless electric lawnmower to each residential buyer	R	2.0	
66	Provide an opportunity to receive either a complimentary bicycle or electric bicycle retrofit kit to each residential buyer	R	0.5	
67	Transit pass subsidy and/or commute alternative allowance	C	1.5	Point value based on 100% subsidy.

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
99	<p><b>Innovative Strategies</b> Other proposed strategies, in consultation with City or County of Sacramento and SMAQMD</p>	R, C, M	tbd	

# Sacramento Metropolitan Air Quality Management District (the District) Construction Air Quality Mitigation Plan Protocol

## PLANNING PHASE

### **WHEN?**

When the air quality analysis demonstrates that a proposed project's construction emissions may exceed the District's 85 pounds per day NO<sub>x</sub> Threshold of Significance, CEQA requires "all feasible mitigation" to be applied.

### **WHAT? Feasible Construction Mitigation**

The District's standard construction mitigation helps developers establish compliance with the "all feasible mitigation" requirement. The standard construction mitigation language, below, is added to the environmental document and becomes part of the approval of the project:

#### *Category 1: Reducing NO<sub>x</sub> emissions from off-road diesel powered equipment*

The project shall provide a plan for approval by [DERA, City of x, SMAQMD, etc] demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction; and

The project representative shall submit [to DERA, City of x, SMAQMD, etc.] a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

**and:**

#### *Category 2: Controlling visible emissions from off-road diesel powered equipment*

The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and [DERA, City of x, SMAQMD, etc.] shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

### **Off-Site Construction Mitigation Fee**

If the projected construction related emissions for a project are not reduced to the District's threshold of significance (85lbs/day) by the application of the standard construction mitigation, then an off-site construction mitigation fee should be applied. This fee is used by the District to purchase off-site emissions reductions. This is done primarily through the District's Heavy Duty Incentive Program through which select owners of heavy duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies.

## **PROCESS**

The municipality adds the standard construction mitigation language into the environmental document, project approval conditions, and in the Mitigation Monitoring and Reporting Program (MMRP) for the project.

The municipality (or the agent for the municipality) calculates the off-site mitigation fee and includes it, if applicable, in the environmental document, project approval conditions, and in the MMRP. The District has developed a spreadsheet for fee calculation which is available for use by municipalities and agents. The fee calculation takes into account the excess construction emissions, the number of days those emissions are emitted, and the cost to reduce emissions. The current acceptable cost to reduce one ton of emissions is \$14,300 (based on the cost effectiveness formula established in California's Carl Moyer Incentive Program).

## **TIMING NOTES**

The fee calculation needs to be performed prior to the publication of the EIR or MND. This way, the fee can be included in the environmental document as a specific mitigation. Payment of that fee should be required to be remitted to the District **before** the issuance of a grading permit or approval of Improvement Plans.

## **CONSTRUCTION PHASE**

### **WHEN?**

Prior to mobilizing equipment to begin construction activities, the project proponent and/or construction company must contact the District and provide the equipment list for District review.

### **WHY?**

To insure the equipment complies with the standard construction mitigation requirements.

## **PROCESS**

The proponent sends in a list of their off-road mobile construction equipment (>50 horsepower and used more than 40 hours on the job) to the District. The proponent may use the model equipment list which is found on our website: [www.airquality.org/CEQA\\_plans/](http://www.airquality.org/CEQA_plans/). Through the use of the spreadsheet and the construction mitigation calculator spreadsheet (also on the website), the District and proponent can easily determine if the proposed equipment fleet will result in the 20% reduction in NOx and 45% reduction in particulate emissions. If the equipment fleet does not meet the reduction requirements, the District will work with the proponent to develop an equipment fleet that will meet the reduction requirements. The District will then endorse the list (called the Construction Mitigation Plan) and send a letter of endorsement to the proponent and to the municipality.

## **TIMING NOTES**

The review and endorsement process must be completed prior to the municipality issuing a grading permit or approving improvement plans. The municipality can put a hold on any site work until proof of District endorsement is provided or can stop work if at any time the contractor is out of compliance.



**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Bicycle/Pedestrian/Transit</b>				
1	Non-residential projects provide bicycle lockers and/or racks	C	0.5	
2	Provide an additional 20 percent of required Class I and Class II bicycle parking facilities	C	0.5	
3	Non-residential projects provide personal showers and lockers	C	0.5	
4	Bicycle storage (Class I) at apartment complexes or condos without garages	R	0.5	
5	Entire project is located within 1/2 mile of an existing Class I or Class II bike lane and provides a comparable bikeway connection to that existing facility	R, C, M	1.0	All facilities must be in place before 20% of the occupancy permits are granted or before 2005, whichever occurs first.
6	The project provides for pedestrian facilities and improvements such as overpasses and wider sidewalks	R, C, M	1.0	All facilities must be in place before 20% of the occupancy permits are granted or before 2005, whichever occurs first.
7	Bus service provides headways of 15 minutes or less for stops within 1/4 mile; project provides essential bus stop improvements (i.e., shelters, route information, benches, and lighting).	C	1.0	Maximum combined credit for measure #7 and #64 is 2.0
8	Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents	R, C, M	0.5	
9	High density residential, mixed, or retail/commercial uses within 1/4 mile of existing transit, linking with activity centers and other planned infrastructure	R, C, M	2.0 for light rail, 1.0 for bus only	Planned infrastructure must be in General Plan or Community Plan. Office uses considered under "Commercial Building Design" category. Maximum credit is 2.0 (light rail and bus points cannot be combined).
10	High density residential, mixed, or retail/commercial uses within 1/4 mile of planned transit, linking with activity centers and other planned infrastructure	R, C, M	1.0 for light rail, 0.5 for bus only	Planned transit must be in MTP or RT Masterplan; planned infrastructure must be in General Plan or Community Plan. Office uses considered under "Commercial Building Design" category. Maximum credit is 1.0 (light rail and bus points cannot be combined). Cannot get points for both this measure and measure #9.

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Parking</b>				
11	Employee and/or customer paid parking system (no validations)	C	3.0	Must be coordinated with TMA.
12	Provide minimum amount of parking required	C, M	0.5	
13	Provide parking reduction: Office 25%, Medical office 8%, Commercial 5%, Industrial 10%, Additional 10-20% if located along transit station (special review of parking is required)	C, M	2.5	
14	Provide grass paving or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard paving by 10% or more	R, C, M	0.5	
15	Increase parking lot shading by 20% over code	R, C, M	1.0	
16	Provide electric vehicle charging facilities	R, C, M	1.0	Details of facilities' provision must be coordinated with City or County of Sacramento and SMAQMD.
17	Provide preferential parking for carpool/vanpools	C	0.5	
18	Covered carpool/vanpool spaces near the entrance to the building(s)	C	0.5	
19	Loading and unloading facilities for transit and carpool/vanpool users	C	0.5	
20	Project is located within one mile of a park and ride lot operated by a transportation agency	R	0.5	
21	Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances	C	0.5	

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Commercial Building Design</b>				
22	Office FAR is 0.75 or greater within 1/4 mile of a planned transit stop	C, M	1.5 for light rail, 0.8 for bus only	Planned transit must be in MTP or RT Masterplan. Cannot get points for both this measure and the below measure.
23	Office FAR is 0.75 or greater within 1/4 mile of an existing transit stop	C, M	2.5 for light rail, 1.5 for bus only	
24	Setback distance is minimized between development and existing transit, bicycle, or pedestrian corridor	C, M	1.0	
25	Setback distance is minimized between development and planned transit, bicycle, or pedestrian corridor	C, M	0.5	Planned transit, bicycle or pedestrian corridor must be in MTP, RT Masterplan, General Plan, or Community Plan. Cannot get points for both this measure and the above measure.
<b>Residential Development</b>				
26	Average residential density 7 d.u. per acre or greater	R	1.5, 3.0, 4.5	1.5 points for 7-14 du/acre, 3.0 points for 15-29 du/acre, 4.5 points for 30+ du/acre
27	Multiple and direct street routing (grid style)	R, C, M	2.5	Full credit for internal connectivity factor (CF) >= 0.70, and average 1/4 mile or less between external connections. [CF= # of intersections / (# of cul-de-sacs + intersections)]
28	Granny Flats - Have ancillary "granny units" (requires Special Development Permit but no Accessory Structure Use Permit)	R	1.0	

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Mixed Use</b>				
29	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site. A "single site" may include contiguous properties.	M	3.0	Cannot get points for both this measure and any "Convenience Services" measures. Also mutually exclusive with #30.
30	Mixed use - Have at least 3 of the following on site and/or within 1/4 mile: Residential Development, Retail Development, Personal Services, Open Space, Office	R, C, M	1.0	Cannot get points for both this measure and any "Convenience Services" measures. Also mutually exclusive with #29.
31	Neighborhood serving as focal point with parks, school and civic uses within 1/4 mile	R, M	0.5	
32	Separate, safe, and convenient bicycle and pedestrian paths connecting residential, commercial, and office uses	R, C, M	2.0	
33	The project provides a development pattern that eliminates physical barriers such as walls, berms, landscaping, and slopes between residential and non-residential uses that impede bicycle or pedestrian circulation	C, M	1.0	
<b>Convenience Services</b>				
34	Day care facilities are provided on site	R, C, M	1.0	
35	Restaurant or cafeteria on site or within 1/4 mile of site	R, C, M	0.2	
36	Bank or ATM on site or within 1/4 mile of site	R, C, M	0.2	
37	Dry cleaners on site or within 1/4 mile of site	R, C, M	0.2	
38	Post office on site or within 1/4 mile of site	R, C, M	0.2	
39	Entertainment (movie/video) on site or within 1/4 mile of site	R, C, M	0.2	
40	Recreation facility/fitness center on site or within 1/4 mile of site	R, C, M	0.2	

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Building Component Measures</b>				
41	Install lowest emitting commercially available fireplace	R	1.0	
42	Install lowest emitting commercially available furnace	R, C, M	0.5	
43	Install ozone destruction catalyst on air conditioning systems, in consultation with SMAQMD	R, C, M	2.5	
44	Install-Energy Star labeled roof materials	C	0.5	
45	Provide fiber optic wiring and connections	R, C, M	0.5	
46	Provide-T1 wiring and connections	R, C, M	0.5	
47	Install roof photovoltaic energy systems	R	0.5	2.5 if offered as a standard feature on all homes
48	Comply with SMUD Advantage (Tier II) energy standards	R	0.5	
49	Comply with SMUD Advantage Plus (Tier III) or EPA/DOE Energy Star Home energy standards	R	1.0	Cannot get points for both this measure and the above measure.
50	Orient 75 or more percent of homes and/or buildings to face either north or south (within 30 degrees of N/S), and include shading masterplan	R	0.5	Moved from Commercial Building Design and Residential Development sections.

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>TDM and Misc. Measures</b>				
51	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other non-revocable funding mechanism.	R, C, M	2.5	
52	Carpool Matching Assistance	C	0.2	Must be coordinated with TMA.
53	Provide financial incentives to carpoolers for vehicle tune-up or maintenance	R, C, M	0.2	Must be coordinated with TMA.
54	Provide Flextime for non-SOV commuters	C	0.2	Must be coordinated with TMA.
55	Provide Guaranteed Ride Home	C	0.2	Must be coordinated with TMA.
56	Implement compressed work week schedules	C	0.2	Must be coordinated with TMA.
57	Provide on-site Transportation Coordinator	R, C, M	0.2	Must be coordinated with TMA.
58	Contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use.	C	2.0	
59	Make physical development consistent with requirements for neighborhood electric vehicles	R	1.5	
60	Install videoconferencing system	C, M	0.5	
61	Promote teleworking and implement an employee-telework policy	C, M	1.0	
62	Provide free-access telework terminals in multi-family projects	R	1.0	At least one terminal per 100 apartments
63	Implement Clean Air Business Practices such as using low-emission delivery vehicles, contract with alternative-fuel waste hauling companies, etc., in consultation with-SMAQMD	C	tbd	
64	Provide electric shuttle to transit stops	R, C, M	2.0	Maximum combined credit for measure #7 and #64 is 2.0
65	Provide a complimentary cordless electric lawnmower to each residential buyer	R	2.0	
66	Provide an opportunity to receive either a complimentary bicycle or electric bicycle retrofit kit to each residential buyer	R	0.5	
67	Transit pass subsidy and/or commute alternative allowance	C	1.5	Point value based on 100% subsidy.

**Recommended SMAQMD Guidance for Land Use Emission Reductions**

#	Description	Development Type R=Res C=Comm M=Mixed	Point Value	Comments
<b>Innovative Strategies</b>				
99	Other proposed strategies, in consultation with City or County of Sacramento and SMAQMD	R, C, M	tbd	

# **Sacramento Metropolitan Air Quality Management District (the District) Operational Air Quality Mitigation Protocol**

## **WHEN?**

When the air quality analysis demonstrates that a proposed project's operational emissions may exceed the District's 65 lbs/day threshold of significance for ROG or NOx, then CEQA requires "all feasible mitigation" be applied.

## **WHAT? Air Quality Mitigation Plan: CEQA Feasible Mitigation**

It has been the District's practice to work with project proponents as they choose from a list of SMAQMD recommended operational measures in order to craft an Air Quality Mitigation Plan which reduces the operational emissions of the proposed project by a minimum of 15% and meets the CEQA "all feasible measures" requirement. Historically, the 15% emission reduction target came from the County of Sacramento's General Plan Policy AQ-15 which requires a 15% reduction of emissions for significant projects. Since then, this type of Plan has been used as feasible mitigation for significant projects in Sacramento County and its jurisdictions.

The District may recommend the preparation of an Air Quality Mitigation Plan which achieves more than a 15 percent emission reduction in the event a project has unanticipated or unique operational impacts.

## **PLAN CONTENT**

The Air Quality Mitigation Plan should be a stand-alone document separate from any other project documents that may be required by some jurisdictions by ordinance or policy. This is important in order for the Air Quality Mitigation Plan to be used both for implementation and ongoing monitoring of the mitigation measures by the jurisdiction or the District. The document should provide narrative, descriptions, and exhibits that illustrate and justify the measure being chosen and the proposed point value. Providing more detail will facilitate a complete evaluation and recommendation on the part of the District. It is advisable to meet with District staff as early in the process as possible to reduce delays in the environmental review process.

It is important that each Air Quality Mitigation Plan be crafted with thought and consideration given to the unique aspects of the project that may be able to be enhanced or improved by the measures chosen for the Plan. The care taken to choose measures will help to develop a Plan that results in the maximum cost-effective air quality benefit for the project and the community.

## **PROCESS**

The Air Quality Mitigation Plan should be referenced as both a Condition of Approval **and** as a mitigation measure to ensure implementation. The specific measures in Air Quality Mitigation Plans are typically selected by the developer/proponent of the project with assistance from District staff. Once the Air Quality Mitigation Plan meets the satisfaction of all parties, it is endorsed by the District through a letter sent to the lead agency and the proponent. Without this endorsement letter, concurrence on the part of the District should not be assumed.

## **TIMING**

The endorsed Air Quality Mitigation Plan should be referenced in the air quality section of, and appended to, the draft environmental document. In that way, decision makers and members of the public can understand and comment on the measures that have already undergone District review. Lead agencies and consultants should encourage proponents to contact the District as early as possible in the environmental review process, to ensure that the Air Quality Mitigation Plan is included as part of the draft EIR or Mitigated Negative Declaration (MND). Preferably contact should be made no later than the release of the Notice of Preparation.



## **OPERATIONAL MITIGATION FEE IN MITIGATED NEGATIVE DECLARATIONS (MNDs)**

### **WHAT?**

If the Air Quality Mitigation Plan does not reduce emissions below the significance threshold, then the Lead Agency must prepare an EIR or the applicant must agree to additional mitigation. In most cases, the only additional measure available is an off-site operational mitigation fee.

### **PROCESS**

When the applicant opts to include the fee, the municipality should add the off-site mitigation fee and the Air Quality Mitigation Plan into the environmental document, project approval conditions, and in the Mitigation Monitoring and Reporting Program (MMRP) for the project.

The District has developed a spreadsheet for fee calculation which is available for use by municipalities and consultants. The fee calculation takes into account the excess operational emissions, a year's worth of emissions, and the cost to reduce emissions. The current acceptable cost to reduce one ton of emissions is \$14,300 (based on the cost-effectiveness formula established in the California Carl Moyer Incentive Program).

### **TIMING NOTES**

The fee calculation needs to be performed prior to the publication of the MND. This way, the fee can be included in the MND as a specific mitigation. Payment of that fee should be required to be remitted to the District **before** the issuance of a building permit.

### **SPECIAL NOTE:**

#### **Relationship of the District Air Quality Mitigation Plan to municipality-specific TSM Plans required by zoning ordinances**

Several municipalities in Sacramento County have zoning ordinances that require projects over a certain size to create a Transportation System Management Plan with certain alternative commute mode goals or objectives. The TSM plan is different from an Air Quality Mitigation Plan. They are separate documents: one deals with trip reduction and one deals with air quality mitigation. Some of the measures included in these distinct plans may be similar, but in no way is the TSM Plan to be seen as a substitute for the District's Air Quality Mitigation Plan. Because the TSM Plans, on occasion, have some relevance to the measures in the District's Air Quality Mitigation Plan, it's preferable that District staff be copied and consulted on TSM plans as they are developed by the proponent and approved by the jurisdiction in order ensure consistency.

August 29, 2006

Mr. David Young  
Planning Department  
City of Rancho Cordova  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670

**SUBJECT: Notice of Preparation of a Draft EIR for the Suncreek Specific Plan**

**SMAQMD # SAC200300007C**

Dear Mr. Young:

Thank you for providing the project listed above to the Sacramento Metropolitan Air Quality Management District (District). I apologize that these comments are late. Staff comments follow.

As you know, the District has adopted CEQA thresholds of significance for use in preparing and reviewing environmental documents. Separate thresholds were established for the construction phase and operational phase of projects. Those thresholds are available at [www.airquality.org](http://www.airquality.org).

Because of the size of this project, we believe it will generate short term (construction) and perhaps long-term (operations) air quality impacts which may be in excess of the established District threshold for construction. An air quality analysis should be done on the project in order to determine if those impacts are significant. Be advised we have suggested protocol for air quality analysis of construction impacts for any buildings that are greater than two stories. It may be useful in analyzing the high density residential product. Relative to the construction impacts, if those impacts are significant, the SMAQMD standard construction mitigation measures should be used. Those measures include both on-site strategies and the possibility of a mitigation fee. They can be found on our website. I have included a SMAQMD protocol document describing the preferred process.

Relative to the operational air quality impacts, if they are found significant, we recommend the creation and implementation of an Air Quality Mitigation Plan which would seek to reduce emissions by 15% per the City of Rancho Cordova's General Plan. In order to achieve this timing, we recommend that the proponent work with us as early as possible in order to create that plan. I would be the point of contact for that effort. I have included our current list of suggested operational mitigation measures as well as a SMAQMD protocol document describing the preferred process.

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. Please see the attached document describing SMAQMD Rules which may apply to this project.

Please send the environmental document, including the air quality analysis to me. If you have questions, please contact me at 874-4885 or [jborkenhagen@airquality.org](mailto:jborkenhagen@airquality.org)

Sincerely,



Jeane Borkenhagen  
Associate Air Quality Planner Analyst

cc: Larry Robinson SMAQMD  
Enc: SMAQMD Rules & Regulations Statement  
SMAQMD Recommended Operational Measures,  
aka "Recommended SMAQMD Guidance for Land Use Emission  
Reductions"  
SMAQMD Operational Air Quality Mitigation Protocol  
SMAQMD Construction Air Quality Mitigation Plan Protocol

## **SMAQMD Rules & Regulations Statement**

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

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. Specific rules that may relate to construction activities may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration.

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

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

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

Other general types of uses that require a permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.