June 18, 2014

To: All Interested Agencies and Persons
From: Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, Ca 95814 (916) 321-9000

The Sacramento Area Council of Governments will be the Lead Agency and will prepare a programmatic environmental impact report for the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy for 2036 (MTP/SCS) Update (Proposed Project). This Notice of Preparation (NOP) is intended to alert regulatory and trustee agencies, interested agencies, organizations, and individuals of the preparation of the 2016 MTP/SCS Update Environmental Impact Report (EIR). The EIR will be prepared pursuant to the California Environmental Quality Act (CEQA).

SACOG is interested in your views about the scope and content of the information and analyses to be included in the EIR for the Proposed Project. If you represent an agency that may use the program EIR for tiering purposes, SACOG is particularly interested in learning what information may be helpful for such tiering in connection with your project-specific environmental review.

This NOP includes:

- A list of potential environmental effects
- A map of the Sacramento metropolitan area, which is the study area for the Proposed Project and the EIR. The metropolitan area includes the counties of Sacramento, Sutter, Yolo, and Yuba, and the portions of El Dorado and Placer Counties outside of the Lake Tahoe Basin.

SACOG seeks your views on the following questions:

- Are there potential environmental issues that SACOG has not identified in the list of potential environmental effects or the attached outline? If so, please identify these potential issues.
- Are there any alternatives you believe SACOG should evaluate?
- What types of mitigation measures do you think would help avoid or minimize potential environmental effects?

SUBMITTING COMMENTS

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice. Please submit your written responses no later than July 25, 2014, through any of the following methods:
A public scoping meeting for the EIR will be held on **July 23, 2014**, from 1:00 p.m. to 2:30 p.m. at the SACOG offices, 1415 L Street, Suite 300, Sacramento, CA 95818.

Comments regarding the scope of the EIR received during the 30-day NOP review period will be incorporated, as appropriate, in the environmental document.

**BACKGROUND**

SACOG is the designated metropolitan planning organization (MPO) for the counties of Sacramento, Sutter, Yolo, and Yuba, and for Placer and El Dorado Counties except for the Lake Tahoe Basin. Map 1 depicts the Sacramento Metropolitan Planning Area. An MTP, also referred to in other regions as a Regional Transportation Plan (RTP) or Long-Range Transportation Plan (LRTP), is the mechanism used in California by Metropolitan Planning Organizations (MPOs) to conduct long-range (at least 20-year) planning in their regions. SACOG must adopt an MTP and update it every four years, or more frequently, if the region is to receive federal or state transportation dollars for public transit, streets/roads, and bicycle and pedestrian improvements.

An SCS is a required element of the MTP under California’s Sustainable Communities and Climate Protection Act, also known as Sen. Bill 375 (Stats. 2008, ch. 728) (SB 375). While other efforts to reduce greenhouse gas (GHG) emissions focus on alternative fuels and vehicle efficiency, SB 375 is intended to more effectively reduce emissions by integrating land use and transportation planning to reduce overall passenger vehicle miles traveled. Through the development of a Sustainable Communities Strategy (SCS) that accompanies the MTP, policies and strategies will be identified to reduce per capita passenger vehicle-generated GHG emissions. The SCS will identify the general location of land uses, residential densities, and building intensities within the region; identify areas within the region sufficient to house all the population of the region; identify areas within the region sufficient to house an 8-year projection of the regional housing need; identify a transportation network to serve the regional transportation needs; gather and consider the best practically available scientific information regarding resources areas and farmland in the region; consider the state housing goals; set forth a forecasted development pattern for the region; and allow the regional transportation plan to comply with the federal Clean Air Act. (Gov. Code, § 65080, subd. (b)(F)(2)(B).) If the SCS for the MTP update does not achieve the GHG emission targets set by the California Air Resources Board (CARB), an Alternative Planning Strategy must be developed to demonstrate how the targets could be achieved.

The 2016 MTP/SCS sets policies to guide transportation decisions and proposes a program of capital, operational, and management improvements needed through the year 2036. In addition,
if the SCS achieves its GHG emission target and the CARB accepts SACOG’s determination that the SCS, if implemented, would achieve its GHG emissions target, certain land development projects may be eligible for CEQA streamlining if they are consistent with the general use, density, intensity and applicable policies of the adopted SCS.

The EIR for the 2016 MTP/SCS Update will include GHG emissions baseline measurements and projections, as well as potential mitigation measures to reduce those emissions. The EIR also will include analysis of the environmental effects of the MTP/SCS.

POTENTIAL ENVIRONMENTAL EFFECTS
The following types of potentially significant and adverse environmental impacts could result from the implementation of the 2016 MTP/SCS:

1. Aesthetics
2. Agricultural and Forestry Resources
3. Air Quality
4. Biological Resources
5. Cultural and Paleontological Resources
6. Energy and Global Climate Change
7. Hazards and Hazardous Materials
8. Geology, Seismicity, Soils and Mineral Resources
9. Hazards and Hazardous Materials
10. Hydrology and Water Quality
11. Land Use and Planning
12. Noise
13. Population and Housing
14. Public Services and Recreation
15. Transportation
16. Utilities and Service Systems

The MTP EIR will also address cumulative impacts, growth inducing impacts, and other issues required by CEQA.

ALTERNATIVES TO BE ANALYZED IN THE EIR

SACOG will evaluate several project alternatives in the EIR. These scenarios will be studied and further refined during public scoping meetings and workshops. Each scenario will be compared for its potential to achieve the goals of the 2016 MTP/SCS, while reducing the significant regional environmental impacts. In addition to the project, the following alternatives will also be evaluated:

No Project Alternative – The No Project Alternative is required by CEQA. For this EIR, the No Project Alternative is defined as a continuation of the current land use patterns and accompanying transportation network of the current MTP/SCS (adopted April 2012), without accounting for new land use and transportation plans that have been developed since plan adoption.

Scenario 1 - Land use patterns are less dense than under the adopted MTP/SCS with more growth on the edge of current urban areas and less infill. The accompanying transportation network is
correspondingly more focused on road and highway expansion and less on expansion of transit and non-motorized modes (bicycle and pedestrian infrastructure).

Scenario 3 - Land use patterns are more compact focused on supporting high transit ridership and productivity. Transportation network has high investment in transit service and supportive road, pedestrian and bicycling infrastructure.

Although these scenarios have been preliminarily identified, SACOG is seeking input on these, and other, alternatives during the NOP process, which could result in modifications to the alternatives analyzed in the EIR, or modifications to the scenarios identified above.

**DATE:** June 18, 2014

**SIGNATURE:**

Kacey Lizon

**TITLE:** MTP/SCS Manager

**TELEPHONE:** (916) 321-9000

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.
Notice of Preparation

June 19, 2014

To:    Reviewing Agencies
Re:    2016 MTP/SCS Update
       SCH# 2014062060

Attached for your review and comment is the Notice of Preparation (NOP) for the 2016 MTP/SCS Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Kacey Lizon
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency
**SCH#**: 2014062060  
**Project Title**: 2016 MTP/SCS Update  
**Lead Agency**: Sacramento Area Council of Governments  

**Type**  NOP  Notice of Preparation  
**Description**: An SCS is a required element of the MTP under California's Sustainable Communities and Climate Protection Act, also known as Sen. Bill 375 (Stats. 2008, Ch. 728) (SB 375). While other efforts to reduce greenhouse gas (GHG) emissions focus on alternative fuels and vehicle efficiency, SB 375 is intended to more effectively reduce emissions by integrating land use and transportation planning to reduce overall passenger vehicle miles traveled. Through the development of a Sustainable Communities Strategy (SCS) that accompanies the MTP, policies and strategies will be identified to reduce per capita passenger vehicle-generated GHG emissions.

**Lead Agency Contact**  
**Name**: Kacey Lizon  
**Agency**: Sacramento Area Council of Governments  
**Phone**: 916 321-9000  
**Fax**:  
**Email**:  
**Address**: 1415 L Street, Suite 300  
**City**: Sacramento  
**State**: CA  
**Zip**: 95814

**Project Location**  
**County**: Sacramento, Sutter, Yolo, Yuba, El Dorado, Placer  
**City**:  
**Region**:  
**Cross Streets**:  
**Lat / Long**:  
**Parcel No.**:  
**Township**:  
**Range**:  
**Section**:  
**Base**:  

**Proximity to:**  
**Highways**:  
**Airports**:  
**Railways**:  
**Waterways**:  
**Schools**:  
**Land Use**: Metropolitan Transportation Plan and Sustainable Communities Strategy

**Project Issues**: Aesthetic/Visual; Air Quality; Agricultural Land; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Traffic/Circulation; Toxic/Hazardous; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

**Reviewing Agencies**: Resources Agency; Department of Conservation; Central Valley Flood Protection Board; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 2; Delta Protection Commission; Native American Heritage Commission; Caltrans, Division of Transportation Planning; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 3 S; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento)

**Date Received**: 06/19/2014  
**Start of Review**: 06/19/2014  
**End of Review**: 07/18/2014

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

Resources Agency
- Resources Agency
  - Nadell Gayou
- Dept. of Boating & Waterways
  - Nicole Wong
- California Coastal Commission
  - Elizabeth A. Fuchs
- Colorado River Board
  - Tammy Trujillo
- Dept. of Conservation
  - Elizabeth Carpenter
- California Energy Commission
  - Eric Knight
- Cal Fire
  - Dan Foster
- Central Valley Flood Protection Board
  - James Herota
- Office of Historic Preservation
  - Ron Parsons
- Dept. of Parks & Recreation
  - Environmental Stewardship Section
  - California Department of Resources, Recycling & Recovery
  - Sue O'Leary
  - Steve McAdam
- Dept. of Water Resources Resources Agency
  - Nadell Gayou

Fish and Game
- Dept. of Fish & Wildlife Region 1
  - Donald Koch
- Fish & Wildlife Region 1
  - Michael Machado
- Cal EMA (Emergency Management Agency)
  - Dennis Castillo

Independent Commissions, Boards
- Delta Protection Commission
  - Michael Machado
- Cal EMA (Emergency Management Agency)
  - Dennis Castillo

Resources Agency
- Fish & Wildlife Region 1E
  - Laurie Hansberger
- Fish & Wildlife Region 2
  - Jeff Drongesen
- Fish & Wildlife Region 3
  - Charles Armor
- Fish & Wildlife Region 4
  - Julie Vance
- Fish & Wildlife Region 5
  - Leslie Newton-Reed
  - Habitat Conservation Program
- Fish & Wildlife Region 6
  - Gabriona Gatchel
  - Habitat Conservation Program
- Fish & Wildlife Region 6 I/M
  - Heidi Sickler
  - Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Wildlife M
  - George Isaac
  - Marine Region

Fish & Wildlife Region 8
- Dan Kopulsky
- Caltrans, District 9
- Gayle Rosander
- Caltrans, District 10
- Tom Dumas
- Caltrans, District 11
- Jacob Armstrong
- Caltrans, District 12
- Maureen El Harake

Cal EMA
- Caltrans - Division of Aeronautics
  - Philip Cinnamons
- Caltrans - Planning
  - Terri Pencovic
- California Highway Patrol
  - Suzann Ikeuchi
  - Office of Special Projects
- Housing & Community Development
  - CEQA Coordinator
  - Housing Policy Division

Other Departments
- Food & Agriculture
  - Sandra Schubert
  - Dept. of Food and Agriculture
- Dept. of General Services
  - Public School Construction
- Dept. of General Services
  - Anna Garbeff
  - Environmental Services Section
- Dept. of Public Health
  - Jefferly Worth
  - Dept. of Health/Drinking Water
- Delta Stewardship Council
  - Kevan Samson

County:
- Yuba, El Dorado, Placer

Business, Trans & Housing
- Caltrans - Division of Aeronautics
  - Philip Cinnamons
- Caltrans - Planning
  - Terri Pencovic
- California Highway Patrol
  - Suzann Ikeuchi
  - Office of Special Projects
- State Waters Resources Control Board
  - Regional Programs Unit
  - Division of Water Quality
  - CEQA Coordinator
  - Housing Policy Division

SCH# 2014062060

Regional Water Quality Control Board (RWQCB)
- RWQCB 1
  - Cathleen Hudson
  - North Coast Region (1)
- RWQCB 2
  - Environmental Document Coordinator
  - San Francisco Bay Region (2)
- RWQCB 3
  - Central Coast Region (3)
- RWQCB 4
  - Teresa Rodgers
  - Los Angeles Region (4)
- RWQCB 5S
  - Central Valley Region (5)
- RWQCB 5F
  - Central Valley Region (5)
  - Fresno Branch Office
- RWQCB 5R
  - Central Valley Region (5)
  - Redding Branch Office
- RWQCB 6
  - Luhotan Region (6)
- RWQCB 6V
  - Luhotan Region (6)
  - Victorville Branch Office
- RWQCB 7
  - Colorado River Basin Region (7)
- RWQCB 8
  - Santa Ana Region (8)
- RWQCB 9
  - San Diego Region (9)

Cal EMA
- Caltrans - Division of Aeronautics
  - Philip Cinnamons
- Caltrans - Planning
  - Terri Pencovic
- California Highway Patrol
  - Suzann Ikeuchi
  - Office of Special Projects
- State Waters Resources Control Board
  - Regional Programs Unit
  - Division of Water Quality
  - CEQA Coordinator
  - Housing Policy Division

Other
- Other

Conservancy

Last Updated: 5/5/2014
Kacey Lizon, Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) Project Manager, provided an overview of the MTP/SCS Update process noting state and federal requirements that guide the process. Lizon summarized the focus of the MTP/SCS update noting that the SACOG Board of Directors is particularly interested in implementation of the current plan. Staff is currently researching the impacts of moving specific projects forward or backward in delivery time to determine whether there is a way to fund maintenance projects before building new projects (labeled a “Fix it First” strategy) and see what effect this will have on the performance of the plan. Lizon reported that staff is also working to bring more performance measures into the plan by examining health benefits, refining and improving environmental justice areas, and researching what more could be done to analyze toxic air contaminants more broadly. She then asked the group if they had any questions or comments on the Notice of Preparation of the draft Environmental Impact Report for the MTP/SCS.

Terry Preston, WalkSacramento – On things to be measured, are health impacts of the different transportation modes going to be considered? And in scenario analysis, will there be an analysis of active transportation versus roads?

Kacey – Strategic Growth Council (SGC) is developing health impacts tool to look at different land uses and transportation.

There will be an opportunity to give input on the MTP/SCS coming this fall. SACOG public workshops for the MTP/SCS are going to be in October. We are required to hold 8 public workshops in the region, one in each county, and 3 in Sacramento County. We will also be doing scientific phone poll at the same time using random digit dialing.

Crystal Jacobson, Placer County – Didn’t you do [scientific polling] last time?

Kacey – No, we did it in 2008. We hope to do some comparison analysis if possible. We are still determining the questions that will be asked in this survey.

Teri Duarte, Walk Sacramento – There has been talk about having evaluation measures, particularly health outcomes, but there is a lack of data, such as average body weights...has there been any advances in available data?

Kacey – With the State (SGC) effort we might see something. It will be pretty generalized, not sure how detailed it will be. May not be SACOG specific. There’s research that shows that active transportation has all these benefits but how you can measure that with a given set of plan info is another story for region, community, and neighborhood. We may come to the conclusion that we are doing everything we can but want to expand.

Teri – I know Molly Wright was looking at health outcome measures.
Kacey – I’m going to connect with her.

Charles Anderson, SMAQMD – Will there be any kind of detailed discussion on how the MTP will connect with STIPs?

Kacey – Yes we have to do that in the plan because we have to sync the STIPs.

Terry Preston – one concern, arguments we get from local jurisdictions is that we are turning a road into a huge boulevard and just adding sidewalks. I hope that road capacity projects aren’t mistaken as fix it first. Just adding sidewalks does not make a road pedestrian friendly.

Kacey – To make sure I understand, you are saying that you don’t want to see the fix it first strategy used to justify road expansion so that we don’t make it more difficult for ped/bikes? Maintenance and rehab should not equate to widening?

Terry Preston – Yes. What policy questions do we need to address to get funding.... if you are a jurisdiction and want to get funding you have to create more roads, not just improve the roads you have. What do we need to do to change guidelines at state and federal level? I’d love to see something that says if you want money you need to improve the road, traffic calming, etc. not just widen and add sidewalks.

Kacey – You would like to see more coordination on policy?

Terry Preston – Yes.

Tom Pace – Could there be a metric for ped/bike friendliness of a road, not just completeness? Putting a bike lane on Howe Avenue doesn’t make it bike friendly. Could we measure and/or evaluate project applications on whether they are bike/ped friendly?

Kacey – There is a research project looking at that, may or may not translate into metric for the plan. It could be part of the complete streets tool kit and maybe part of the funding criteria. There is research about transportation and land use that encourage more walking and biking. Street pattern is one example, research about what is more pedestrian oriented. The 4 D’s: Density, Design, Diversity and Destination. These are more focused on street itself, not just street pattern. Plan outcome measurement may be how many lane miles are bike/ped friendly streets and how many are not.

Teri Duarte, WalkSacramento – Road speed is the most important to the perception of safety. An outcome measure might be the average speed limit or speeds traveled and if we could bring that down 5 mph that would be an improvement. You could also measure the number of residents who are within 20 minute walk of all services.

Kacey – The Environmental Justice analysis is a primitive version of that. It’s a fledgling 20 min, access to transit, and driving.

Terry Preston – Is it a land use issue? We did a walk audit of R Street with students saw there was a lack of services. There are local land use decisions that affect the region. What concentration of basic services are in areas that people could go to? Carter studies and Environmental Justice studies use a
metric like, X number of people could bike to these land uses. That’s the kind of thing that makes places attractive. 75 percent of new homes are going to be 55 or older, given that, how do you come up with land uses that accommodate that?

Kacey – Yes that is a good question and comment, thank you.

Tom Pace, City of Sacramento – Regarding transportation analysis, does SACOG have thoughts on using LOS and VMT for transportation performance?

Kacey – I can tell you we have VMT in the current EIR, we don’t include LOS, when SB 743 was passed we thought it might not be worth our investment of time to use LOS.

Tom Pace, City of Sacramento – We are looking at that transition and we aren’t sure how to apply it for our needs. We get requests from Caltrans to mitigate from traffic impacts from freeway as we are trying to mitigate for infill, which is a difficulty when costly studies and mitigation are required. Could SACOG help us address that problem? There is the I-5 corridor effort, but it doesn’t extend to other freeways and not perfect. Our Climate Action Plan seeks increase in transit beyond what is in MTP so if that was in MTP that would help us. Increase transit by 5 percent in 2020 and 10 percent by 2035.

Kacey – That is a good question. We can look at that.

Terry Preston – Is the Active Transportation Program in state or federal round included in the financial projections?

Kacey – Yes, All state and fed sources are included. We are taking an overview of the current plan assumptions with funding to the Board of Directors.

Terry Preston – At the New Partners for Smart Growth conference there were MPOs in another state that coordinated policy work coming out of its MTP with local foundations; it got local foundations to support policy initiatives to forward MTPs in order to get some of the work done. They were good examples of outreach, and going to state legislature; it wasn’t the MTP directly funding it. They were leveraging money. State legislature reduced transportation voter thresholds so that funding measures could pass more easily. We need to get a more coordinated front to get more funding and more health outcomes by working with local foundations.

Kacey – do you have the example regions?

Terry Preston – I’ll look and send them to you.

Meeting adjourned at 2:05 p.m.
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<tbody>
<tr>
<td>Crystal Jacobsa</td>
<td>Placer County</td>
<td></td>
<td><a href="mailto:cjacobsa@placer.ca.gov">cjacobsa@placer.ca.gov</a></td>
<td>530-453-3085</td>
</tr>
<tr>
<td>Terry Preston</td>
<td>WALKSAC</td>
<td></td>
<td><a href="mailto:tpreston@wksacramento.org">tpreston@wksacramento.org</a></td>
<td>946-255</td>
</tr>
<tr>
<td>Charles Anderson</td>
<td>SMAQIU</td>
<td></td>
<td><a href="mailto:cauderson@wksacramento.org">cauderson@wksacramento.org</a></td>
<td>916-944-4831</td>
</tr>
<tr>
<td>Teri Duarte</td>
<td>WALKSAC</td>
<td></td>
<td><a href="mailto:tduarte@wksacramento.org">tduarte@wksacramento.org</a></td>
<td>446-9255</td>
</tr>
<tr>
<td>Tom Pace</td>
<td>City of Sacramento</td>
<td></td>
<td><a href="mailto:tpace@cityofsacramento.org">tpace@cityofsacramento.org</a></td>
<td>808-6848</td>
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SACOG does not share contact lists
Thank you for the opportunity to comment on the issues that should be evaluated in the EIR to be prepared for the 2016 MTP/SCS Update.

1. Cultural and historic resources: The EIR should evaluate the potential impacts, and potential mitigations, of infill development on cultural and historic resources.

2. The City has adopted a Climate Action Plan that calls for an increase in transit by 5% in 2020 and 10% in 2030 over the existing MTP/SCS and would like to see this increase incorporated into the 2016 MTP/SCS.

3. Provide a strategy for further encouraging infill development within the Central City by relieving of regional transportation analysis and obligations.

4. The NOP identifies alternative scenarios to be analyzed, including Scenario 1 and Scenario 3, but appears to be missing a Scenario 2.

If you have any questions please let us know.

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA  95811
(916) 808-5842
8 July 2014

Kacey Lizon
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

CERTIFIED MAIL
7013 1710 0002 3644 9277

COMMENTS TO NOTICE OF PREPARATION FOR THE ENVIRONMENTAL IMPACT REPORT, 2016 MTP/SCS UPDATE PROJECT, SCH. 2014062060, SACRAMENTO, SUTTER, YOLO, YUBA, EL DORADO, AND PLACER COUNTIES

Pursuant to the State Clearinghouse’s 19 June 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Notice of Preparation for Environmental Impact Report for the 2016 MTP/SCS Update Project, located in Sacramento, Sutter, Yolo, Yuba, El Dorado, and Placer County.

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

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

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

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

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

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

Industrial Storm Water General Permit

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

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

Clean Water Act Section 404 Permit

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

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

1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
Clean Water Act Section 401 Permit – Water Quality Certification
If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

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

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

Low or Limited Threat General NPDES Permit
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleck@waterboards.ca.gov.

Trevor Cleak
Environmental Scientist

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento
July 18, 2014

Ms. Kacey Lizon
MTP/SCS Manager
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

SACOG 2016 MTP/SCS Update – Notice of Preparation (NOP)

Dear Ms. Lizon,

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the NOP for the Sacramento Area Council of Governments (SACOG) 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) Update draft Environmental Impact Report (EIR). As the designated metropolitan planning organization (MPO) for the counties of Sacramento, Sutter, Yolo, Yuba, and for Placer and El Dorado Counties (except for the Lake Tahoe Basin), the MTP/SCS will set policies to guide transportation decisions and propose transportation investments needed in the region through the year 2036. In addition, the SCS will aim to achieve proposed Greenhouse Gas (GHG) emission targets, and if these targets are implemented, certain land use development projects may be eligible for CEQA streamlining if they are consistent with the adopted SCS. The MTP/SCS EIR aims to address potentially significant and adverse environmental impacts as a result of the MTP/SCS implementation, as required by CEQA. The following comments are based on the NOP.

Safety Analysis

Caltrans recommends that, as required in the Regional Transportation Guidelines, “The MTP/SCS shall address the improvement of transportation safety and link the Strategic Highway Safety Planning process and the regional planning process.” For example, the MTP can use transportation performance measures to identify areas of safety concern. The RTP Guidelines state that the “planning process will address the safety of the transportation system for the public.” To be adequately addressed, safety must be a key goal within the transportation planning process.

“Provide a safe, sustainable, integrated, and efficient transportation system to enhance California’s economy and livability.”
Caltrans is particularly concerned with Senate Bill (SB) 375 provisions regarding CEQA streamlining and consistency with the SACOG MTP/SCS. Public Resources Code 21159.28 provides some projects the ability to forego any analysis of the State Highway System (SHS) during the environmental review process provided they are consistent with the SCS and incorporate mitigation measures from an applicable prior environmental document. Some of the projects that utilize the traffic analysis exemption will have significant safety, operational, or congestion impacts to the SHS. In most cases, Caltrans cannot evaluate project impacts to the SHS without a traffic analysis provided by a project proponent or lead agency because of the unique factors, assumptions, and travel patterns for each individual development. For each individual development, it would be difficult for Caltrans to show definitive evidence that impacts to the SHS would be created by a development without an analysis from a lead agency. Additionally, the project commenting period provided by the lead agencies does not always provide Caltrans adequate time to perform an internal traffic analysis. Caltrans is specifically concerned about safety impacts that will not be identified for lack of a traffic analysis. Caltrans may only be able to identify safety impacts after collisions or fatalities have occurred on the SHS. If the safety impacts are not identified at the time of project approval, then the project proponent will not be required to fund the necessary mitigation. Therefore, any Caltrans projects to rectify safety issues created by specific projects would likely be paid for by taxpayers, rather than a project proponent.

Caltrans requests the MTP/SCS DEIR identify an appropriate way for projects that wish to utilize CEQA streamlining be able to identify and mitigate potential safety impacts to the SHS. Ideally, this would be done in such a way that would both allow projects to utilize the CEQA streamlining provisions, and lessen the likelihood of collisions and fatalities from occurring on the SHS as a result of new development projects.

If SACOG chooses to continue to requiring lead agencies to fill out an MTP/SCS consistency checklist, Caltrans suggests the checklist incorporate questions relating to projects ensuring the safety of the traveling public, including queuing of freeway off-ramps onto free-flow freeway mainline travel lanes.

**CEQA Streamlining Impacts to the Bicycle, Pedestrian, and Transit Networks**

Caltrans is also concerned that projects utilizing the CEQA streamlining will not adequately mitigate its impacts to the transit, pedestrian, and bicycling networks. If a residential, mixed-use, or any development within a transit priority area is not required to mitigate or contribute fair share fees, other investment strategies should be identified for carrying out complete streets components, local road improvements, access to transit, and other transit infrastructure projects that will be necessary to accommodate increasing user demand. For instance, if several projects located within a Transit Priority Area and within close proximity of each other utilize the CEQA streamlining exemptions but do not provide for upgrades to the transit, pedestrian, and bicycling networks, the projects may not be effective in reducing trips made by automobiles (i.e. transit adjacent development versus transit oriented development).

The EIR should be explicit about how projects utilizing the CEQA streamlining adequately mitigate their impacts to the transit, pedestrian, and bicycling networks and therefore implement the vision of the MTP/SCS.

"Caltrans provides a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability"
**Public Availability of Data to the Parcel Level**

In the current MTP/SCS, SACOG defined certain place types and criteria that would be eligible for CEQA streamlining and included a map that designated these areas. However, the map is not intended for use at the parcel level and cannot be used to identify potential parcels that would be able to utilize CEQA streamlining benefits. Being able to determine which parcels are eligible for CEQA streamlining is critical to being able to identify potential concerns Caltrans may have when projects are proposed on those parcels. Caltrans strongly recommends that whatever method SACOG chooses to use to identify parcels that would be eligible for CEQA streamlining be viewable to the parcel level either within the EIR or be available online to the public at the time of MTP/SCS adoption and until the next MTP is adopted.

**SACOG Model Consistency with CEQA Streamlining Provisions**

SB 375 states that current planning models and analytical techniques used for making transportation infrastructure decisions and for air quality planning should be able to assess the effects of policy choices, such as residential development patterns, expanded transit service and accessibility, the walkability of communities, and the use of economic incentives and disincentives.

Caltrans requests the underlying models used for the MTP/SCS ensure that any projects eligible for CEQA streamlining have the appropriate land use and traffic intensities identified for those developments. For instance, if the model assumes zero trips in a traffic analysis zone over the time frame of the MTP, projects within that zone should not be eligible for CEQA streamlining provisions. In this case, the transportation projects proposed by the MTP would not have accurately accounted for a development, and therefore, a project attempting to utilize CEQA streamlining would not have impacts appropriately identified in the MTP.

**Public Noticing of Projects Utilizing CEQA Streamlining**

Projects utilizing the CEQA streamlining provisions should be noticed early in the project review process for the reviewing agencies’ consultation and coordination. For example, SB 375 states that a transit priority project that qualifies as a subdivision and may be reviewed through a sustainable communities environmental assessment shall be circulated for public comment for a period of not less than 30 days. However, other projects that utilize CEQA streamlining are not required to give notice that they are using the provisions until the DEIR phase of a project. SACOG should explore the possibility of requiring projects that plan to utilize MTP/SCS-related CEQA streamlining provisions of any type to state these intentions in the NOP for that project. Notice should be given to a reviewing agency as early as possible so that the data can be analyzed, especially if a development is tiering the impact analysis from the SACOG MTP/SCS.

**Other CEQA Streamlining Provisions Tied to the MTP/SCS**

There may be current or future legislation passed before the MTP/SCS DEIR is released with CEQA streamlining provisions tied to the SACOG MTP/SCS, such as SB 743 and SB 226, that when implemented, may have impacts to the SHS. We request that the DEIR include an analysis of SHS-
related impacts from any known legislation that allows projects to utilize CEQA streamlining provisions by tiering from the MTP/SCS.

**Corridor System Management**

The MTP/SCS should include corridor maintenance and operation strategies, actions, and improvements identified in the corresponding Corridor System Management Plan (CSMP).

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Angela Shepard, SACOG Regional Planning Liaison, at (916) 274-0566 or by email at: angela.shepard@dot.ca.gov.

Sincerely,

ERIC FREDERICKS, Chief
Office of Transportation Planning – South

c: Katie Benour, Chief, Caltrans Headquarters Division of Transportation Planning
Scott Morgan, State Clearinghouse

"Caltrans provides a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability"
July 25, 2014

Kacey Lizon, MTP/SCS Manager
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

RE: Notice of Preparation for the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy for 2036 Update

Dear Ms. Lizon:

Thank you for the opportunity to comment on Notice of Preparation (NOP) for the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for 2036 Update.

Potential Environmental Issues

Transportation and land use impact health through roadway safety, physical activity, and air quality. Determining the health impacts from the mix of vehicle and non-motorized transportation and the density and mix of land uses requires performance measures beyond those identified in the adopted MTP/SCS.

Transportation Safety

The pedestrian quality of the road environment and the proximity of destinations influence the decision to walk rather than to drive. The MTP/SCS seeks to improve both of these conditions in the region and SACOG monitors collisions and collision rates to track roadway safety. The adopted MTP/SCS includes “Percent reduction in accident rates” as a performance measure for transportation safety. Analyzing only collision rates or total collisions can be misleading, though.

As the transportation system and the land use pattern evolve to accommodate more pedestrian activity, the number of pedestrians exposed to potential collisions will rise and there may be a corresponding increase in the number of collisions. However, roadways that are safer for pedestrians will have lower traffic speeds and both the severity of collisions and number of fatalities will be reduced. The DEIR should analyze the severity of collisions and associated costs of medical care so the public and SACOG can better understand the impacts to pedestrian safety of the project and alternatives.

Physical Activity

The Centers for Disease Control and Prevention recommends a minimum of 30 minutes of moderate-intensity physical activity five days per week. Regular physical activity is associated with improved physical and mental health, lower risk of chronic disease and obesity, and longer life. Simply measuring the walking and bicycling mode shares will not indicate the amount of physical activity corresponding to these active transportation modes. Measuring the average time per capita spent walking or bicycling for transportation will help to estimate the potential health benefits or negative impacts from the MTP/SCS.
Are more commute trips being replaced with non-driving trips? The stress produced by single-occupant vehicle commute trips can have a negative impact on physical and emotional health. Shorter single-occupant vehicle travel time and longer active transportation commute trips should each improve the health of commuters. The DEIR should analyze the number of commute trips and travel time for the project and each of the alternatives.

Land use patterns can also impact health by influencing physical activity. Land uses that are compact with a mix of uses make it possible for people to walk to destinations on a daily basis. The number of residential units within a ten minute walk or bike trip to destinations such as schools, parks, transit, grocery stores, restaurants, employment and healthcare are good indicators of walking potential and should be analyzed in the DEIR.

Study Scenarios

The NOP states that SACOG will evaluate three preliminarily identified alternatives in the EIR. The No Project alternative continues current land use patterns and the adopted 2012 MTP/SCS transportation network. Scenarios 1 and 2 take land use and transportation system planning in opposite directions from the No Project alternative. Scenario 1 has a less dense land use pattern and a transportation focus on expanding roads and highways. Scenario 3 has a more compact land use pattern “focused on supporting high transit ridership and productivity”, and a transportation network with a “high investment in transit service and supportive road, pedestrian and bicycling infrastructure.”

Pedestrian and bicycling infrastructure is highly supportive of transit use. An excellent transit system needs a correspondingly high quality pedestrian and bicycle infrastructure to support it. The funding for bike and pedestrian street and trail improvements identified in the MTP/SCS Approach to Scenario Development report to the SACOG Board of Directors on March 13, 2014 is the same for both Scenario 3 and Adopted MTP/SCS (No Project). Scenario 3 or an additional scenario should include greater funding for pedestrian and bicycle infrastructure compared to the proposed 2016 MTP/SCS project and the No Project alternative. This scenario could also include an accelerated funding timeline for pedestrian and bicycle infrastructure improvements that would provide corresponding health, safety and air quality benefits to better meet the goals of the 2016 MTP/SCS.

Other discrepancies in the MTP/SCS Approach to Scenario Development in which the more compact/more transit scenario seems to fall short of the no project scenario includes the share of transit, bike and walk trips and the share of homes in environmental justice areas near high-frequency transit. We hope that Scenario 3 as it is defined for the EIR is truly an alternative that is substantially different from the Proposed Project and the No Project Alternative.

WALKSacramento encourages people to walk and bicycle in their communities. The benefits include improved physical fitness, less motor vehicle traffic congestion, better air quality, and a stronger sense of cohesion and safety in local neighborhoods. WALKSacramento is working to support increased physical activity such as walking and bicycling in local neighborhoods as well as helping to create community environments that support walking and bicycling.

Thank you for your consideration of these comments and recommendations. If you have questions or need additional information, please contact me at (916) 446-9255 or chglm@walksacramento.org.

Sincerely,

Chris Holm
Project Analyst
July 25, 2014

Kacey Lizon
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

RE: Notice of Preparation for the Draft Environmental Impact Report for the 2016 MTP/SCS Update

Ms. Lizon,

This letter responds to the Sacramento Area Council of Government’s (SACOG) Notice of Preparation (NOP) for the 2016 update to the Metropolitan Transportation Plan / Sustainable Communities Strategy (MTP/SCS). As a commenting agency with the duty to “represent the citizens of the Sacramento district in influencing the decisions of other public and private agencies whose actions may have an adverse impact on air quality within the Sacramento district,”¹ the Sacramento Metropolitan Air Quality Management District (District) assists agencies and jurisdictions with implementing the California Environmental Quality Act (CEQA).

For the reasons discussed below, we recommend that SACOG analyze toxic impacts, investigate the construction emissions generated by the proposed projects, and require District construction mitigation when District thresholds are exceeded.

Toxic Impacts

We recommend that SACOG analyze potential toxic impacts associated with 2016 MTP/SCS implementation. The Draft Environmental Impact Report (DEIR) should document and disclose the health impacts of projects and programs that may increase exposure to near road toxic pollutants. These pollutants are known to increase cancer risk and adversely affect respiratory and cardiovascular health. In particular, the DEIR should assess the health effects of diesel particulate matter generated from high volume roadways and transportation construction projects. We also recommend that SACOG encourage the use of available protocols², guidance documents³ and

¹ California Health and Safety Code §40961
² Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, March 2011, California Air Resources Board
³ Recommended Guidance for Land Use Emission Reductions Version 3.1 (for Operational Emissions), June 2014, Sacramento Metropolitan Air Quality Management District
handbooks⁴ to assist agencies implementing MTP projects in mitigating and reducing emissions.

**CEQA Construction Emission Reduction Program**

While construction emissions on an individual project may have a limited duration, the construction sector represents an on-going cumulative source of significant emissions in the air basin. Implementing District’s standard mitigation measures can achieve important emission reductions. Table A demonstrates emission reductions achieved in the last five calendar years from our construction mitigation program.

**Table A: Emission Reductions from Construction Mitigation in Sacramento County**

<table>
<thead>
<tr>
<th>Year</th>
<th>Projects Implementing Mitigation Measures</th>
<th>NOₓ Reductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>29</td>
<td>0.27 Tons per Day</td>
</tr>
<tr>
<td>2012</td>
<td>26</td>
<td>0.29 Tons per Day</td>
</tr>
<tr>
<td>2011</td>
<td>20</td>
<td>0.30 Tons per Day</td>
</tr>
<tr>
<td>2010</td>
<td>30</td>
<td>0.36 Tons per Day</td>
</tr>
<tr>
<td>2009</td>
<td>25</td>
<td>0.40 Tons per Day</td>
</tr>
</tbody>
</table>

These reductions are an integral part of the SMAQMD’s progress toward clean air and are highlighted in our annual progress reports prepared in compliance with the California Clean Air Act.

**Compliance with the Construction Emission Program**

The District is currently aware of twenty-three CEQA lead agencies approving construction projects within the SMAQMD. Twenty-two of those lead agencies utilize District thresholds and mitigations when considering projects; one does not. The agency that does not utilize District thresholds and mitigations when considering projects is Caltrans, which is the lead agency for many transportation projects within the District. Currently, all member jurisdictions of SACOG within Sacramento County utilize District thresholds and mitigation. The Governor’s Office of Planning and Research recommends that lead agencies “harmonize the thresholds with those of other agencies to the extent possible, particularly the technical thresholds of regulatory agencies such as an air quality management district or water quality control board,”⁵ therefore, the District recommends SACOG require all projects in the MTP/SCS to comply with District thresholds and mitigation.

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⁴ Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, California Air Resources Board

To summarize, the District is requesting that SACOG assess the toxic risks associated with diesel particulate matter generated from high volume roadways and transportation construction projects, investigate the construction emissions generated by the proposed projects, and require District construction mitigation when District thresholds are exceeded.

Thank you for the opportunity to comment on this project. If you have additional questions or require further assistance, please contact Paul Philley, AICP at pphilley@airquality.org or (916) 874-4882.

Sincerely,

Larry Greene, Air Pollution Control Officer / Executive Director
Sacramento Metropolitan Air Quality Management District
777 12th Street, 3rd Floor
Sacramento, CA 95814
July 15, 2014

Kacey Lizon  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814 
(916) 340-6265  
klizon@sacog.org

SUBJECT: COMMENTS ON THE NOTICE OF PREPARATION FOR AN ENVIRONMENTAL IMPACT REPORT FOR THE 2016 MTP/SCS UPDATE.

Ms. Lizon:

We have received the notice of preparation (NOP) for an environmental impact report for the 2016 MTP/SCS update project. We appreciate the opportunity to review this document. County staff has been working with SACOG staff on this project and will continue to do so. We have no comments at this time. 

If you have any questions, please contact me at (916) 875-2844.

Sincerely,

Kamal Atwal, P.E.  
Associate Transportation Engineer  
Department of Transportation

KA

Cc: Dean Blank, DOT  
    Matt Darrow, DOT  
    Juliette Robinson, PERD
July 25, 2014

Kacey Lizon
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814
Via email: eircomments@sacog.org

Dear Ms. Lizon:

Thank you for the opportunity to comment on the Sacramento Area Council of Governments' (SACOG) Notice of Preparation (NOP) of a programmatic environmental impact report for the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy for 2036 (MTP/SCS) Update. We welcome the opportunity to provide input regarding how to ensure the consistency of the MTP/SCS with the Delta Plan, as required by the Delta Reform Act (Water Code Section 85212).

The Delta Reform Act establishes specific criteria and categories for exempting actions from the Council's regulatory authority. One of these exclusions is for actions within the secondary zone of the Delta that a metropolitan planning organization determines are consistent with its SCS. Such proposed actions are not "covered actions" regulated by the Council (Water Code Section 85057.5(b)(4)). Therefore, as we have discussed, coordinating our plans' consistency is particularly important to achieving our common goals.

Council staff enjoyed a collaborative relationship with SACOG staff during the scoping and review periods for SACOG's first MTP/SCS and its environmental documents, which were approved in 2012, while the Delta Plan was still in draft form. The 2016 MTP/SCS Update provides an opportunity to further improve consistency now that the Delta Plan and its regulations are effective. We look forward to continued coordination between our agencies to further our related efforts.

**SCS Consistency with the Delta Plan**

Based on the Delta Plan, our review of the NOP for the MTP/SCS identified the following areas to consider in order to ensure consistency:

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

- CA Water Code §85054
• **Urban boundaries.** The urban boundaries identified in the MTP/SCS should be consistent with the Delta Plan. The boundaries are described in Delta Plan Policy DP P1 (23 CCR Section 5010), with reference to maps in Appendix 7 of Delta Plan regulations. These boundaries are intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk. DP P1 is based on city boundaries and spheres of influence effective as of May 16, 2013, the date of the Delta Plan’s adoption.1

• **Habitat restoration areas.** Land should be set aside for future habitat restoration needs, including the needs of the South Sacramento Habitat Conservation Plan, consistent with the priority habitat restoration areas identified in the Delta Plan. Delta Plan Policy ER P3 (23 CCR Section 5007) calls for protecting opportunities to restore habitat in these areas, which are depicted in Appendix 5 of the Delta Plan regulations. At the same time, Delta Plan Policy DP P2 (23 CCR Section 5011) calls for respecting local land use when siting water or flood facilities or habitat restoration. For this reason, the priority habitat restoration areas are located in areas designated for agriculture, open space or natural preserve in county general plans, and not in areas currently designated for urban uses.

• **Flood risk reduction.** Land use planning for the MTP/SCS should reduce flood risk. The Delta Plan contains three policies that are most relevant to SACOG’s consideration of this issue: Policy RR P2 (23 CCR Section 5013) requires flood protection for residential development in rural areas, Policy RR P3 (23 CCR Section 5014) restricts encroachment in floodways, and Policy RR P4 (23 CCR Section 5014) restricts encroachments in floodplains, including the Cosumnes River-Mokelumne River Confluence. In addition, the Delta Plan contains a recommendation (RR R7) encouraging the Central Valley Flood Protection Board to evaluate designating additional floodways. Flood risk reduction should be included as a factor when evaluating various land use scenarios.

• **General.** On a more general note, Council staff offers these additional comments regarding ways in which the MTP/SCS can help to achieve the Delta Plan’s coequal goals of water supply reliability and ecosystem restoration, while protecting and enhancing the Delta as an evolving place.

  o **Water supply reliability.** The MTP/SCS should address the Delta Plan’s goal of improving water supply reliability. The Delta Plan’s legally binding policies and most of its recommendations related to water supply reliability are directed primarily at water suppliers and state and federal agencies. However, there is strong evidence that compact growth reduces per capita water demand, as well

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1 Council staff has identified and City of Sacramento staff has confirmed an error in the Delta Plan map of land use designations in the City of Sacramento. The Delta Plan map is based on 2008 data, but it should have been based on the General Plan map that was adopted in 2009, the last update that occurred before the Delta Plan was adopted in 2013. Council staff intends to recommend correcting this error as part of the next amendment of the Delta Plan and its regulations.
as water supply infrastructure costs, and we therefore request that these environmental and economic benefits be included as factors in the evaluation of land use scenarios. In addition, we note that water use efficiency is one of several criteria required for “transit priority projects” as defined by SB 375 to obtain an exemption from the requirements of the California Environmental Quality Act (CEQA).

- **Protecting the Delta as Place.** The MTP/SCS should contribute to protecting and enhancing the unique cultural, recreational, natural resource, and agricultural values of the Delta. Several recommendations in the Delta Plan provide guidance in this area. **DP R5** recommends providing adequate infrastructure to meet development needs, consistent with sustainable communities strategies and other relevant plans. **DP R8** and **DP R9** call for promoting value-added crop processing and agitourism, respectively. **DP R17** calls for enhancing opportunities for visitor-serving businesses.

**Comments on the NCP**

In addition to ensuring consistency of the MTP/SCS with the Delta Plan, we recommend that SACOG staff discuss or include the following matters in the EIR:

- **Regulatory Setting.** The EIR should acknowledge the Delta Plan regulations and recommendations in the regulatory setting of all appropriate sections, such as land use and planning, biological resources, and agricultural resources sections.

- **Inconsistencies with the Delta Plan.** The EIR should discuss any inconsistencies between the proposed project and the Delta Plan, as required by Section 15125(d) of the CEQA Guidelines. Note, too, that the CEQA Guidelines’ Appendix G states that a project that is inconsistent with any applicable land use plan, policy, or regulation may result in a finding of significant impact on biological resources.

- **Agricultural Resources:** The EIR should include an analysis of the potential loss of agricultural land in the Delta caused by urban development covered by the MTP/SCS. **Delta Plan Policy DP P1** (23 CCR Section 5010) states that new residential, commercial, or industrial development is permitted outside the urban boundaries only if it is consistent with the land use designated in the relevant county general plan. It is intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk. Please discuss any potential impacts to agricultural resources.

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3 SB 375 provides a total CEQA exemption for transit priority projects that comply with a long list of criteria, including having buildings and landscaping that are 25% more water efficient than average for the community.
We also recommend adding the following mitigation measures, which are drawn from the Delta Plan's Final Programmatic EIR, to ensure that farmlands are protected to the greatest extent possible:

- "Design proposed projects to minimize, to the greatest extent feasible, the loss of the highest valued agricultural land.
- Redesign project features to minimize fragmenting or isolating farmland. Where a project involves acquiring land or easements, ensure that the remaining non-project area is of a size sufficient to allow viable farming operations. The project proponents shall be responsible for acquiring easements, making lot line adjustments, and merging affected land parcels into units suitable for continued commercial agricultural management.
- Reconnect utilities or infrastructure that serve agricultural uses if these are disturbed by project construction. If a project temporarily or permanently cuts off roadway access or removes utility lines, irrigation features, or other infrastructure, the project proponents shall be responsible for restoring access as necessary to ensure that economically viable farming operations are not interrupted.
- Manage project operations to minimize the introduction of invasive species or weeds that may affect agricultural production on adjacent agricultural land.
- Design proposed projects to minimize, to the greatest extent feasible, conflicts and inconsistencies with land protected by agricultural zoning or a Williamson Act contract and the terms of the applicable zoning/contract."

**Biological Resources:** The NOP states that the EIR will identify any potential impacts of the SSHCP on biological resources. **Delta Plan Policy ER P2 (23 CCR Section 5006)** states that habitat restoration must be carried out consistent with Appendix 3 of the Delta Plan regulations, which is an excerpt from the California Department of Fish and Wildlife’s Draft Ecosystem Restoration Program Conservation Strategy, which calls for restoring habitats at appropriate elevations. Further guidance is provided by Delta Plan Recommendation **ER R2**, which states, for the Cosumnes-Mokelumne Confluence, “Allow these unregulated and minimally regulated rivers to flood over their banks during winter and spring frequently and regularly to create seasonal floodplains and riparian habitats that grade into tidal marsh and shallow subtidal habitats.” **ER P3**, mentioned above, calls for protecting opportunities to restore habitat in these areas. More specifically, the policy states that “significant adverse impacts to the opportunity to restore as described in section 5006 must be avoided or mitigated.” Potential mitigation measures could include elevating facilities so that water can flow underneath to allow for future restoration of habitats dependent on tides or periodic flooding, or locating facilities at the edge of the restoration area, rather than in the middle, to improve opportunities for restoring habitat connectivity. The mitigation shall be determined, in consultation with the California Department of Fish and Wildlife, considering the size of the project area and the type and value of habitat that could be restored in that area.
We look forward to working with you and your staff to ensure consistency between the MTP/SCS and the Delta Plan, so that the two plans are complementary and serve to protect the Delta while promoting sustainable growth and economic vitality in the broader region.

If you have any questions, please contact Jessica Davenport at jdavenport@deltacouncil.ca.gov or (916) 445-2168.

Sincerely,

Cindy Messer  
Deputy Executive Officer, Delta Plan  

cc: Erik Vink, Delta Protection Commission  
Carl Wilcox, Department of Fish and Wildlife  
Len Marino, Central Valley Flood Protection Board
July 24, 2014

Kacey Lizon
Sacramento Area Council of Governments (SACOG)
1415 L Street, Suite 300
Sacramento, CA 95814

Subject: 2016 Metropolitan Transportation Plan/ Sustainable Communities Strategy Update (SCH# 2014062060)

Dear Ms. Lizon:

Delta Protection Commission (Commission) staff have reviewed the Notice of Preparation for the 2016 Metropolitan Transportation Plan/ Sustainable Communities Strategy Update (Project). A portion of SACOG’s area lies within the Delta’s Primary Zone and is subject to consistency requirements with the Commission’s Land Use and Resource Management Plan (LURMP), which contains policies to protect the Delta environment, including its agricultural, ecological and recreational resources.

Given that portions of Sacramento and Yolo Counties are within the Legal Delta, SACOG should also consider alternative transportation choices for urban residents in the Secondary Zone visiting the Delta’s Primary Zone for recreation and tourism, in addition to supporting sustainable transportation options for Delta Legacy Community residents in Clarksburg, Hood, Courtland, Ryde, Walnut Grove, Locke and Isleton. The Project should consider the policies outlined in the LURMP for any potential effects to the environment of the Delta’s Primary Zone (see Attachment for a list of LURMP policies that apply to your Project).

In addition, the Great California Trail Act (Chapter 839, statute of 2006) directed the Commission to develop and adopt a plan and implementation program for a continuous regional recreational corridor that will extend throughout the five Delta Counties and link to the San Francisco Bay Trail and Sacramento River Trail. The Project EIR should mention the Great California Delta Trail in the State Regulatory Settings section since the Project encompasses a portion of Sacramento and Yolo Counties. Potential language can include the following:
The Great California Delta Trail System (Chapter 839, statute of 2006): Existing law establishes the Delta Protection Commission to preserve, protect, maintain, and enhance the Sacramento-San Joaquin Delta region’s environmental resources and quality, including preserving and protecting agriculture, wildlife habitats, open spaces, outdoor recreational activities, public access, and use of public lands. This bill would additionally require the Delta Protection Commission to establish a continuous recreation corridor, including bicycle and hiking trails, around the five county region of the Delta, as defined.

Currently, the Commission is working on the *Blueprint Report for the Great California Delta Trail in Sacramento, San Joaquin, and Yolo Counties*. Coordination with the Commission’s Delta Trail planning process should be made to ensure that pedestrian and bicycle lanes/routes/trails in your Project are linked or incorporated into this regional trail network, thus increasing connectivity for commuters and recreationists.

Thank you for the opportunity to provide input. Please contact Raymond Costantino, Associate Environmental Planner at (916) 375-4534, if you have any questions about the comments provided.

Sincerely,

Erik Vink
Executive Director

Cc: Don Nottoli, Sacramento County Board of Supervisors
    Oscar Villegas, Yolo County Board of Supervisors

Enclosure
ATTACHMENT A: RELEVANT LAND USE RESOURCE MANAGEMENT PLAN POLICIES

Recreation, P-1, Ensure appropriate planning, development and funding for expansion, ongoing maintenance and supervision of existing public recreation and access areas.

Recreation, P-3, Assess the need for new regional public and private recreation and access facilities to meet increasing public need, and ensure that any new facilities are prioritized, developed, maintained and supervised consistent with local, state, and federal laws and regulations. Ensure that adequate public services are provided for all existing, new, and improved recreation and access facilities.

Recreation, P-4, Encourage new regional recreational opportunities, such as Delta-wide trails, which take into consideration environmental, agricultural, infrastructure, and law enforcement needs, and private property boundaries. Also, encourage opportunities for water, hiking, and biking trails.

Recreation, P-8, Ensure, for the sake of the environment and water quality, the provision of appropriate restroom, pump-out and other sanitation and waste management facilities at new and existing recreation sites, including marinas; encourage the provision of amenities including but not limited to picnic tables and boat-in destinations.

Recreation, P-11, Recognizing existing laws, encourage establishment of Delta-wide law enforcement protocols on local public nuisance and safety issues, such as trespassing, littering, and theft.

Recreation, P-13, Support the development of a strategic plan, in consultation with all law enforcement agencies having jurisdiction in the Delta, to improve law enforcement and the use of available resources to ensure an adequate level of public safety. The strategic plan shall identify resources to implement the plan.

Agriculture, P-9, Support agricultural tourism and value-added agricultural production as a means of maintaining the agricultural economy of the Delta.

Natural Habitat, P-6, Support the implementation of appropriate buffers, management plans and/or good neighbor policies (e.g. safe harbor agreements) that among other things, limit liability for incidental take associated with adjacent agricultural and recreational activities within lands converted to wildlife habitat to ensure the ongoing agricultural and recreational operations adjacent to the converted lands are not negatively affected.

Natural Habitat, P-7, Incorporate, to the maximum extent feasible, suitable and appropriate wildlife protection, restoration and enhancement on publicly-owned land as part of a Delta-wide plan for habitat management.

Natural Habitat, P-8, Promote ecological, recreational and agricultural tourism in order to preserve the cultural values and economic vitality that reflect the history, natural heritage and human resources of the Delta including the establishment of National Heritage Area designations.