

## Finding of No Significant Impact

**Grant Applicant:** Sacramento Area Council of Governments (SACOG)

**Project:** Downtown/Riverfront Streetcar Project

**Project Location:** Cities of West Sacramento and Sacramento, California

A joint Environmental Assessment (EA)/Initial Study (IS) for the Downtown/Riverfront Streetcar Project (Project) was prepared by SACOG in cooperation with the Federal Transit Administration (FTA) pursuant to the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C Section 4332); Federal Transit Law (49 U.S.C. Chapter 53); the Clean Air Act (42 U.S.C 7401); the National Historic Preservation Act (NHPA) (54 U.S.C. 300101); Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303); the Endangered Species Act of 1973 (16 U.S.C. 1531); Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations); and, the Council on Environmental Quality (CEQ) regulations for implementing NEPA. This Finding of No Significant Impact (FONSI) hereby incorporates by reference the May 2015 EA/IS and the supporting technical studies (available at [http://www.sacog.org/sites/main/files/file-attachments/streetcar\\_project\\_ea-is\\_may2015\\_compiled.pdf](http://www.sacog.org/sites/main/files/file-attachments/streetcar_project_ea-is_may2015_compiled.pdf).)

### Background

In 2006, the City of Sacramento, the City of West Sacramento, Regional Transit, and the Yolo County Transit District began working together to study the reintroduction of a streetcar to connect their cities' downtowns and riverfront areas. A preliminary route was evaluated pursuant to CEQA and a Final Environmental Impact Report (EIR) was certified in 2009 by the City of West Sacramento, acting as CEQA lead agency. In an effort to further refine the alignment within the City of Sacramento and to address funding concerns, the City of Sacramento embarked on the Sacramento Streetcar Planning Study in early 2011. This study was adopted in 2012, and it established the Locally Preferred Alternative, which is the Project (i.e., Action Alternative) addressed. The May 2015 EA/IS evaluated the construction and operation of a streetcar system located in the downtown areas of Sacramento and West Sacramento, in Sacramento and Yolo Counties, respectively.

### Project Description

The 3.3-mile streetcar route will extend from the West Sacramento Civic Center to the Midtown entertainment and retail district in Sacramento. The Project alignment is located on existing city streets with the exception of a small section connecting with the Sacramento Intermodal Transportation Facility (SITF). New track will be laid for the entire alignment within West Sacramento and across Tower Bridge. East of Tower Bridge, new track will be installed in the road bed on Capitol Mall to 3rd Street and north on 3rd Street to the SITF, where it will connect with existing LRT tracks that run east onto H Street. Short sections of new track will also be necessary on 7th Street from just north of J Street to K Street, and on 12th Street between K and L streets. The full lengths of J, L, and 19th streets will require new track. New track will also be placed on H Street

between 8th and 12th streets to accommodate the relocation of LRT from K Street. Other key elements of the Project include:

- **Stations.** The Project includes the construction of 12 westbound and 13 eastbound stations. Station platforms will be concrete slabs constructed within the sidewalk and/or roadbed and will not require removal of any existing granite curbs or street trees. Station elements will include amenities such as a canopy mounted on structural supports, supplemental lighting, fare machines, schedule and patron information rack, bench, lean rail, trash receptacle, sign with stop name, and an ADA pedestrian warning strip running the length of the boarding area.
- **Traction Power Facilities.** Two traction power facilities will be located within public rights-of-way and be approximately 375 square feet in West Sacramento. Substations will convert electrical current to the proper voltage for streetcars and include existing LRT facilities. Support and catenary poles of the Overhead Contact System (OCS) will be spaced along the streetcar alignment and will be similar to the system that is currently in place today for the LRT system in Downtown Sacramento. The maximum span between OCS poles will be 120 feet; existing utility and LRT poles, and suitable buildings that are not historic structures will be used whenever possible to attach wires.
- **Maintenance and storage facilities.** The maintenance and storage facility (MSF) will accommodate daily and routine vehicle inspections, interior/exterior cleaning of the streetcars, preventive maintenance, unscheduled maintenance, and component change-out. The MSF will be constructed in Sacramento beneath the Business 80/Highway 50 elevated freeway viaduct between X Street, W Street, 19th Street, and RT's South Line LRT tracks, on land currently owned by Caltrans and leased to the City of Sacramento for parking. The approximately 1.5-acre site would be configured to fit approximately 11 streetcars. The site would be accessed from the existing LRT tracks. A second MSF could be constructed in West Sacramento beneath the Business 80/ 50 freeway (Pioneer Bridge) near South River Road and Mill Street/Riverfront Street in Caltrans right of way. The approximately 3.0-acre site would accommodate approximately 11 streetcars. The West Sacramento MSF site would also include an additional traction power substation. Both MSF locations and the third traction power facility were evaluated in the EA/IS.

Staging and construction of the track, stations, street improvements/repairs, and traction power facilities will occur in the existing public rights-of-way. Construction activities will occur in three-block segments that will take approximately three weeks each.

### **Alternatives Considered**

The EA/IS analyzed effects of two alternatives: the Action Alternative (i.e., the Project) and the No Action Alternative. The No Action Alternative includes the existing transportation system and all projects in SACOG's Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) that are programmed to serve the study area and expected to be completed by 2017; the

anticipated opening year. The No Action Alternative represents future conditions in the study area if the Project were not built.

### **Environmental Effects**

FTA, in cooperation with Sacramento Area Council of Governments (SACOG) prepared the EA/IS to evaluate the Project pursuant to the requirements of NEPA, as codified in 23 CFR 771.119. The EA/IS concluded that implementation and operation of the Project would not result in significant adverse effects. This conclusion applies to all applicable elements, including: Aesthetic and Visual Resources; Air Quality and Climate Change; Biological Resources; Historic, Architectural, Archaeological and Paleontological Resources; Geology and Soils; Energy and Public Utilities; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise and Vibration; Parks and Recreation; Socioeconomics and Regional Growth; Transportation; and, Environmental Justice.

### ***Air Quality Conformity.***

The Project is listed in the SACOG 2012 MTP/SCS, which was adopted on April 19, 2012. A regional conformity determination on the MTP/SCS was made by FTA/FHWA on May 3, 2012. The Project is also included in SACOG's financially constrained 2013-2016 MTIP. The Project is consistent with the 2012 MTP/SCS, the 2013 2016 MTIP, and the traffic assumptions of the SACOG's regional emissions analysis. The Project is in conformity with the State Implementation Plan (SIP), will not otherwise interfere with timely implementation of any transportation control measures in the applicable SIP, and is not a project of air quality concern because it does not have the potential of increasing utilization and/or emissions from diesel vehicles. As the designated metropolitan planning organization for the region, SACOG is responsible for ensuring that transportation projects and plans do not impede the region's clean air goals. SACOG evaluates all projects included in the federal MTP and the Metropolitan Transportation Improvement Program (MTIP) to ensure consistency with air quality objectives - a process referred to as finding or determining conformity.

### ***National Historic Preservation Act Compliance.***

On November 8, 2013, the Federal Transit Administration (FTA) initiated Section 106 consultation. In accordance with Section 106 of the National Historic Preservation Act (NHPA), an area of potential effect (APE) was delineated to encompass potential direct and indirect effects on cultural resources. Built environment and archaeological assessments were prepared as well. The reports identified three resources within the APE that are historic properties currently listed on the National Register of Historic Properties (NRHP). These include the Tower Bridge, Southern Pacific Depot, and State Capitol Building and Grounds. The Raised Streets/Hollow Sidewalks (RSHS) District also occurs within the APE and was determined eligible for listing on the NRHP in 2011. An additional historic-era resource, the Llewellyn Williams Mansion, was recorded and evaluated for NRHP eligibility.

The Project will be designed to avoid adverse effects to the RSHS District through the use of existing LRT infrastructure whenever possible; by modifying system elements that may create a conflict including OCS pole locations, foundations and track; using existing buildings to attach wires; and/or attaching wires to a backbone wire between poles or structures. In order to avoid unanticipated

adverse effects, a number of avoidance and minimization measures have been identified, including preparation of an Unanticipated Discovery Plan (UDP). No adverse effects are expected on the Tower Bridge, Southern Pacific Depot, State Capitol Building and Grounds, or the Llewellyn Williams Mansion.

On December 10, 2015, FTA submitted a letter of commitment from FTA and SACOG to avoid adverse effects to historic properties as well as an Unexpected Discovery Plan (UDP) annotated outline for the Project. After revisions to the UDP annotated outline were completed and resubmitted, SHPO concurred on January 13, 2016 (see Attachment 1) with FTA's finding of no adverse effect to historic properties with the implementation of conditions [36 CFR 800.5(b)] outlined in the UDP.

FTA and SACOG have conducted outreach and consultation with various Native American tribes. Letters were sent to 16 Native American tribes on November 19, 2013. Replies were received from two federally recognized tribes, the Shingle Springs Rancheria and Yocha Dehe Wintun Nation in letters dated December 11, 2013 and December 17, 2013, respectively. The Yocha Dehe Wintun Nation recommended including monitors during development or ground disturbance. The Shingle Springs Band of Miwok Indians asked to be included as a consulting party in identifying any Traditional Cultural Properties that may exist within the APE. Native American consultation will be ongoing throughout the design and construction of the Project.

***Section 4(f) Finding.***

The Department of Transportation Act of 1966 protects properties, including publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly- or privately-owned historic site listed or eligible for listing in the NRHP. The Section 4(f) properties include the RSHS District, the Tower Bridge, the State Capitol Building and Grounds, and the Llewellyn Williams Mansion. The Project would not permanently incorporate any part of the State Capitol Building and Grounds and the Llewellyn Williams Mansion; therefore, no permanent use of these properties would occur. In addition, the Project would not substantially impair the attributes and features that make these two properties eligible for the National Register so there is no constructive use.

The Project includes changes to the bridge deck of the Tower Bridge, which has already undergone several modifications, including removal of the original rails and replacement of most of the roadway surface. The alterations to the substructure would be minimal and do not have the potential to alter primary character-defining elements. The lightweight deck is considered one of the character-defining features of the bridge, and the Project would require the removal of a strip from the center of the deck of the lift span. However, the strip to be removed would not constitute an adverse effect because the deck has been modified and the deck originally carried a rail line in this location. The Project would not substantially impair the NRHP qualifying features or attributes of the Tower Bridge. FTA determined that the Project would have no adverse effect on the Tower Bridge under Section 106, and the SHPO concurred on January 13, 2016. Therefore, FTA determined that the Project will result in *de minimis* impact on the Tower Bridge.

The defining above ground features of the RSHS District are the raised streets, dipping alleyways, and visual changes in street elevation; because their elevation would not be altered by the Project, these topographic features would not be adversely affected. However, many of the features and attributes that qualify the RSHS District for protection under Section 4(f) are buried underground and are generally hidden from public view. The OCS poles will require cast-in-drilled-hole foundations of several feet, which could penetrate into the hollow sidewalks, and would constitute a use under Section 4(f). Only the permanent incorporation of contributing elements of the RSHS District itself would be considered a Section 4(f) use. With the implementation of the UDP and minimization measures though, the Project will not adversely impair the activities, features, or attributes of the RSHS Historic District that qualify it for listing on the NRHP. FTA determined that the Project would have no adverse effect on the RSHS District under Section 106, and the SHPO concurred on January 13, 2016. Therefore, FTA determined that the Project will result in a *de minimis* impact on the RSHS District.

The Project overall would result in a use of Section 4(F) properties with *de minimis* impacts.

#### ***Endangered Species Act Compliance.***

The Project area consists of urban and residential development that supports very little habitat for federally listed threatened or endangered species. A biological resources technical memorandum was prepared and provides a summary of regionally occurring special-status species obtained from the U.S. Fish and Wildlife (USFWS) and other database sources. The Project will not affect federally listed as threatened or endangered plant or wildlife species.

The Project is considered to have the potential to affect nesting and/or roosting birds protected under the Migratory Bird Treaty Act (MBTA); however, minimization measures have been identified which will reduce potential adverse effects.

#### ***Executive Order 12898 (Environmental Justice) Compliance.***

The potential for disproportionate adverse environmental effects on minority and low income populations was evaluated in accordance with Executive Order 12898 and FTA's 2012 Environmental Justice Circular 4703.1. No minority or low-income populations have been identified that would be disproportionately adversely effected by the Project. With implementation of minimization and mitigation measures, effects of the Project would not be adverse. Therefore, the Project would not create disproportionate adverse effects, to Environmental Justice communities.

#### **Measures to Mitigate and Minimize the Adverse Effects of the Project**

Measures to mitigate and minimize the adverse effects of the Project have been identified for disturbance of MBTA nesting birds and bird species during construction; avoidance and/or treatment due to the inadvertent discovery of cultural resources; coordination with utility providers to reduce energy and utility disruption; measures to avoid exposure to hazards and hazardous materials, minimization of noise and vibration from operations, and temporary measures to avoid conflicts due to road and bicycle lane closures during construction. All mitigation measures are included in Table ES-1 of the EA/IS and responsibilities of mitigation would convey to the Project operator when one is identified.

**Public Review and Comments Received on the EA/IS**

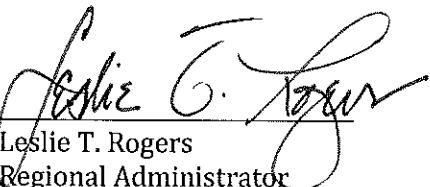
On May 15, 2015, the EA/IS was distributed for a 30-day public review and comment period pursuant to NEPA and Section 106 of the NHPA. The notice of availability (NOA) of the EA/IS was made through notices published in the *Sacramento Bee*. The NOA was sent directly to federal, state, local agencies, Native American tribes, and the California State Clearinghouse (SCH 2015052050). Printed copies were placed in local libraries in both Sacramento and West Sacramento for public review. Copies of the EA/IS and supporting technical studies were also made available on the Project and SACOG’s website. The public review period ended on June 22, 2015.

Comments were received from four (4) public agencies and one (1) individual during the review period. Another two (2) comment letters were received after the close of the public review period. All comments, and responses thereto, serve as an addendum to the EA/IS and are included in Attachment 2. Comments received on the EA/IS, related to safe operation and security of the project, adequacy of the NEPA review, loss of parking, water resources, and impacts to local and state agencies. FTA and SACOG, evaluated all comments received on the EA/IS and determined that no new information or circumstances relevant to environmental concerns were raised that would require the preparation of a supplemental EA/IS document.

**Environmental Findings**

FTA finds, on the basis of the analysis, reviews, concurrence letters from SHPO, and mitigation measures described above, that there are no significant impacts to the environment associated with the construction and operation of the Downtown/Riverfront Streetcar Project. In accordance with 23 CFR Part 771.121(a), FTA determines that the elements of this project and its environmental impacts have been adequately identified and assessed, and FTA issues this Finding of No Significant Impact, which by reference incorporates all findings and mitigation found within the EA/IS.

Notice of this FONSI will be made available to the affected units of federal, state, and local governments, and shall be made available to members of the public upon request, as prescribed on 23 CFR 771.121(b).

  
Leslie T. Rogers  
Regional Administrator  
FTA Region IX

FEB 12 2016  
Date

- Attachment 1: SHPO Concurrence Letter
- Attachment 2: Response to Comments on EA/IS

Attachment 1  
SHPO Concurrence Letter

**OFFICE OF HISTORIC PRESERVATION  
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January 13, 2016

Reply To: FTA\_2013\_1112\_001

Leslie Rogers  
Regional Administrator  
Federal Transit Administration  
201 Mission Street, Suite 1650  
San Francisco, CA 94105-1839

Re: Continuing Consultation on the Commitments for Avoidance and Minimization of Effects to Historic Properties-Downtown/Riverfront Streetcar Project, West Sacramento and Sacramento, Sacramento County, CA

Dear Mr. Rogers:

The Federal Transit Administration (FTA) is continuing consultation with the State Historic Preservation Officer (SHPO) on the above-referenced undertaking in order to comply with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations at 36 CFR Part 800. During previous consultation, FTA submitted for SHPO review and comment the following:

- A letter authored by both FTA and the Sacramento Area Council of Governments (SACOG) that reiterates their commitment to avoid adverse effects to historic properties as a result of this undertaking; and
- The *Downtown/Riverfront Streetcar Project Unanticipated Discovery Plan (Draft Annotated Outline)* (UDP) December 2, 2015 report

In a November 5, 2015 project meeting for this undertaking, the SHPO and FTA agreed that the above documentation must contain agreed upon content to support FTA's finding of no adverse effect to historic properties with conditions as a result of this undertaking. By letter dated December 31, 2015, the SHPO responded that the letter was sufficient, and recommended several additions be made to the UDP dated December 2, 2015 and also submitted comments and questions to the document in track changes. Via email on January 8, 2016, FTA submitted the following:

- *Downtown/Riverfront Streetcar Project Unanticipated Discovery Plan (Draft Annotated Outline)* (UDP) January 7, 2016 (PDF version)
- *Downtown/Riverfront Streetcar Project Unanticipated Discovery Plan (Draft Annotated Outline)* (UDP) January 7, 2016 (MS Word version)

Thank you for providing the revised documentation for SHPO review and comment. I have reviewed the revised UDP and find that it presents a series of conditions that demonstrate SACOG's commitment to avoid adverse effects to historic properties.



Attachment 2  
Response to Comments on EA/IS

# DOWNTOWN RIVERFRONT STREETCAR PROJECT RESPONSE TO COMMENTS

## INTRODUCTION

The Federal Transit Administration (FTA) and the Sacramento Area Council of Governments (SACOG) have prepared a joint Environmental Assessment (EA)/Initial Study (IS) to address the environmental effects of the proposed Downtown/Riverfront Streetcar Project (Project) in compliance with the National Environmental Policy Act (NEPA) of 1969, and the California Environmental Quality Act (CEQA) of 1970. FTA is the lead agency for NEPA, and SACOG is the lead agency for CEQA. The EA/IS was released for public review and comment on May 15, 2015. The public review period ended on June 22, 2015, extending beyond the minimum required 30-day review.

Written comments were received from four (4) state agencies and one (1) individual prior to the close of the review period. Another two (2) comment letters were received after the close of the public review period. These included comments from a utility provider and another state agency. No comments were received from federal agencies. See Table 1, below, for a list of all commenters.

**Table 1 List of Commenters on the EA/IS**

Comment #	Individual or Organization	Affiliation	Date
1	Trevor Cleak	Central Valley Regional Water Quality Control Board	May 27, 2015
2	Scott Morgan	State Clearinghouse	June 17, 2013
3	Lynne Stevenson	Resident	June 21, 2015
4	P.A. Gonzales	Department of California Highway Patrol	June 22, 2015
5	Angela Verbaere	California Department of General Services	June 22, 2015
6	Rob Ferrera	Sacramento Municipal Utility District	June 26, 2015
7	Cy R. Oggins	California State Lands Commission	June 26, 2015

One email was received from a community member and former federal employee and included comments related to NEPA document contents and requirements. State agency comments included identification of the potential regulatory requirements as well as safety, design and nuisance concerns. The utility provider, the Sacramento Municipal Utility District, commented on the need for coordination of utility relocation and/or conflicts during construction.

## RESPONSES TO COMMENTS

The following sections provide responses to comments received on the EA/IS. It should be noted that portions of the comment letters contain standard information and statements that are not directly pertinent to the adequacy and content of the EA/IS. Responses to substantive comments are provided in the form of individual responses. Comment letters have been marked up to denote individual comments and are attached in their entirety.

### **RESPONSE TO LETTER 1 - COMMENT 1**

The Central Valley Regional Water Quality Control Board (CVRWQCB) has commented that their agency is designated with the responsibility of protecting the quality of surface and ground waters of the state and has provided general requirements for permits for projects affecting waters of the state as well as waters of the United States. Specific permit requirements identified include: Construction Storm Water General Permit; Clean Water Act Section 404 Permit; Clean Water Act Section 401 Permit-Water Quality Certification; and, Waste Discharge Requirements. The EA/IS addresses state and federal regulations regarding surface and ground waters in Sections 4.3, 4.5, and 4.8. The EA/IS also identifies the need to obtain a National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction Activities from the CVRWQCB in Section 3.2, Permits Required. No additional response is required.

It should be noted that the letter submitted by the CVRWQCB is a standardized letter and also addressed permits that are not relevant to the project, including: Phase I and II Municipal Separate Storm Sewer System (MS4) Permits 1 for new development; Industrial Storm Water General Permit for industrial sites; and, Regulatory Compliance for Commercially Irrigated Agriculture.

### **RESPONSE TO LETTER 2 - COMMENT 1**

The State Clearinghouse (SCH) has provided notification that the SCH submitted the EA/IS to selected agencies for review and acknowledges that SACOG has complied with the SCH review requirements for draft environmental documents, pursuant to CEQA. No response is required.

### **RESPONSE TO LETTER 3 - COMMENT 1**

This comment addresses National Environmental Policy Act (NEPA) requirements related to a Finding of No Significant Impact (FONSI). Specifically, the comment states that “the significance of any effects, not just whether they would be adverse or beneficial, needs to be evaluated and determined to be less than significant after implementation of avoidance, minimization, or mitigation.” FTA is the federal lead agency for the project and has prepared the EA consistent with Federal Highway Administration and Federal Transit Administration Environmental Impact and Related Procedures (23 CFR part 771). Pursuant to Section 771.121, Findings of no significant impact:

- (a) The Administration will review the EA and any public hearing comments and other comments received regarding the EA. If the Administration agrees with the applicant's recommendations pursuant to §771.119(g), it will make a separate written FONSI incorporating by reference the EA and any other appropriate environmental documents.

These responses to comments are included as an attachment to the FONSI. As noted in the FONSI, the EA concluded that implementation and operation of the Project would not result in significant adverse effects.

## **RESPONSE TO LETTER 3 - COMMENT 2**

The commenter cites NEPA requirements for addressing both direct effects and indirect effects within the environmental consequences analysis. 40 CFR 1508.8 defines direct and indirect effects as follows:

(a) Direct effects, which are caused by the action and occur at the same time and place.

(b) Indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

The general methodology section of Chapter 4 of the EA/IS states that the analysis assesses both direct impacts (an effect that is caused by an action and occurs at the same time and place) and indirect impacts (an effect that is caused by an action but is later in time or farther removed in distance, but still reasonably foreseeable). The analysis of environmental impacts considers the context, duration, intensity, and type of impact. Given the nature of the project, not all environmental resources are subject to indirect effects. The Commenter states that only EA/IS sections 4.3, 4.6, and 4.9 address direct and indirect effects; however, indirect effects are also specifically addressed in Sections 4.2, 4.4, 4.11, 4.12 and 4.13, as appropriate.

All impacts of the proposed project were analyzed in sufficient detail to allow the decision makers to be appropriately informed as to the project's effects.

## **RESPONSE TO LETTER 4 - COMMENT 1**

The California Highway Patrol (CHP) has expressed the concern that the proposed placement of streetcar tracks and a station platform at 12th and L Streets blocks critical access to the State Capitol building for members of the legislature, dignitaries and emergency vehicles. The streetcar station platforms are planned to be located such that no existing driveways or pedestrian paths are blocked or otherwise prevent access to existing buildings. According to the Preliminary Alignment and Typical Station Platform Plans (Appendix B of the EA/IS), the westernmost end of the streetcar station platform in the vicinity of 12<sup>th</sup> and L Streets is currently situated approximately 150 feet east of the 12<sup>th</sup> and L Street driveway to the State Capitol building. As noted on Page 3-19 of the EA/IS, the proposed streetcar will consist of a double-ended articulated vehicle such as the Skoda-Inekon T-10 car, which is used in Portland and Tacoma. These vehicles are 66 feet in length and would not extend as far as the 12<sup>th</sup> and I Street driveway or any of the walkways when stopped at the current proposed location of the station platform. Therefore, as currently shown on the preliminary plans, the station platform would not result in obstructing emergency access to the Capitol grounds. In addition, the streetcar platform is expected to be constructed in roughly the location of the on-street parking stalls, so the perimeter sidewalk and pathways would also not be affected by the construction of the streetcar platform. As the project design progresses the project team will meet with stakeholders to discuss final station platform locations, design amenities and details specific to each proposed station platform location.

#### **RESPONSE TO LETTER 4 - COMMENT 2**

The CHP has also expressed the concern that the proposed placement of tracks and platform at 12th and I Streets obstructs the pedestrian walkway that leads to Capitol Park and serves as ingress/egress for emergency vehicles. See Response to Letter 4 - Comment 1, above.

#### **RESPONSE TO LETTER 4 - COMMENT 3**

The CHP has commented that the project could affect the safety of pedestrians during large events, demonstrations and rallies at the State Capitol. Specifically, marches could interfere with Streetcar operation and noise associated with marches could “drown out the auditory warning of an approaching Streetcar.’ As discussed in Section 4.13.3 of the EA/IS, existing transit facilities are located in proximity to the capitol. These include both bus and light rail. It is not anticipated that the addition of streetcar service would substantially affect pedestrian safety at large events, marches and other gatherings. The addition of streetcar service may actually reduce congestion and concomitant pedestrian safety while providing an alternative transportation mode for those accessing large events.

#### **RESPONSE TO LETTER 5 - COMMENT 1**

The California Department of General Services (DGS) has commented that it requires safe, uninterrupted access to State-owned facilities and parking lots affected by Streetcar construction on L Street, between 12<sup>th</sup> and 16<sup>th</sup> Streets and stresses the need for SACOG and Regional Transit to coordinate with DGS to provide non-restricted access to both the State Capitol Park and the California East End Complex during construction. The EA/IS includes the following mitigation measure to address construction-related effects to traffic and parking:

##### **Mitigation Measure TRA-2: Develop Construction Traffic and Parking Management Plan.**

The Project sponsor will develop a Construction Traffic and Parking Management Plan that will be subject to review and approval by the City of West Sacramento Traffic Engineer, the City of Sacramento Department of Transportation, Caltrans, and local emergency service providers, including the fire and police departments. The plan will ensure that acceptable operating conditions on local roadways and freeway facilities are maintained during construction. At a minimum, the plan will include:

- The number of truck trips, time, and day of street closures;
- Time of day of arrival and departure of trucks;
- Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting;
- Provision of a truck circulation pattern;
- Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas);
- Maintain safe and efficient access routes for emergency vehicles;
- Manual traffic control when necessary;

- Proper advance warning and posted signage concerning street closures; and
- Provisions for pedestrian safety.

A copy of the construction traffic management plan will be submitted to local emergency response agencies, and these agencies will be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.

As noted above in the Response to Letter 4 – Comment 1, as the project design progresses the project team will meet with stakeholders to discuss station platform locations, design amenities and details specific to each proposed station platform location.

#### **RESPONSE TO LETTER 5 - COMMENT 2**

DGS has expressed concerns regarding loitering, safety and cleanliness around proposed station platforms in proximity to Capitol Park along L Street at 12<sup>th</sup> and 16<sup>th</sup> streets and request that the areas include trash receptacles and be maintained on a regular basis. As noted above in the Response to Letter 4 – Comment 1, as the project design progresses the project team will meet with stakeholders to discuss station platform locations, design amenities and details specific to each proposed station platform location.

#### **RESPONSE TO LETTER 5 - COMMENT 3**

DGS reiterates CHP's comments regarding the placement of tracks and the station platform near the 12<sup>th</sup> Street entrance to the State Capitol building. As stated in the Response to Letter 4 – Comment 1, the streetcar station platforms are planned to be located such that no existing driveways or pedestrian paths are blocked or prevent access. The areas constructed as station platforms would only be 8" above the top of the streetcar track. By comparison, the typical street curb is 6" high. The streetcar platform is expected to be constructed in roughly the location of the on-street parking stalls, so the perimeter sidewalk and pathways should not be affected by the construction of the streetcar platform. As the project design progresses the project team will meet with stakeholders to discuss station platform locations, design amenities and details specific to each proposed station platform location.

#### **RESPONSE TO LETTER 6 - COMMENT 1**

The Sacramento Municipal Utility District (SMUD) has provided the comment that they would like to continue coordination with the lead agency/project applicant and be kept aware of any potential impact of the proposed project on SMUD facilities. They also state that they look forward to continuing our partnership with the lead agency, project applicant, and other responsible agencies in finding solutions to avoiding any potential impacts to SMUD facilities. Coordination is ongoing with SMUD. In addition, the EA/IS specifically address the potential for utility relocations and temporary service disruptions and includes the following mitigation measure to address potential effects:

##### **Mitigation Measure EPU-1: Utility Disruption.**

Design, construction, and inspection of required utility work would be completed in accordance with applicable statutes. Where feasible, utility relocations would be undertaken in advance of Project construction. SACOG and/or RT would coordinate with affected service providers to ensure that all utility work is performed in accordance with appropriate requirements and criteria. Coordination with the utility providers would be initiated during the preliminary engineering phase of the Project and would continue through final design and construction. Coordination efforts would include planning for utility re-routes, identification of any other potential conflicts, and formulation of strategies for overcoming problems that may arise to ensure minimum disruption of utility service or operation during the utility work and Project construction.

If unexpected underground utilities are encountered, the construction contractor would coordinate with the utility provider to develop plans to address the utility conflict, protect the utility if needed, and limit service interruptions. Any short-term, limited service interruptions of known utilities would be scheduled well in advance, and appropriate notification would be provided to users.

SACOG and/or RT would coordinate with all utility providers during the design phase of the Project to incorporate effective design treatments and construction procedures to avoid adverse impacts to existing utilities and traffic during construction. Nonetheless, the potential exists for construction activities to encounter unexpected utilities. In addition, utility relocations may require short-term, limited interruptions of service. No interference to existing utility services is anticipated during the realignment of the overhead power transmission lines, because PG&E and SMUD would put customer loads on alternate lines until the connections are re-established.

All environmental effects of the proposed project were analyzed in sufficient detail in the EA/IS to allow the decision makers to be appropriately informed as to the project's effects.

#### **RESPONSE TO LETTER 6 - COMMENT 2**

SMUD has commented that they would like to see a discussion of the project timing/phasing included in the EA/IS in order to ensure that adequate time is available to address SMUD's infrastructure relocation timeline. As currently discussed in the EA/IS, Construction, start-up, and testing of the system would take approximately 21 months. Utility relocations that cannot be avoided would be completed first and will be coordinated with utility providers; specific locations and timing are not known at this time. See Response to Letter 6 – Comment 2, above. All environmental effects of the proposed project were analyzed in sufficient detail in the EA/IS to allow the decision makers to be appropriately informed as to the project's effects.

#### **RESPONSE TO LETTER 6 - COMMENT 3**

SMUD suggests that the EA/IS should provide a brief discussion of the proposed on-site and off-site energy infrastructure improvements needed to construct and operate the proposed project. The EA/IS describes the traction power facilities (support poles, catenary poles, and substations) needed for the project and noted that for reliability purposes, the streetcar line will be powered by

two additional substations in West Sacramento. The OCS system will be designed during the final design phase of the project and will be coordinated with SMUD at that time. All environmental effects of the proposed project were analyzed in sufficient detail in the EA/IS to allow the decision makers to be appropriately informed as to the project's effects.

**RESPONSE TO LETTER 7, COMMENT 1**

In this comment the California State Lands Commission (CSLC) states that review of the project has determined that a portion of the Project will cross State-owned sovereign land at the Sacramento River which is under jurisdiction of the CSLC and that they have previously authorized a right-of-way permit to Caltrans for construction, use and maintenance of the Tower Bridge. They request that CSLC staff be contacted regarding the possible requirements for a lease and formal authorization from CSLC for the use of sovereign land. Comment is noted. Permitting activities will commence after approval of the project and during final design. Coordination with CSLC will be undertaken at that time.

**RESPONSE TO LETTER 7, COMMENT 2**

CLSC staff recommended that a Mitigation Monitoring and Reporting Program (MMRP) be included as part of the final MND. An MMRP is required pursuant to CEQA and was adopted by SACOG at the time of MND adoption and project approval. The MMRP was prepared consistent with CEQA (Public Resources Code Section 21081.6 and the CEQA Guidelines sections 15091(d) and 15097). The MMRP is on file with SACOG.





EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

---

Central Valley Regional Water Quality Control Board

27 May 2015

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

CERTIFIED MAIL  
7014 2870 0000 7535 3688

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE  
DECLARATION, DOWNTOWN RIVERFRONT STREETCAR PROJECT, SCH# 2015052050,  
SACRAMENTO AND YOLO COUNTIES**

Pursuant to the State Clearinghouse's 18 May 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Downtown Riverfront Streetcar Project, located in Sacramento and Yolo Counties.

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

**Construction Storm Water General Permit**

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

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

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

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**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:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

**Clean Water Act Section 404 Permit**

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

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.

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<sup>1</sup> 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 (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), 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:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

- 1. Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
- 2. Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory

JUN 19 2015



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

June 17, 2015

Kirk Trost  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

Subject: Downtown Riverfront Streetcar Project  
SCH#: 2015052050

Dear Kirk Trost:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 16, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

## LETTER 2 - STATE CLEARINGHOUSE

### Document Details Report State Clearinghouse Data Base

**SCH#** 2015052050  
**Project Title** Downtown Riverfront Streetcar Project  
**Lead Agency** Sacramento Area Council of Governments

**Type** MND Mitigated Negative Declaration  
**Description** SACOG, the City of Sacramento, the City of West Sacramento, Yolo County Transit District, and Sacramento Regional Transit, have undertaken planning, environmental, and engineering activities for the reintroduction of the streetcar to connect the cities of West Sacramento and Sacramento and their shared riverfront. The purpose of the Project is to improve transit service and local circulation with an alternative (non-auto) mode, and supporting existing and future development in the Cities of West Sacramento and Sacramento. The 3.3-mile streetcar alignment would extend from the West Sacramento Civic Center to the Midtown entertainment and retail district in Sacramento. New track, station platform and traction power facilities would be constructed within existing street rights-of-way. Maintenance facilities would be located on Caltrans owned property.

#### Lead Agency Contact

**Name** Kirk Trost  
**Agency** Sacramento Area Council of Governments  
**Phone** 916 340 6210 **Fax**  
**email**  
**Address** 1415 L Street, Suite 300  
**City** Sacramento **State** CA **Zip** 95814

#### Project Location

**County** Sacramento, Yolo  
**City** Sacramento, West Sacramento  
**Region**  
**Lat / Long**  
**Cross Streets** I-5/I-80  
**Parcel No.** Various  
**Township** 8-9N **Range** 4-5E **Section** 1 **Base** MDB&M

#### Proximity to:

**Highways** I-5, 80, US 50  
**Airports**  
**Railways** UPRR  
**Waterways** Sacramento River  
**Schools** Westfield Village  
**Land Use**

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Landuse; Cumulative Effects

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 S; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

**Date Received** 05/18/2015 **Start of Review** 05/18/2015 **End of Review** 06/16/2015

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

## LETTER 3 - LYNNE STEVENSON

From: Lynne Stevenson [<mailto:l Stevenson249@gmail.com>]  
Sent: Sunday, June 21, 2015 8:42 AM  
To: EAISComments  
Subject: Draft EAIS Streetcar Project

June 21, 2015

Dear Mr. Trost:

Thank you for opportunity to review the Draft Environmental Assessment/Initial Study and Proposed Mitigated Negative Declaration (EA/IS) for the Downtown Riverfront Streetcar Project dated May 2015. I live in Midtown, and I have family in West Sacramento. As such, I am particularly interested in the proposed project. I have the following comments on the draft EA:

1. 40 CFR 1508.13 states: "Finding of no significant impact" means a document by a Federal agency briefly presenting the reasons why an action ...will not have a *significant* [author emphasis] effect on the human environment and ...." To reach such a finding, the **significance** of any effects, not just whether they would be adverse or beneficial, needs to be evaluated and determined to be less than significant after implementation of avoidance, minimization, or mitigation. This draft document identifies effects and then proposes mitigation to reach determinations of "no adverse effect" for most of the resources in Chapter 4.0. Please either revise the document to determine the level of significance of effects (i.e., less than significance, potentially significant, or significant) before and after mitigation; or explain the Federal lead agency's rationale for not determining the significance per CEQ regulations.

1

2. 40 CFR 1502.16 states: "It [Environmental Consequences section] shall include discussions of: (a) Direct effects and their significance (1508.8). (b) Indirect effects and their significance (1508.8)." While Sections 4.3, 4.6, and 4.9 specifically address direct and indirect effects, the other sections in Chapter 4.0 do not. However, other terms including "temporary," "permanent," "short-term" and "long-term" are used in the other sections and seem to mean the same as "direct" and "indirect." Please revise Chapter 4.0, as necessary, to improve the consistency in wording, as well as ensure that the document complies with CEQ regulations.

2

I look forward to reviewing the responses/revisions in the final EA/IS.

Sincerely,  
Lynne Stevenson  
2316 Capitol Avenue #7  
Sacramento, California 95816

# LETTER 4 - DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

State of California—Transportation Agency

EDMUND G. BROWN Jr., Governor

## DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Protective Services Division  
Capitol Protection Section  
1801 9th Street  
Sacramento, CA 95811  
9163223337  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



June 22, 2015

Mr. Kirk Trost  
Chief Operating Officer and General Counsel  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

RE: How to comment on the EA/IS

Dear Mr. Kirk Trost,

After review, the California Highway Patrol, Capitol Protection Section, has noted a few concerns with the proposed Downtown/Riverfront Streetcar Project. The first concern is the placement of the tracks and platform. According to the Downtown/Riverfront Streetcar Project's website, [www.riverfrontstreetcar.com](http://www.riverfrontstreetcar.com), the proposed tracks and station will be located at 12<sup>th</sup> and L Street. Presently, 12<sup>th</sup> and L Street provides critical ingress/egress for State Senators and Assembly Members as well as other Dignitaries conducting business at the State Capitol. The north driveway entrance/exit at 12<sup>th</sup> Street also serves as an entrance for emergency personnel and vehicles to access the State Capitol. Should the proposed Streetcar run along the south side of L Street and if the proposed platform is built on the south side of L Street, there will be times when the access to the driveway will, or could be, potentially blocked, effectively crippling a major artery to the Capitol. Members of the Legislature, Dignitaries and Emergency Vehicles alike will be forced to use the only other access, which is located at 12<sup>th</sup> and N Street. Due to the configuration of the one way streets that surround the State Capitol, as well as Capitol Park which spans from 12<sup>th</sup> to 15<sup>th</sup> Street, the 12<sup>th</sup> and N Street driveway access to the Capitol can take a significant amount of time to respond to from 12<sup>th</sup> and L Street if access is blocked.

The second concern again pertains to the placement of the tracks and station. According to the Public Notice description of the Downtown/Riverfront Streetcar Project, the new station platforms, "would be concrete slabs constructed within the sidewalk and/or roadbed and would not require removal of any existing granite curbs or street trees." If the concrete slabs that will serve as the station platform are raised and placed on the south side of L Street, they could potentially block a major access point to Capitol Park. Presently, on L Street, just east of 12<sup>th</sup> Street, there is a large asphalt pedestrian walkway that leads into Capitol Park and to the East entrance of the State Capitol. The walkway is protected by a hydraulic bollard system that can be lowered to allow Fire Departments, Ambulances and Law Enforcement vehicles into Capitol Park. The walkway also serves as an exit for all of the aforementioned vehicles, if they enter from the N Street side bollard system. Since the walkways are narrow, in relation to the size of a



*Safety, Service, and Security*

*An Internationally Accredited Agency*

LETTER 4 - DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

How to comment on the EA/IS  
Page 2  
June 22, 2015

normal street, and since there are numerous large trees that line a major portion of the walkway, it would be difficult for large vehicles, like Fire Engines, to enter and turn around if they were unable to exit at L Street and 12<sup>th</sup> Street due to a raised platform.

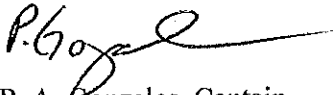
2  
(cont.)

The final concern pertains to the safety of pedestrians. The Capitol plays host to numerous large events, demonstrations and rallies every year. Oftentimes, groups elect to march around the perimeter of the Capitol. The marches have the potential to interfere with normal operation of the proposed Streetcar, if it is located on the south side of L Street. Demonstrators could be funneled through the station as they march around Capitol Park. This could disrupt people waiting to board the Streetcar, in the event a march proceeds through the station as the streetcar arrives. People waiting for the Streetcar could potentially be blocked by the marchers, therefore missing their opportunity to board. This could also lead to blocking the path of the Streetcar, since oftentimes groups marching span the entire sidewalk and spill over into the street parking area while marching. The marches have the tendency to get very loud due to chanting or sound amplification systems. Therefore, the noise created by the marchers has the potential to drown out the auditory warning of an approaching Streetcar, thus creating a safety hazard for the pedestrians participating in the march.

3

I you have any questions please contact me at (916) 322-3337.

Sincerely,



P. A. Gonzales, Captain  
Commander



LETTER 5 - CALIFORNIA DEPARTMENT OF GENERAL SERVICES



Governor Edmund G. Brown Jr.

June 22, 2015

Mr. Kirk Trost, Chief Operating Officer and General Counsel  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

Dear Mr. Trost:

Thank you for the opportunity to review the Downtown/Riverfront Streetcar Project Environmental Assessment Initial Study dated May 2015. Although, Measure B was not approved by the voters in June 2015, the State of California Department of General Services (DGS) has the following comments for your consideration when funding is secured and proceeds to move forward as planned.

DGS requires safe, uninterrupted access to State-owned facilities and parking lots in the areas affected by the streetcar construction on L Street from 12<sup>th</sup> Street through 16<sup>th</sup> Street. Prior to project activities on L Street, it is essential that the city of Sacramento, Sacramento Area Council of Governments, and Regional Transit coordinates with DGS to provide non-restricted access to the State Capitol Park and the California East End Complex (CEEC) office buildings during construction. 1

In addition, the study identifies two streetcar platforms located on L Street adjacent to the State Capitol Park near 12<sup>th</sup> Street, and at the corner of 16<sup>th</sup> and L Streets in front of an existing CEEC retail establishment. The state has a concern in regards to loitering, safety, and cleanliness around the platform locations, in particular after daylight hours; trash receptacles need to be provided at each platform and maintained on a regular basis, and the surrounding areas should be kept clean and safe for visitors, state employees, and the general public. 2

In discussions with the California Highway Patrol (CHP), Capitol Protection Section, a major concern is related to the placement of the tracks and platform station on L Street near the 12<sup>th</sup> Street entrance to the State Capitol Building. The proposed location of the platform will close the access at 12<sup>th</sup> Street for the Legislature, Dignitaries, and Emergency Vehicles. A separate comment letter from CHP will advise that the platform be relocated away from the 12<sup>th</sup> Street entrance. 3

We appreciate your consideration of our comments. If you have any questions, please contact Ken Uribe of my staff at (916) 376-1810.

Sincerely,

Angela Verbaere, Assistant Chief  
Asset Management Branch  
Department of General Services

cc: Cathy Buck, Supervising Real Estate Officer, Asset Management Branch,  
Real Estate Services Division, Department of General Services



June 26, 2015

Kirk Trost  
Chief Operating Officer and General Counsel  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

Subject: Environmental Assessment (EA)/Initial Study (IS)/Mitigated Negative Declaration (MND) for the Downtown/Riverfront Streetcar Project

Dear Mr. Trost,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the EA/IS/MND, Downtown/Riverfront Streetcar Project. SMUD is the primary energy provider for Sacramento County and the proposed project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

Based on our review of the EA/IS/MND and our understanding of the proposed project, SMUD offers the following input:

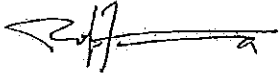
1. **Project Description:** SMUD appreciates the information provided in the EA/MND Project Description. SMUD would like to continue coordination with the lead agency/project applicant and be kept aware of any potential impact of the proposed project on SMUD facilities. SMUD currently has extensive subsurface utility infrastructure located throughout the project area and looks forward to continuing our partnership with the lead agency, project applicant, and other responsible agencies in finding solutions to avoiding any potential impacts to these facilities. 1
2. **Project Schedule:** SMUD would like to see a discussion of the project timing/phasing included in the EA/MND in order to ensure that adequate time is available to address SMUD's infrastructure relocation t timeline . 2
3. **Energy Delivery (Infrastructure):** The EA/MND should provide a brief discussion of the proposed on-site and off-site energy infrastructure improvements needed to construct and operate the proposed project. SMUD staff is available to provide additional information and support material, as it pertains to electrical infrastructure improvements in the City of Sacramento. 3

## LETTER 6 - SACRAMENTO MUNICIPAL UTILITIES DISTRICT

SMUD appreciates being kept apprised of the planning, development, and completion of this project. We aim to be partners in the efficient and sustainable delivery of the proposed project. Please ensure that the information included in this response is conveyed to the project planners and the appropriate project proponents.

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on the EA/MND. If you have any questions regarding this letter, please contact Jose Bodipo-Memba, SMUD Environmental Specialist at (916) 732-6493. Jose will be the primary environmental point of contact for SMUD on this project.

Sincerely,



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

Cc: Jose Bodipo-Memba  
Mike Wirsch  
Mike Deis  
Steve Johns  
Beth Tincher  
Pat Durham  
Joseph Schofield

# LETTER 7 - CALIFORNIA STATE LANDS COMMISSION

STATE OF CALIFORNIA

EDMUND G. BROWN JR., *Governor*

**CALIFORNIA STATE LANDS COMMISSION**  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



*Established in 1938*

JENNIFER LUCCHESI, *Executive Officer*  
(916) 574-1800 Fax (916) 574-1810  
California Relay Service TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

**Contact Phone:** (916) 574-1890  
**Contact FAX:** (916) 574-1885

June 26, 2015

File Ref: SCH #2015052050

Kirk Trost  
Chief Operating Officer and General Counsel  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

**Subject: Environmental Assessment/Initial Study and Proposed Mitigated Negative Declaration (MND) for the Downtown Riverfront Streetcar Project, Sacramento and Yolo Counties**

Dear Mr. Trost:

The California State Lands Commission (CSLC) staff has reviewed the subject MND for the Downtown Riverfront Streetcar Project (Project), which is being prepared by the Sacramento Area Council of Governments (Council). The Council, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), and the Federal Transit Administration (FTA) is the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

### CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of

all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Based upon the information provided and a review of in-house records, CSLC staff has determined that a portion of the Project will cross State-owned sovereign land in the Sacramento River, which is under jurisdiction of the CSLC. On December 21, 1949, the CSLC authorized a Right-of-Way Permit, PRC 422.9, to the California Department of Transportation for the construction, use and maintenance of the Tower Bridge. As the Project continues, CSLC staff requests the Council and FTA contact George Asimakopoulos (see contact information below) to determine whether the Project or any components of the Project at the Tower Bridge require a lease and formal authorization from the CSLC for the use of sovereign land.

### Project Description

The Council proposes to construct a 3.3 mile streetcar alignment to meet its objectives and needs as follows:

- Improve transit service and local circulation by connecting West Sacramento and Downtown Sacramento with non-auto transportation; and
- Support existing and future development in West Sacramento and Downtown Sacramento.

From the Project Description, CSLC staff understands that the Project would include the following components:

- New Streetcar Track. Track for the streetcars would be installed on existing city streets, including across the Tower Bridge, with the exception of some new track extending to the Sacramento Intermodal Transit Facility.
- Streetcar Stations. A total of 25 stations would be constructed; the stations would consist of concrete slabs within the sidewalk or roadway with a berthing area of 60 to 65 feet in length and a boarding area of 40 to 45 feet in length. Station elements may include amenities such as a canopy mounted on structural supports, supplemental lighting, fare machines, schedule, and a patron information rack.
- Power Facilities. Traction power facilities for the streetcars would be located within the public right-of-way.
- Maintenance and Storage Facility. The Project proposes two potential sites for maintenance and storage of the streetcars beneath the Business 80/50 elevated freeway. The facility would accommodate routine vehicle inspections, interior/exterior cleaning of the streetcars, preventative maintenance, and component change-out.

Environmental Review

CSLC staff requests that the Council consider the following comments on the Project's MND.

General Comments

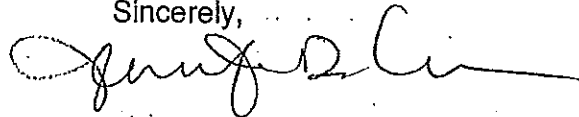
1. Mitigation and Monitoring Reporting Program: Adoption of a Mitigation Monitoring and Reporting Program (MMRP) is required as part of project approval (see State CEQA Guidelines, §§ 15074, subd. (d), 15097). MMRPs are commonly included in Draft MNDs to facilitate public review but are not required to be included; the MND circulated for public review for this Project did not include an MMRP. CSLC staff recommends an MMRP be included as part of the Final MND to ensure transparency and public disclosure. The MMRP should include methods for coordination, timing for implementation of mitigation measures and list all parties and/or agencies, in addition to the Council and FTA, responsible for ensuring compliance and enforcement through permit conditions, agreements or other measures during each phase of the Project.

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Thank you for the opportunity to comment on the MND for the Project. As a responsible and trustee agency, the CSLC will need to rely on the Final MND for the issuance of any new lease as specified above and, therefore, we request that you consider our comments prior to adoption of the MND.

Please send copies of future Project-related documents, including electronic copies of the Final MND, MMRP, and Notice of Determination (NOD), when they become available, and refer questions concerning environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at [Holly.Wyer@slc.ca.gov](mailto:Holly.Wyer@slc.ca.gov). For questions concerning CSLC leasing jurisdiction, please contact George Asimakopoulos, Public Land Management Specialist, at (916) 574-0990, or via email at [George.Asimakopoulos@slc.ca.gov](mailto:George.Asimakopoulos@slc.ca.gov).

Sincerely,



*for* Cy R. Oggins, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
H. Wyer, CSLC  
G. Asimakopoulos, CSLC  
S. Blackmon, CSLC