



Municipal Services Agency

Department of Transportation

Tom Zlotkowski, Director

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County of Sacramento

December 20, 2007

Sacramento Area Council of Governments
Attn: Matt Carpenter
1415 L Street, Suite 300
Sacramento, California, 95814

SUBJECT: Comments on the Draft MTP 2035 and the Draft EIR

Dear Mr. Carpenter:

The County of Sacramento appreciates the opportunity to review and comment on the draft MTP 2035 and the draft environmental impact report. Following are comments by the Sacramento County Department of Transportation. Attached you will also find comments from the County's Department of Planning and Community Development regarding the American River Parkway Plan and the South Sacramento Habitat Conservation Plan.

2035 MTP Draft Environmental Impact Report Comments:

Section 5, Agricultural Resources

Pages 5-7 through 5-9. Impact AG-1: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

Comment: The DEIR finds that Impact AG-1 is significant and unavoidable at the program level and potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measures AG-2 and AG-3 should be revised to read such that these mitigation measures, "could be used by implementing agencies to address potential impacts during project-level review". It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Section 7, Biological Resources

Pages 7-22 through 7-26, Impact BIO-5: Potential Disturbance or Loss of Special-Status Wildlife Species and their Habitat.

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Comment: The DEIR finds that Impact BIO-5 is potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measures BIO-6, BIO-9, BIO-11, BIO-12 and BIO-13 should be revised to read such that these mitigation measures, “could be used by implementing agencies to address potential impacts during project-level review”. It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Pages 7-26 through 7-28, Impact BIO-7: Potential Direct and Indirect Impacts on Special-Status Fish Species.

Comment: The DEIR finds that Impact BIO-7 is potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measures BIO-7, BIO-9, BIO-14, BIO-15 and BIO-16 should be revised to read such that these mitigation measures, “could be used by implementing agencies to address potential impacts during project-level review”. As noted above, local jurisdictions have specific mitigation strategies that can be applied on a case-by-case basis. Sacramento County has agreements and negotiated mitigation approaches with state and federal agencies for particular species and biological impacts. It is important that proven mitigation measures, that are monitored and vetted with the appropriate agencies, are not in conflict with mitigation measures suggested by SACOG.

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Section 9, Energy and Global Climate Change

Page 9-19 through 9-20, Policies & Investments to Support Blueprint Implementation.

Comment: The list of draft policies differs from the policies stated in the draft MTP 2035.

Page 9-24 through 9-26, Impact ENE-1: Construction Effects on Regional Energy Usage.

Comment: The DEIR finds that Impact ENE-1 is significant and unavoidable at the program level and potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measure ENE-1 should be revised to read such that this mitigation measures, “could be used by implementing agencies to address potential impacts during project-level review”. It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Comment: Mitigation Measure ENE-1 includes language that would allow SACOG to condition the programming of federal and state funds to only local agencies that include energy conservation criteria in their selection process for construction contractors. Since neither the state nor federal government mandates this requirement for funding eligibility, SACOG should not further encumber eligibility requirements of state and federal funding sources. The implementation of construction related energy conservation practices is better addressed at the local level by the project implementing agencies who will evaluate the impacts and merits of each project at the local level through the appropriate environmental document.

This mitigation does not acknowledge certain energy conservation measures that are currently carried out by local agencies and those that are under consideration. The response to climate change at the local level is dynamic and varied. As part of our effort to reduce greenhouse gases we will be developing policies to address this problem at the local level and will engage contractors in this dialogue. Changing the “should” to “could” will allow these efforts to continue and provide for strong measures that are applicable at the local level.

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Page 9-27 through 9-39, Impact ENE-4: Effects on Climate Change and Global Warming.

Comment: The DEIR finds that Impact ENE-4 is less than significant. Regardless of this determination, a list of 13 mitigation measures (ENE-6 through ENE-16, AG-1 and LU-2) is recommended for adoption to further reduce CO2 emissions. While the mitigation measures may have merit and advantageous in lowering greenhouse gasses, the mitigation measures are not necessary for the mitigation of impacts associated with the MTP 2035, and hence should not be adopted as mitigation measures. Should SACOG desire to implement these measures as good policy for the region, then consideration and potential adoption of these policies by the SACOG board should occur outside of the MTP 2035.

It should be acknowledged that local agencies are developing energy conservation measures, climate action plans and responses to global warming individually. While the intent may be similar, the actual mitigation measures developed by local agencies for their projects may be specific to their jurisdiction and should not be dictated by SACOG in the absence of early coordination. This is an emerging topic that has not yet been addressed on a regional level. It is important that SACOG recognize local efforts that are still underway and not undermine or create inconsistencies in climate change reduction strategies. Sacramento County is developing strategies based on local conditions, policies and other factors. If mitigation for this important topic is to be defensible and effective, these measures must be developed at the local level by the implementing agency.

Section 10, Geology

Pages 10-10 through 10-11: Impact GEO-2: Potential Structural Damage and Injury from Ground Shaking.

Comment: The DEIR finds that Impact GEO-2 is potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measure, in this case GEO-1, should be revised to read such that this mitigation measure, “could be used by implementing agencies to address potential impacts during project-level review”. It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Page 10-10: Impact GEO-4: Potential Structural Damage as a Result of Development on Expansive Soils.

Comment: The DEIR finds that Impact GEO-4 is potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measure, in this case GEO-1 and GEO-2, should be revised to read such that these mitigation measures, “could be used by implementing agencies to address potential impacts during project-level review”. It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Page 10-13: Impact GEO-6: Inconsistency of Project with County and City Policies for Development in Geologically Hazardous Areas.

Comment: The DEIR finds that Impact GEO-6 is potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measure, in this case GEO-1 through GEO-5 should be revised to read such that these mitigation measures, “could be used by implementing agencies to address potential impacts during project-level review”. It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Section 12, Hydrology

Pages 12-22 through 12-23: Impact HYD-6: Water Quality Impacts from Discharges to 303(d) Listed Water Bodies.

Comment: The DEIR finds that Impact HYD-6 is potentially significant at the project level. Therefore the language related to the implementation of Mitigation Measure, in this case HYD-3, should be revised to read such that this mitigation measure, “could be used by implementing agencies to address potential impacts during project-level review”. It is important that SACOG acknowledge the effectiveness of local general plans and other policies that may have strategies to reduce impacts in another way. Application of

general mitigation measures from the MTP have the potential to be inconsistent with local plans and policies.

Section 18, Transportation

Pages 18-14 through 18-18: Impact TRN-3: Substantial Increase in Congested Vehicle Miles Traveled per Household.

Comment: The DEIR finds that Impact TRN-3 is significant, recommends adoption of six mitigation measures (ENE-8, ENE-9, ENE-11, ENE-12, ENE-15 and LU-2) of which do not reduce the impact to less than significant, and hence considers the impact significant and unavoidable.

It comes as no surprise that the suggested mitigation measures do not reduce congested VMT since the mitigation measures serve as a passive approach to improve congested VMT. The measures seek to either encourage travel by other modes or discourage automobile use as a means to reduce congestion.

Conversely, the MTP 2035 may be able to reduce this impact to less than significant by allocating additional regional resources to increase the capacity and operations of the transportation facilities causing the congestion. The MTP 2035 proposes a modest 2% increase in funding for road capital projects over the existing MTP levels, whereas transit will see a 21% increase in funding levels.

While the mitigation measures may have merit in another context, their purpose is not to reduce congested VMT and hence should not be adopted as mitigation measures. Should SACOG desire to implement these measures as good policy for the region, then consideration and potential adoption of these policies by the SACOG board should occur outside of the MTP 2035.

Draft 2035 MTP Comments:

Chapter 2, Summary of Budget and Investments

Page 2-1, Preliminary Draft MTP 2035 Budget Summary.

Comment: The table on Page 2-1 shows a breakdown of how the proposed \$42 billion in 2035 MTP investments would be allocated to Road Maintenance/Rehabilitation, Road Capital Projects, Transit, Bicycle/Pedestrian and to Programs and Planning. It also provides a comparison with investments set forth in the current adopted MTP. This table shows significant increases over current investment levels in all categories except Road Capital Projects, which receives a modest two percent increase over current levels. Of the \$11.3 billion identified for Road Capital Projects, about \$8.3 billion involves local roads including capacity and safety projects. The majority of the funding for these

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projects comes from development sources including fees and financing plans, and are restricted to specific projects that mitigate development impacts. A relatively small amount of discretionary sources, including Measure A and regional funds, is available for local road projects.

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Page 2-3, Table 2.1, Draft MTP 2035 Summary.

Comment: Table 2.1 highlights some of the key projects included in the draft MTP. Some of the notable changes from the current MTP include a reduced emphasis on improving access across the American River (between Howe and Hazel), and a change in the scope of the Elk Grove-Rancho Cordova-El Dorado Connector project. For the American River crossings, the only projects include expanding the Hazel and Howe bridges to six lanes, both of which are already in development. No other improvements to cross river capacity east of Howe are proposed. For the Connector project, the draft MTP emphasizes the expansion of the arterial grid system in the Vineyard area and a reduction in the role of Grant Line Road as the key route for the regional connector. The draft MTP does, however, recommend the preservation of right-of-way along Grant Line for possible future expansion to six lanes.

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Chapter 5, Policies and Supportive Strategies

Page 5-3, Policy: SACOG intends to provide information, tools, incentives and encouragement to local governments that have chosen to grow consistent with Blueprint principles.

Comments: This policy and its supportive strategies propose funding incentives, form-based code, and even regulatory reforms to encourage the implementation of Blueprint principles. A concern is to what extent these strategies serve to be more of a “hammer” than a “carrot” to jurisdictions considering the incorporation of Blueprint principles into their General Plans. If a jurisdiction does not fully adopt the Blueprint, does it risk the potential loss of eligibility for regional transportation funds? What do they mean by “regulatory reforms” at the federal, state and local level?

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Page 5-3, Policy: SACOG intends to educate and provide information to policymakers and the public about the mutually supportive relationship between smart growth development and transportation.

Comment: This policy includes strategies to “Monitor and report on the transportation and air quality impacts of development patterns and their relationship to Blueprint growth principles”, and to “review transportation projects to assess whether they foster transportation choices, improve local community circulation, or divide communities, and either avoid or mitigate negative impacts.” It is unclear whether these strategies are intended to be advisory or regulatory, and if these review processes could impact a jurisdiction’s or project’s ability to qualify for regional funds. To what extent should jurisdictions be subject to regional influence over local decisions?

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Page 5-4 through 5-5, Policy: SACOG encourages local governments to direct greenfields developments to areas immediately adjacent to the existing urban edge through the provision of information, incentives and pursuit of regulatory reform cities and counties.

Comments: Had the last three words of the above policy, “cities and counties” meant to be omitted? This policy also includes a strategy to “Consider funding to acquire conservation easements accompanying specific regional connector road projects, to protect land from development in areas that are not intended or zoned for development.” We are concerned about the involvement of the region in what should be a local land use issue, and whether a local jurisdiction’s eligibility for regional funding could be impacted by its compliance with this strategy. Also, is SACOG proposing that transportation funding from regional and local sources be dedicated for land acquisition/protection?

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Page 5-6 through 5-7, Policy: SACOG intends to use the best information available to implement strategies and projects that lead to reduced Green House Gas (GHG) emissions.

Comments: This policy includes a strategy to adopt policies for pricing, Safe Routes to School (and implement a pilot program), Complete Streets, etc. What is the intent of these policies? Will they simply involve guidelines to assist local agencies or will they involve requirements that could affect the eligibility of a jurisdiction or project for regional funding? Also, why is there a need to develop additional or separate policies for Safe Routes to School when there are existing federal and state programs that have been implemented?

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Page 5-7, Policy: SACOG intends to pursue and support enactment of sustainable funding sources adequate for maintenance and rehabilitation of highways, streets and roads and operation and maintenance of transit services.

Comments: This policy includes a strategy to “Promote competition in the delivery of services, to foster greater efficiency, innovation and diversity of options, including consideration of revised public agency arrangements, public-private partnerships or contracting out.” It is unclear if this strategy is intended to provide local agencies with assistance or advice regarding service and project delivery methods, or if SACOG itself proposes to assume a more active role in the delivery of projects. What is meant by “revised public agency arrangements”.

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Page 5-12, Policy: SACOG intends to preserve some capacity on major freeways within the region for freight and other interregional traffic by providing additional capacity for local and regional traffic on major arterials running parallel to the major freeways. The complementary arterial and freeway expansions intend to better separate local and interregional traffic, but no lane restrictions (i.e. truck-only lanes) to the freeways are proposed. Under current state program structure, SACOG expects to carry the main responsibility, shared with Caltrans, to fund interregional projects at the edge of the region when growing demand for traffic to, from and through the region warrants expansion of the interregional routes.

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Comments: The first and third strategies listed under this policy are still unclear, and raise concerns about this policy's potential impact to local roadways. Will there be an expectation that local roads carry a higher proportion of interregional and freight traffic, or that local traffic's use of interregional routes may be limited or restricted, thereby increasing the burden on local roadways? If there are to be increased demands on local roads, the investment strategy for this MTP should better support the need for capacity improvements on local roads.

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Page 5-13, Policy: Choose road and transit expansion investments that are supportive of 2035 MTP land use patterns.

Comments: The first word of the policy, "Choose", should be changed to "Support" to better reflect the goals and responsibilities of SACOG.

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Page 5-13, Policy: Prioritize road capacity improvements that also provide transit benefits. The objective is an effective transit system that serves transit dependent and choice riders.

Comments: The above policy could be interpreted to mean that road capacity enhancing projects that also provide a transit benefit would receive priority treatment over a capacity enhancing project that do not include a transit benefit. Sacramento County believes that roadway projects should be evaluated on their own merits. It is very likely that road capacity enhancing projects that don't necessarily provide a transit benefit, but nevertheless, are necessary to improve mobility and reduce congested VMT in the region, and hence should receive due support from SACOG.

Furthermore, the twelve strategies listed under this policy have nothing to do with road capacity projects, but rather, provide guidance in transit development. Sacramento County would recommend that the policy be rewritten to capture the intent of the strategies to enhance transit and omit reference to road capacity improvements.

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Page 5-14, Policy: SACOG also gives priority to selective road expansion, to support infill development and bus transit and to forestall midday congestion.

Comments: SACOG staff should discuss how this policy will influence future regional funding decisions. What is the potential impact to road capacity projects that are determined to have significant benefits to regional mobility and congestion reduction, but are unable to demonstrate adequate support to infill development?

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Page 5-15, Policy: SACOG intends to invest funds that are at SACOG's discretion, as long as the existing funding and program structure remains essentially as it is today, following these policy guidelines:

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Comments: There is also no mention of funding for “local” projects or for road rehabilitation, which were included in prior funding cycles. Will these programs be discontinued in future cycles?

Sincerely,

Tom Zlotkowski, Director
Department of Transportation

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Attachments

c: Dan Shoeman, SacDOT
Dean Blank, SacDOT
Robert Sherry, Planning
Toni Barry, DERA