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## Mitigated Negative Declaration

Pursuant to Title 14, Division 6, Chapter 3, Article 6, Sections 15070 and 15071 of the California Code of Regulations and pursuant to the Procedures for Preparation and Processing of Environmental Documents adopted by the County of Sacramento pursuant to Sacramento County Ordinance No. SCC-116, the Environmental Coordinator of Sacramento County, State of California, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California, this Negative Declaration re: The Project described as follows:

1. **Control Number: PLNP2021-00054**
2. **Title and Short Description of Project:** Hobday Road Tentative Parcel Map  
The project consists of the following entitlement requests:  
A **Tentative Parcel Map** to split a 15.06 acre parcel into three separate parcels; two parcels of 5.02 ± acres and one parcel of 5.01 ± acres.  
A **Design Review** to determine substantial compliance with Countywide Design Guidelines.  
No construction is anticipated at this time but with approval of the parcel map, three primary residences (one on each parcel) could be constructed in the future. Additionally, each parcel may be constructed with accessory structures, uses and appurtenances consistent with residential development and as allowed by the Sacramento County Zoning Code.
3. **Assessor's Parcel Number:** 136-0260-070-0000
4. **Location of Project:** The project site is located on the northeast corner of Alta Mesa East Road and Hobday Road in the Wilton community of Sacramento County.
5. **Project Applicant:** Anthony Merola
6. Said project will not have a significant effect on the environment for the following reasons:
  - a. It will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
  - b. It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
  - c. It will not have impacts, which are individually limited, but cumulatively considerable.
  - d. It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.
7. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
8. The attached Initial Study has been prepared by the Sacramento County Office of Planning and Environmental Review in support of this Negative Declaration. Further information may be obtained by contacting the Office of Planning and Environmental Review at 827 Seventh Street, Room 225, Sacramento, California, 95814, or phone (916) 874-6141.

**[Original Signature on File]**

**Joelle Inman**

Environmental Coordinator

County of Sacramento, State of California



COUNTY OF SACRAMENTO  
PLANNING AND ENVIRONMENTAL REVIEW  
INITIAL STUDY

PROJECT INFORMATION

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**CONTROL NUMBER: PLNP2021-00054**

**NAME:** Hobday Road Tentative Parcel Map

**LOCATION:** The project site is located on the northeast corner of Alta Mesa East Road and Hobday Road in the Wilton community of Sacramento County.

**ASSESSOR'S PARCEL NUMBER:** 136-0260-070-0000

**OWNER/APPLICANT:** Anthony Merola  
10365 Tavemor Road  
Wilton, CA 95693

PROJECT DESCRIPTION

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The project consists of the following entitlement requests:

1. A **Tentative Parcel Map** to split a 15.06 acre parcel into three separate parcels; two parcels of 5.02 ± acres and one parcel of 5.01 ± acres. (Plate IS-1).
2. A **Design Review** to determine substantial compliance with Countywide Design Guidelines.

No construction is anticipated at this time but with approval of the parcel map, three primary residences (one on each parcel) could be constructed in the future. Additionally, each parcel may be constructed with accessory structures, uses and appurtenances consistent with residential development and as allowed by the Sacramento County Zoning Code.

ENVIRONMENTAL SETTING

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The project site is undeveloped open land, which has been used for grazing. The parcel is bounded to the west by Alta Mesa East Road and to the south by Hobday Road. There are four residential lots adjacent to the northern property boundary. The property located on the eastern boundary is an open undeveloped parcel that contains an unnamed creek located approximately 186 feet east of the parcel line (at its closest point). The unnamed creek is a tributary of Badger Creek, which is a tributary of Cosumnes River, located approximately 850 feet south of the project site. Two electrical transmission easements

cross east-west over the entire parcel. The northern easement is approximately 138 feet south of the northern property boundary and the second easement is approximately 268 feet south of the northern property boundary. The easements contain high-voltage electrical transmission lines. Two transmission towers that support the transmission lines, located in both easement corridors, are approximately 185 feet west of Alta Mesa East Road (Plate IS-2).

The project is within the Southeast-Alta Mesa Community Plan and is designated as AG-RES - Agricultural-Residential (Plate IS-3) and zoned as A-5 - General Agricultural (Plate IS-4).

The majority of the project area, approximately 14.2 acres, supports flood irrigated pasture characterized by garden bird's-foot-trefoil (*Lotus corniculatus*), soft chess (*Bromus hordeaceus*), wild oats (*Avena fatua*), rip-gut brome (*Bromus diandrus*), and perennial rye (*Festuca perennis*) (Plate IS-5). Common herbaceous species include white clover (*Trifolium repens*), suckling clover (*Trifolium dubium*), prickly lettuce (*Lactuca serriola*), rose clover (*Trifolium hirtum*), pale flax (*Linum bienne*), and lesser quaking grass (*Briza minor*). The area supports no shrubs, trees, or other perennial woody vegetation.

The site also contains approximately 0.5 acre of disturbed ruderal area along the west edge of project site adjacent to Alta Mesa East Road (Plate IS-5). Most of this area, which includes a livestock corral, supports minimal or ruderal vegetation comprised of Italian thistle (*Carduus pycnocephalus*) and bindweed (*Convolvulus arvensis*).

Finally, the site also contains approximately 0.5 acre of "developed lands"(Plate IS-5). The "developed lands" refers to the portion of Hobday Road surveyed within the project area along the southern edge of the parcel. No vegetation is present within this paved area.

Plate IS-1: Tentative Parcel Map

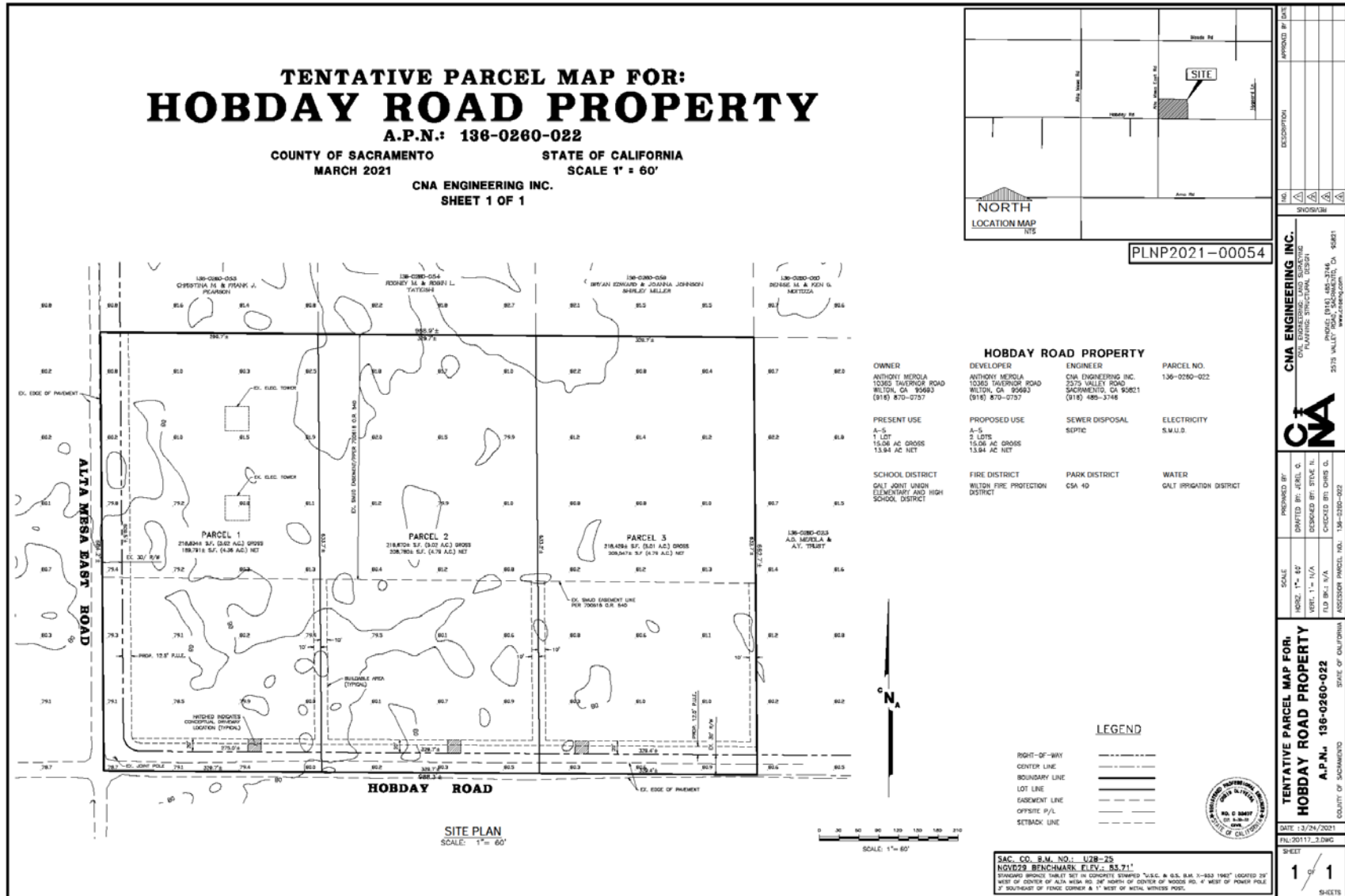


Plate IS-2: Project Location

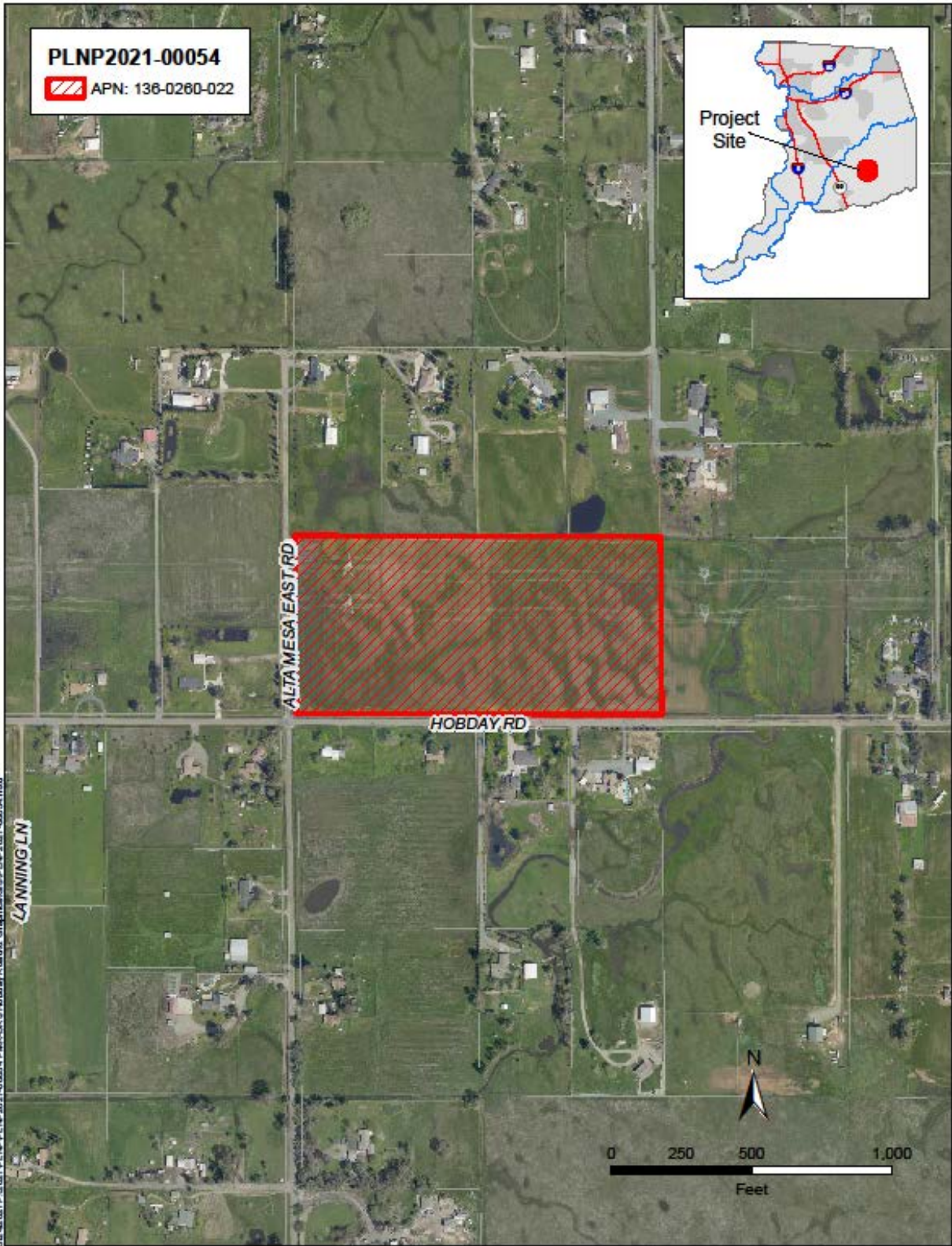


Plate IS-3: Land Use

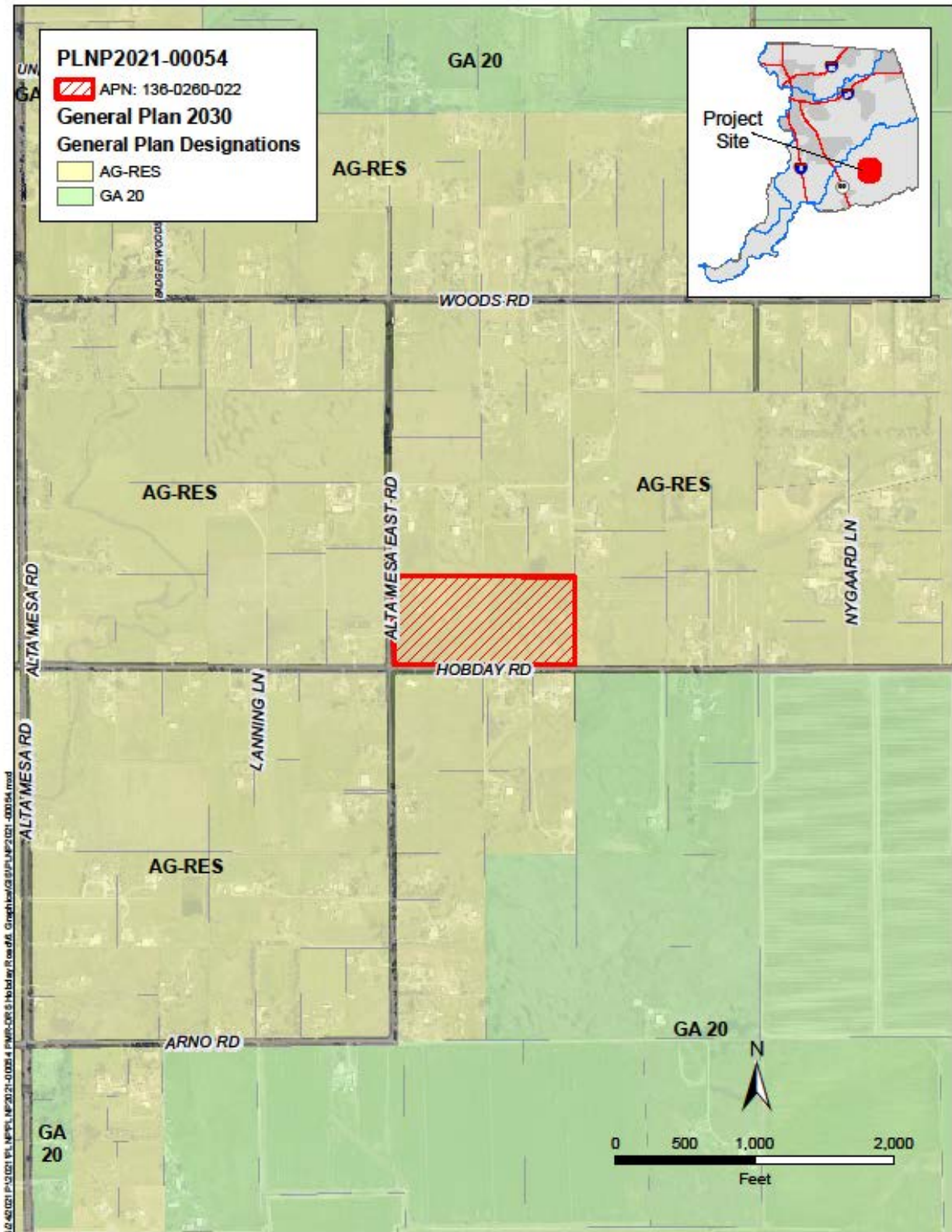


Plate IS-4: Zoning

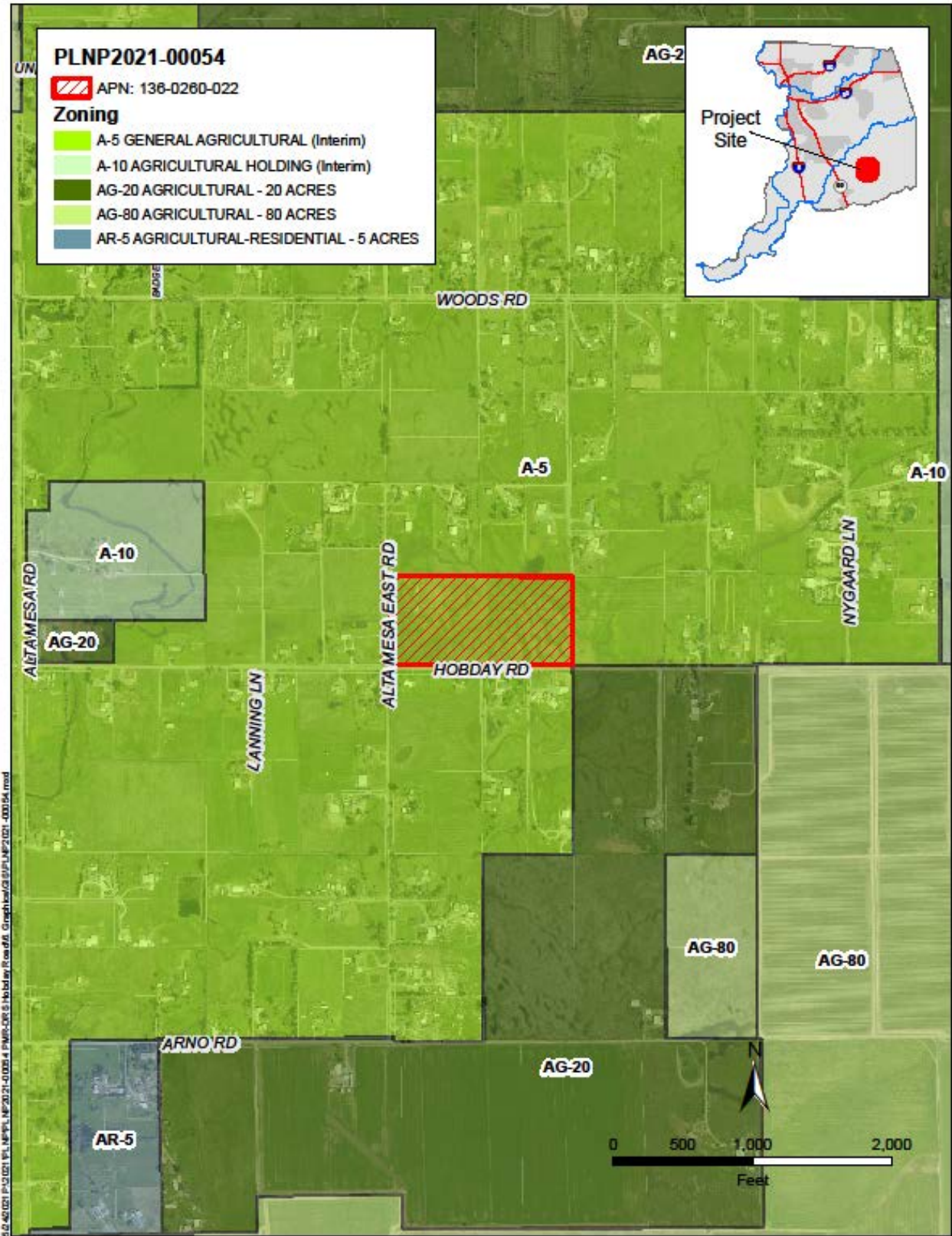
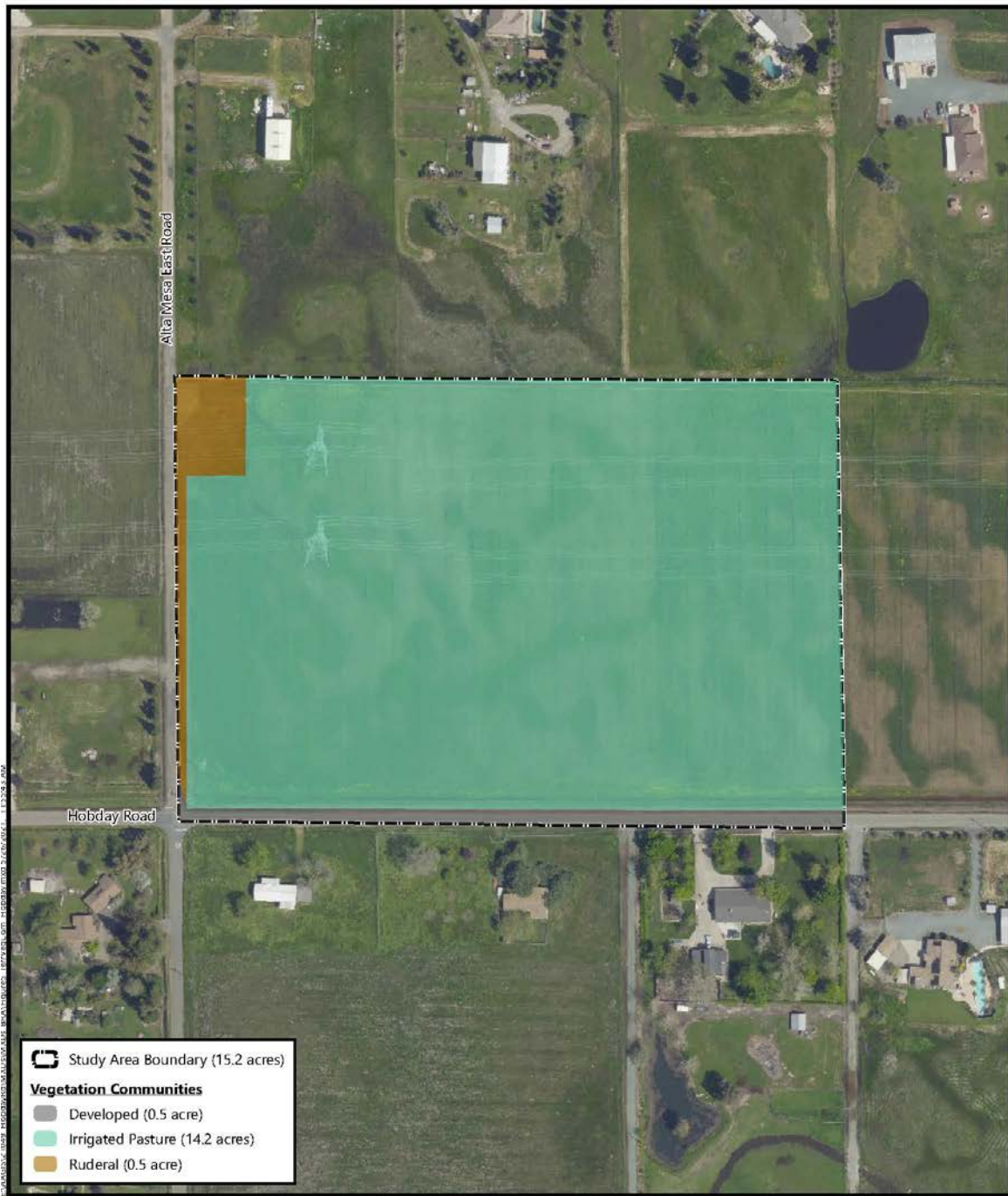




Plate IS-5: Vegetation Communities



1133255.JPG



**Figure 5**  
**Vegetation Communities**

Hobday Road Property  
Sacramento County, California



Aerial Source: Sac Regional GIS Coop, 26 March 2018

## ENVIRONMENTAL EFFECTS

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Appendix G of the California Environmental Quality Act (CEQA) provides guidance for assessing the significance of potential environmental impacts. Based on this guidance, Sacramento County has developed an Initial Study Checklist (located at the end of this report). The Checklist identifies a range of potential significant effects by topical area. The topical discussions that follow are provided only when additional analysis beyond the Checklist is warranted.

### AIR QUALITY

This section supplements the Initial Study Checklist by analyzing if the proposed project would:

- Expose sensitive receptors to pollutant concentrations in excess of standards.

#### *CRITERIA POLLUTANT HEALTH RISKS*

All criteria air pollutants can have human health effects at certain concentrations. Air districts develop region-specific CEQA thresholds of significance in consideration of existing air quality concentrations and attainment designations under the national ambient air quality standards (NAAQS) and California ambient air quality standards (CAAQS). The NAAQS and CAAQS are informed by a wide range of scientific evidence, which demonstrates that there are known safe concentrations of criteria air pollutants. Because the NAAQS and CAAQS are based on maximum pollutant levels in outdoor air that would not harm the public's health, and air district thresholds pertain to attainment of these standards, the thresholds established by air districts are also protective of human health. Sacramento County is currently in nonattainment of the NAAQS and CAAQS for ozone. Projects that emit criteria air pollutants in exceedance of SMAQMD's thresholds would contribute to the regional degradation of air quality that could result in adverse human health impacts.

Acute health effects of ozone exposure include increased respiratory and pulmonary resistance, cough, pain, shortness of breath, and lung inflammation. Chronic health effects include permeability of respiratory epithelia and the possibility of permanent lung impairment (EPA 2016).

#### **HEALTH EFFECTS SCREENING**

In order to estimate the potential health risks that could result from the operational emissions of ROG, NO<sub>x</sub>, and PM<sub>2.5</sub>, PER staff implemented the procedures within SMAQMD's *Instructions for Sac Metro Air District Minor Project and Strategic Area Project Health Effects Screening Tools* (SMAQMD's Instructions). To date, SMAQMD has published three options for analyzing projects: small projects may use the Minor Project Health Screening Tool, while larger projects may use the Strategic Area Project Health Screening Tool, and practitioners have the option to conduct project-specific modeling.

Both the Minor Project Health Screening Tool and Strategic Area Project Health Screening Tool are based on the maximum thresholds of significance adopted within the five air district regions contemplated within SMAQMD's *Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District* (SMAQMD's Friant Guidance; October 2020). The air district thresholds considered in SMAQMD's Friant Guidance included thresholds from SMAQMD as well as the El Dorado County Air Quality Management District, the Feather River Air Quality Management District, the Placer County Air Pollution Control District, and the Yolo Solano Air Quality Management District. The highest allowable emission rates of NO<sub>x</sub>, ROG, PM<sub>10</sub>, and PM<sub>2.5</sub> from the five air districts is 82 pounds per day (lbs/day) for all four pollutants. Thus, the Minor Project Health Screening Tool is intended for use by projects that would result in emissions at or below 82 lbs/day, while the Strategic Area Project Health Screening Tool is intended for use by projects that would result in emissions between two and eight times greater than 82 lbs/day. The Strategic Area Project Screening Model was prepared by SMAQMD for five locations throughout the Sacramento region for two scenarios: two times and eight times the threshold of significance level (2xTOS and 8xTOS). The corresponding emissions levels included in the model for 2xTOS were 164 lb/day for ROG and NO<sub>x</sub>, and 656 lb/day under the 8xTOS for ROG and NO<sub>x</sub> (SMAQMD 2020).

As noted in SMAQMD's Friant Guidance, "each model generates conservative estimates of health effects, for two reasons: The tools' outputs are based on the simulation of a full year of exposure at the maximum daily average of the increases in air pollution concentration... [and] [t]he health effects are calculated for emissions levels that are very high" (SMAQMD 2020).

The model derives the estimated health risk associated with operation of the project based on increases in concentrations of ozone and PM<sub>2.5</sub> that were estimated using a photochemical grid model (PGM). The concentration estimates of the PGM are then applied to the U.S. Environmental Protection Agency's Benefits Mapping and Analysis Program (BenMAP) to estimate the resulting health effects from concentration increases. PGMs and BenMAP were developed to assess air pollution and human health impacts over large areas and populations that far exceed the area of an average land use development project. These models were never designed to determine whether emissions generated by an individual development project would affect community health or the date an air basin would attain an ambient air quality standard. Rather, they are used to help inform regional planning strategies based on cumulative changes in emissions within an air basin or larger geography.

It must be cautioned that within the typical project-level scope of CEQA analyses, PGMs are unable to provide precise, spatially defined pollutant data at a local scale. In addition, as noted in SMAQMD's Friant Guidance, "BenMAP estimates potential health effects from a change in air pollutant concentrations, but does not fully account for other factors affecting health such as access to medical care, genetics, income levels, behavior choices such as diet and exercise, and underlying health conditions" (2020). Thus, the modeling conducted for the health risk analysis is based on imprecise mapping and only takes into account one of the main public health determinants (i.e., environmental influences).

**DISCUSSION OF PROJECT IMPACTS**

Since the project was below the daily operational thresholds for criteria air pollutants, the Minor Project Health Screening Tool was used to estimate health risks. The results are shown in Table IS-1 and Table IS-2.

**Table IS-1: PM<sub>2.5</sub> Health Risk Estimates**

PM <sub>2.5</sub> Health Endpoint	Age Range <sup>1</sup>	Incidences Across the Reduced Sacramento 4-km Modeling Domain Resulting from Project Emissions (per year) <sup>2,5</sup>	Incidences Across the 5-Air-District Region Resulting from Project Emissions (per year) <sup>2</sup>	Percent of Background Health Incidences Across the 5-Air-District Region <sup>3</sup>	Total Number of Health Incidences Across the 5-Air-District Region (per year) <sup>4</sup>
		(Mean)	(Mean)		
<b>Respiratory</b>					
Emergency Room Visits, Asthma	0 - 99	0.69	0.62	0.0034%	18419
Hospital Admissions, Asthma	0 - 64	0.045	0.041	0.0022%	1846
Hospital Admissions, All Respiratory	65 - 99	0.22	0.19	0.00095%	19644
<b>Cardiovascular</b>					
Hospital Admissions, All Cardiovascular (less Myocardial Infarctions)	65 - 99	0.12	0.10	0.00043%	24037
Acute Myocardial Infarction, Nonfatal	18 - 24	0.000056	0.000049	0.0013%	4
Acute Myocardial Infarction, Nonfatal	25 - 44	0.0051	0.0046	0.0015%	308
Acute Myocardial Infarction, Nonfatal	45 - 54	0.013	0.012	0.0016%	741
Acute Myocardial Infarction, Nonfatal	55 - 64	0.021	0.019	0.0015%	1239
Acute Myocardial Infarction, Nonfatal	65 - 99	0.073	0.066	0.0013%	5052
<b>Mortality</b>					
Mortality, All Cause	30 - 99	1.4	1.2	0.0027%	44766
Notes:					
<ol style="list-style-type: none"> <li>Affected age ranges are shown. Other age ranges are available, but the endpoints and age ranges shown here are the ones used by the USEPA in their health assessments. The age ranges are consistent with the epidemiological study that is the basis of the health function.</li> <li>Health effects are shown in terms of incidences of each health endpoint and how it compares to the base (2035 base year health effect incidences, or "background health incidence") values. Health effects are shown for the Reduced Sacramento 4-km Modeling Domain and the 5-Air-District Region.</li> <li>The percent of background health incidence uses the mean incidence. The background health incidence is an estimate of the average number of people that are affected by the health endpoint in a given population over a given period of time. In this case, the background incidence rates cover the 5-Air-</li> </ol>					

District Region (estimated 2035 population of 3,271,451 persons). Health incidence rates and other health data are typically collected by the government as well as the World Health Organization. The background incidence rates used here are obtained from BenMAP.

4. The total number of health incidences across the 5-Air-District Region is calculated based on the modeling data. The information is presented to assist in providing overall health context.
5. The technical specifications and map for the Reduced Sacramento 4-km Modeling Domain are included in Appendix A, Table A-1 and Appendix B, Figure B-2 of the *Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District*.

**Table IS-2: Ozone Health Risk Estimates**

Ozone Health Endpoint	Age Range <sup>1</sup>	Incidences Across the Reduced Sacramento 4-km Modeling Domain Resulting from Project Emissions (per year) <sup>2,5</sup> (Mean)	Incidences Across the 5-Air-District Region Resulting from Project Emissions (per year) <sup>2</sup> (Mean)	Percent of Background Health Incidences Across the 5-Air-District Region <sup>3</sup>	Total Number of Health Incidences Across the 5-Air-District Region (per year) <sup>4</sup>
<b>Respiratory</b>					
Hospital Admissions, All Respiratory	65 - 99	0.042	0.030	0.00016%	19644
Emergency Room Visits, Asthma	0 - 17	0.19	0.15	0.0025%	5859
Emergency Room Visits, Asthma	18 - 99	0.30	0.23	0.0018%	12560
<b>Mortality</b>					
Mortality, Non-Accidental	0 - 99	0.025	0.020	0.000064%	30386
Notes:					
<ol style="list-style-type: none"> <li>1. Affected age ranges are shown. Other age ranges are available, but the endpoints and age ranges shown here are the ones used by the USEPA in their health assessments. The age ranges are consistent with the epidemiological study that is the basis of the health function.</li> <li>2. Health effects are shown in terms of incidences of each health endpoint and how it compares to the base (2035 base year health effect incidences, or “background health incidence”) values. Health effects are shown for the Reduced Sacramento 4-km Modeling Domain and the 5-Air-District Region.</li> <li>3. The percent of background health incidence uses the mean incidence. The background health incidence is an estimate of the average number of people that are affected by the health endpoint in a given population over a given period of time. In this case, the background incidence rates cover the 5-Air-District Region (estimated 2035 population of 3,271,451 persons). Health incidence rates and other health data are typically collected by the government as well as the World Health Organization. The background incidence rates used here are obtained from BenMAP.</li> <li>4. The total number of health incidences across the 5-Air-District Region is calculated based on the modeling data. The information is presented to assist in providing overall health context.</li> <li>5. The technical specifications and map for the Reduced Sacramento 4-km Modeling Domain are included in Appendix A, Table A-1 and Appendix B, Figure B-2 of the <i>Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District</i>.</li> </ol>					

Again, it is important to note that the “model outputs are derived from the numbers of people who would be affected by [the] project due to their geographic proximity and based on average population through the Five-District-Region. The models do not take into account population subgroups with greater vulnerabilities to air pollution, except for ages for certain endpoints” (SMAQMD 2020). Therefore, it would be misleading to correlate the levels of criteria air pollutant and precursor emissions associated with project implementation to specific health outcomes. While the effects noted above could manifest in individuals, actual effects depend on factors specific to each individual, including life stage (e.g., older adults are more sensitive), preexisting cardiovascular or respiratory diseases, and genetic polymorphisms. Even if this specific medical information was known about each individual, there are wide ranges of potential outcomes from exposure to ozone precursors and particulates, from no effect to the effects listed in the tables. Ultimately, the health effects associated with the project, using the SMAQMD guidance “are conservatively estimated, and the actual effects may be zero” (SMAQMD 2020).

### **CONCLUSION**

Neither SMAQMD nor the County of Sacramento have adopted thresholds of significance for the assessment of health risks related to the emission of criteria pollutants. Furthermore, an industry standard level of significance has not been adopted or proposed. Due to the lack of adopted thresholds of significance the health risks, this data is presented for informational purposes and does not represent an attempt to arrive at any level-of-significance conclusions.

## HYDROLOGY AND WATER QUALITY

### *WATER QUALITY*

#### **CONSTRUCTION WATER QUALITY: EROSION AND GRADING**

Construction on undeveloped land exposes bare soil, which can be mobilized by rain or wind and displaced into waterways or become an air pollutant. Construction equipment can also track mud and dirt onto roadways, where rains will wash the sediment into storm drains and thence into surface waters. After construction is complete, various other pollutants generated by site use can also be washed into local waterways. These pollutants include, but are not limited to, vehicle fluids, heavy metals deposited by vehicles, and pesticides or fertilizers used in landscaping.

Sacramento County has a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit issued by Regional Water Board. The Municipal Stormwater Permit requires the County to reduce pollutants in stormwater discharges to the maximum extent practicable and to effectively prohibit non-stormwater discharges. The County complies with this permit in part by developing and enforcing ordinances and requirements to reduce the discharge of sediments and other pollutants in runoff from newly developing and redeveloping areas of the County.

The County has established a Stormwater Ordinance (Sacramento County Code 15.12). The Stormwater Ordinance prohibits the discharge of unauthorized non-stormwater to the

County's stormwater conveyance system and local creeks. It applies to all private and public projects in the County, regardless of size or land use type. In addition, Sacramento County Code 16.44 (Land Grading and Erosion Control) requires private construction sites disturbing one or more acres or moving 350 cubic yards or more of earthen material to obtain a grading permit. To obtain a grading permit, project proponents must prepare and submit for approval an Erosion and Sediment Control (ESC) Plan describing erosion and sediment control best management practices (BMPs) that will be implemented during construction to prevent sediment from leaving the site and entering the County's storm drain system or local receiving waters. Construction projects not subject to SCC 16.44 are subject to the Stormwater Ordinance (SCC 15.12) described above.

In addition to complying with the County's ordinances and requirements, construction sites disturbing one or more acres are required to comply with the State's General Stormwater Permit for Construction Activities (CGP). CGP coverage is issued by the State Water Resources Control Board (State Board) [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml) and enforced by the Regional Water Board. Coverage is obtained by submitting a Notice of Intent (NOI) to the State Board prior to construction and verified by receiving a WDID#. The CGP requires preparation and implementation of a site-specific Stormwater Pollution Prevention Plan (SWPPP) that must be kept on site at all times for review by the State inspector.

Applicable projects applying for a County grading permit must show proof that a WDID # has been obtained and must submit a copy of the SWPPP. Although the County has no enforcement authority related to the CGP, the County does have the authority to ensure sediment/pollutants are not discharged and is required by its Municipal Stormwater Permit to verify that SWPPPs include the minimum components.

The project must include an effective combination of erosion, sediment and other pollution control BMPs in compliance with the County ordinances and the State's CGP.

Erosion controls should always be the *first line of defense*, to keep soil from being mobilized in wind and water. Examples include stabilized construction entrances, tackified mulch, 3-step hydroseeding, spray-on soil stabilizers and anchored blankets. Sediment controls are the *second line of defense*; they help to filter sediment out of runoff before it reaches the storm drains and local waterways. Examples include rock bags to protect storm drain inlets, staked or weighted straw wattles/fiber rolls, and silt fences.

In addition to erosion and sediment controls, the project must have BMPs in place to keep other construction-related wastes and pollutants out of the storm drains. Such practices include, but are not limited to: filtering water from dewatering operations, providing proper washout areas for concrete trucks and stucco/paint contractors, containing wastes, managing portable toilets properly, and dry sweeping instead of washing down dirty pavement.

It is the responsibility of the project proponent to verify that the proposed BMPs for the project are appropriate for the unique site conditions, including topography, soil type and



anticipated volumes of water entering and leaving the site during the construction phase. In particular, the project proponent should check for the presence of colloidal clay soils on the site. Experience has shown that these soils do not settle out with conventional sedimentation and filtration BMPs. The project proponent may wish to conduct settling column tests in addition to other soils testing on the site, to ascertain whether conventional BMPs will work for the project.

If sediment-laden or otherwise polluted runoff discharges from the construction site are found to impact the County's storm drain system and/or Waters of the State, the property owner will be subject to enforcement action and possible fines by the County and the Regional Water Board.

Project compliance with requirements outlined above, as administered by the County and the Regional Water Board will ensure that project-related erosion and pollution impacts are *less than significant*.

**OPERATION: STORMWATER RUNOFF**

Development and urbanization can increase pollutant loads, temperature, volume and discharge velocity of runoff over the predevelopment condition. The increased volume, increased velocity, and discharge duration of stormwater runoff from developed areas has the potential to greatly accelerate downstream erosion and impair stream habitat in natural drainage systems. Studies have demonstrated a direct correlation between the degree of imperviousness of an area and the degradation of its receiving waters. These impacts must be mitigated by requiring appropriate runoff reduction and pollution prevention controls to minimize runoff and keep runoff clean for the life of the project.

The County requires that projects include source and/or treatment control measures on selected new development and redevelopment projects. Source control BMPs are intended to keep pollutants from contacting site runoff. Examples include "No Dumping-Drains to Creek/River" stencils/stamps on storm drain inlets to educate the public, and providing roofs over areas likely to contain pollutants, so that rainfall does not contact the pollutants. Treatment control measures are intended to remove pollutants that have already been mobilized in runoff. Examples include vegetated swales and water quality detention basins. These facilities slow water down and allow sediments and pollutants to settle out prior to discharge to receiving waters. Additionally, vegetated facilities provide filtration and pollutant uptake/adsorption. The project proponent should consider the use of "low impact development" techniques to reduce the amount of imperviousness on the site, since this will reduce the volume of runoff and therefore will reduce the size/cost of stormwater quality treatment required. Examples of low impact development techniques include pervious pavement and bioretention facilities.

The County requires developers to utilize the *Stormwater Quality Design Manual for the Sacramento Region, 2018* (Design Manual) in selecting and designing post-construction facilities to treat runoff from the project. Regardless of project type or size, developers are required to implement the minimum source control measures (Chapter 4 of the Design Manual). Low impact development measures and Treatment Control Measures are required of all projects exceeding the impervious surface threshold defined in Table 3-2

and 3-3 of the Design Manual. Further, depending on project size and location, hydromodification control measures may be required (Chapter 5 of the Design Manual).

Updates and background on the County's requirements for post-construction stormwater quality treatment controls, along with several downloadable publications, can be found at the following websites:

<http://www.waterresources.saccounty.net/stormwater/Pages/default.aspx>

<http://www.beriverfriendly.net/Newdevelopment/>

The final selection and design of post-construction stormwater quality control measures is subject to the approval of the County Department of Water Resources; therefore, they should be contacted as early as possible in the design process for guidance. Project compliance with requirements outlined above will ensure that project-related stormwater pollution impacts are ***less than significant***.

## BIOLOGICAL RESOURCES

This section supplements the Initial Study Checklist by analyzing if the proposed project would:

- Have a substantial adverse effect on any special status species, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community
- Have a substantial adverse effect on riparian habitat or other sensitive natural communities
- Have a substantial adverse effect on streams, wetlands, or other surface waters that are protected by federal, state, or local regulations and policies
- Have a substantial adverse effect on the movement of any native resident or migratory fish or wildlife species
- Conflict with any local policies or ordinances protecting biological resources

### *BIOLOGICAL RESOURCES – REGULATORY SETTING*

#### **FEDERAL REGULATIONS**

##### ***FEDERAL ENDANGERED SPECIES ACT***

The Federal Endangered Species Act (FESA) of 1973 protects species that are federally listed as endangered or threatened with extinction. FESA prohibits the unauthorized “take” of listed wildlife species. Take includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such activities. Harm includes significant modifications or

degradations of habitats that may cause death or injury to protected species by impairing their behavioral patterns. Harassment includes disruption of normal behavior patterns that may result in injury to or mortality of protected species. Civil or criminal penalties can be levied against persons convicted of unauthorized “take.” In addition, FESA prohibits malicious damage or destruction of listed plant species on federal lands or in association with federal actions, and the removal, cutting, digging up, damage, or destruction of listed plant species in violation of state law. FESA does not afford any protections to federally listed plant species that are not also included on a state endangered species list on private lands with no associated federal action.

#### ***CLEAN WATER ACT, SECTION 404***

Section 404 of the Federal Clean Water Act requires that a Department of the Army permit be issued prior to the discharge of any dredged or fill material into waters of the United States, including wetlands. The U.S. Army Corps of Engineers (USACE) administers this program, with oversight from the U. S. Environmental Protection Agency. Waters of the United States include all navigable waters; interstate waters and wetlands; all intrastate waters and wetlands that could affect interstate or foreign commerce; impoundments of the above; tributaries of the above; territorial seas; and wetlands adjacent to the above

#### ***MIGRATORY BIRD TREATY ACT***

The Migratory Bird Treaty Act (MBTA) prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any native migratory bird, their eggs, parts, and nests, except as authorized under a valid permit (50 CFR 21.11.). Likewise, Section 3513 of the California Fish & Game Code prohibits the “take or possession” of any migratory non-game bird identified under the MBTA. Therefore, activities that may result in the injury or mortality of native migratory birds, including eggs and nestlings, would be prohibited under the MBTA.

### **STATE REGULATIONS**

#### ***STATE ENDANGERED SPECIES ACT***

With limited exceptions, the California Endangered Species Act (CESA) of 1984 protects state-designated endangered and threatened species in a way similar to FESA. For projects on private property (i.e. that for which a state agency is not a lead agency), CESA enables CDFW to authorize take of a listed species that is incidental to carrying out an otherwise lawful project that has been approved under CEQA (Fish & Game Code Section 2081).

#### ***NATIVE PLANT PROTECTION ACT***

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are currently 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

**CLEAN WATER ACT, SECTION 401**

Section 401 of the Clean Water Act requires any applicant for a 404 permit in support of activities that may result in any discharge into waters of the United States to obtain a water quality certification with the Regional Water Quality Control Board (RWQCB). Though Section 401 of the Clean Water Act is a federal statute, compliance with this law falls under the direct purview of a California government agency, the RWQCB. This program is meant to protect these waters and wetlands by ensuring that waste discharged into them meets state water quality standards. Because the water quality certification program is triggered by the need for a Section 404 permit (and both programs are a part of the Clean Water Act), the definition of waters of the United States under Section 401 is the same as that used by the USACE under Section 404.

**CALIFORNIA WATER CODE, PORTER-COLOGNE ACT**

The Porter Cologne Act, from Division 7 of the California Water Code, requires any person discharging waste or proposing to discharge waste that could affect the quality of waters of the state to file a report of waste discharge (RWD) with the RWQCB. The RWQCB can waive the filing of a report, but once a report is filed, the RWQCB must either waive or adopt water discharge requirements (WDRs). “Waters of the State” are defined as any surface water or groundwater, including saline waters, within the boundaries of the state.

**CALIFORNIA FISH AND GAME CODE, SECTION 1600 – STREAMBED AND LAKE ALTERATION**

The Department of California Fish and Wildlife (CDFW) is responsible for conserving, protecting, and managing California’s fish, wildlife, and native plant resources. To meet this responsibility, the Fish and Game Code, Section 1602, requires notification to CDFW of any proposed activity that may substantially modify a river, stream, or lake. Notification is required by any person, business, state or local government agency, or public utility that proposes an activity that will:

- substantially divert or obstruct the natural flow of any river, stream or lake;
- substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

For the purposes of Section 1602, rivers, streams and lakes must flow at least intermittently through a bed or channel. If notification is required and CDFW believes the proposed activity is likely to result in adverse harm to the natural environment, it will require that the parties enter into a Lake or Streambed Alteration Agreement (LSAA).

**CALIFORNIA FISH AND GAME CODE, SECTION 3503.5 - RAPTOR NESTS**

Section 3503.5 of the Fish and Game Code makes it unlawful to take, possess, or destroy hawks or owls, unless permitted to do so, or to destroy the nest or eggs of any hawk or owl.

## **LOCAL REGULATIONS**

### ***COUNTY OF SACRAMENTO GENERAL PLAN***

The Conservation Element of the Sacramento County General Plan (under Policy CO-58) currently provides protection to various ecosystems. Specifically, it “ensures no net loss of wetlands, riparian woodlands, and oak woodlands.” The General Plan also seeks to protect landmark and heritage trees (collectively referred to as “protected trees”). “Landmark trees” are defined as ones that are “especially prominent and stately.” “Heritage trees” are defined as native oaks that exceed 60 inches in circumference. Policies CO-137, CO- 138, CO-139, CO-140, and CO-141 encourage protection and preservation of landmark and heritage trees, and Policy CO-145 requires mitigation by creation of new tree canopy equivalent to the acreage of non-native tree canopy removed.

### ***BIOLOGICAL RESOURCES – METHODOLOGY***

The discussion of biological and aquatic resources are based on Biological Resources Assessment – Hobday Road Property and Aquatic Resources Delineation Report – Hobday Road Property prepared by Madrone Ecological Consulting, LLC (Madrone). Published on May 29, 2021 and May 12, 2021 respectively. (Appendix A and B)

### ***BIOLOGICAL RESOURCES – IMPACTS AND ANALYSIS***

## **WETLANDS AND WATERS**

The site, which is at an approximate average elevation of 80 feet above sea level, appears to historically have supported a vernal pool complex within annual grasslands. Current ownership, which has owned the property since May 22, 2015, has converted the parcel into flood irrigated cattle pastures. It is Madrone’s understanding that the current ownership contacted the USACE prior to this work for guidance. According to the owners, Mike Winter of the USACE stated that disking less than 12 inches in depth was exempted agricultural work that was not categorized as deep ripping, an activity that may require USACE authorization prior to the start of work in vernal pools. The site was not disked at the time of Madrone’s survey, and vegetation was present and readily identifiable in all parts of the project area. The parcel was not grazed at the time of the site visit, but is seasonally grazed by cattle.

Madrone Ecological Consulting, LLC conducted a wetland delineation in April 2020 (Appendix A). The jurisdictional and non-jurisdictional aquatic features are summarized in Table IS-3. A total of 0.16 acre of aquatic resources were delineated within the project area (Plate IS-6).

**Table IS-3: Aquatic Resources Site Inventory**

<b>Recourse Type</b>	<b>Acreage</b>
Depressional Seasonal Wetland	0.02
Ephemeral Ditch	0.14
<b>Project area Total</b>	0.16

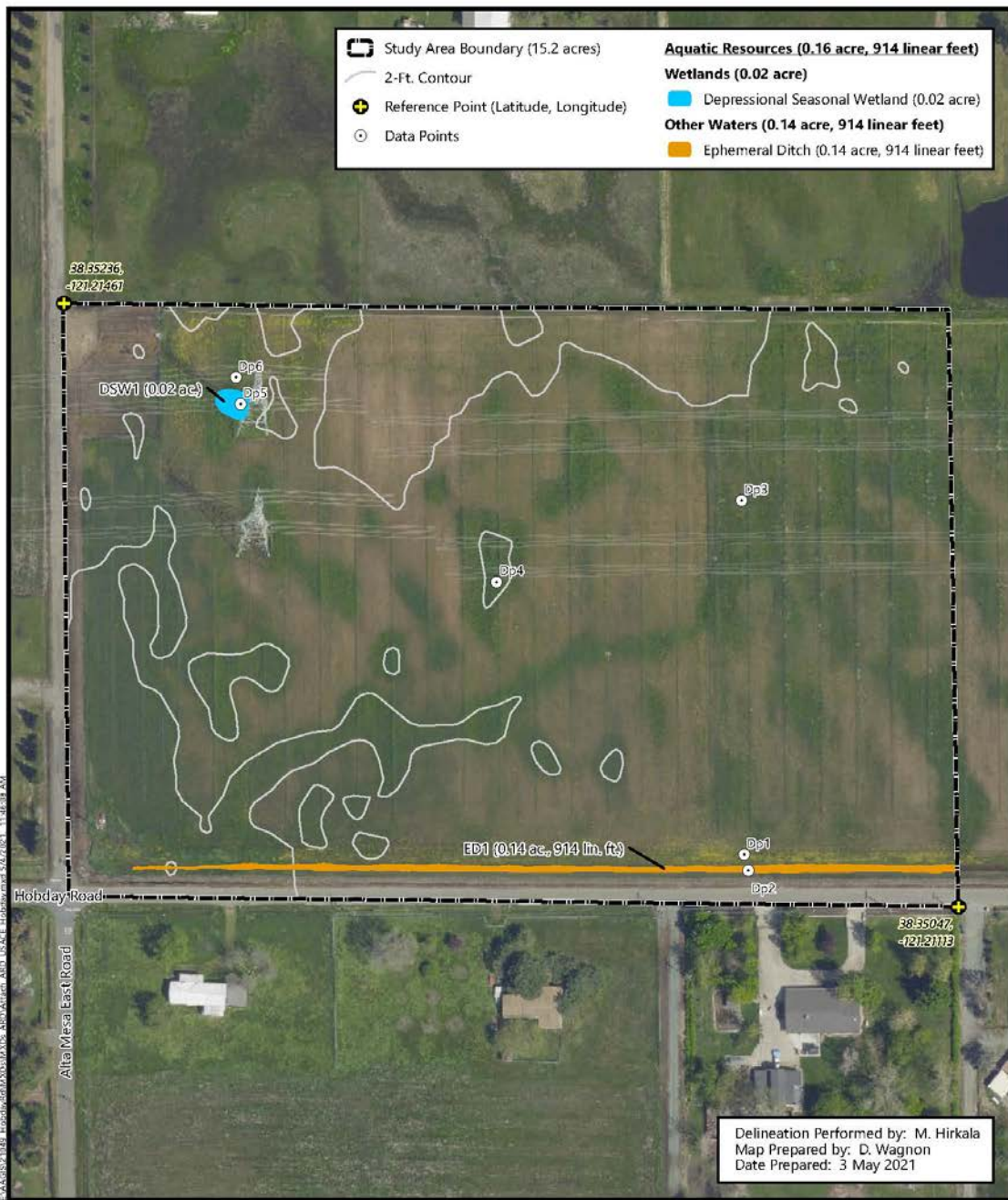
***EPHEMERAL DITCH***

One ephemeral ditch totaling approximately 0.14 acre was mapped along the southern edge of the project area just north of Hobday Road. This features collects used irrigation water and conveys it to the unnamed tributary to Badger Creek east of the parcel.

This feature displayed a very minor bed and bank and the destruction of terrestrial vegetation, which were used in part to delineate its extent. Plant species present included tall nut sedge (*Cyperus eragrostis*), lamp rush (*Juncus effusus*), perennial ryegrass (*Lolium perenne*), garden bird's-foot-trefoil (*Lotus corniculatus*), annual rabbitfoot grass (*Polypogon monspeliensis*), Baltic rush (*Juncus balticus*), and Mediterranean barley (*Hordeum marinum*). Algal matting was present in the ditch's lower (eastern) reaches. No saturation or ponding were observed during the field survey.

Even though the vegetation in the ephemeral ditch is typically indicative of a "wetter" feature, Madrone classified this as ephemeral based on its definition in 40 CFR, Part 328, Section 328.3 (c)(3) – the term ephemeral means surface water flowing or pooling only in direct response to precipitation as opposed to surface flow resulting from melting snow pack or an elevated water table. Based on a review of historic aerial photography available on Google Earth, this feature does not appear to maintain surface water during the wet-season (Google Earth 2021).

**Plate IS-6: Aquatic Resources Delineation**



N  
 Feet  
 0 150  
 Map Scale: 1 inch = 150 feet  
 Datum: NAD83, Projection: Lambert Conformal Conic  
 Coordinate System: California State Plane Zone II (FIPS 0402)  
 Aerial Source: Sac Regional GIS Coop, 26 March 2018  
 Topo Source: Sacramento County

**Aquatic Resources Delineation**

Hobday Road Property  
 Sacramento County, California



### **DEPRESSIONAL SEASONAL WETLAND**

One depressional seasonal wetland, totaling approximately 0.02 acre was delineated within the project area. For the purposes of this document, depressional seasonal wetlands inundate and/or saturate during the wet-season and/or irrigation-season, and typically dry by late spring and remain dry through the summer months unless irrigation water is re-introduced. The hydrology of this feature does not mimic that of a vernal pool; vernal pools typically dry by late spring and remain dry until initiation of the wet-season. Natural vernal pools are not wetted by irrigation water.

Plant species noted during the field survey include annual rabbitfoot grass (*Polypogon monspeliensis*), Baltic rush (*Juncus balticus*), toad rush (*Juncus bufonius*), perennial ryegrass (*Lolium perenne*), yellow owl's clover (*Triphysaria versicolor*), and Mediterranean barley (*Hordeum marinum*).

### **IMPACTS TO WETLANDS AND WATERS**

Development of the project site would likely impact the ephemeral ditch as drainage improvements and construction of driveway access would occur in the location of the ditch. If it is determined that the waters are jurisdictional, prior to construction within the area of the ephemeral ditch, the applicant may be required to obtain permits from the USACE, the U.S. Fish and Wildlife Service, the Central Valley Regional Water Quality Control Board, and the California Department of Fish and Wildlife. The depressional seasonal wetland is located within the easement for the electrical transmission lines. If future grading or development is proposed within the easement area, then necessary permits would need to be obtained.

Madrone concluded that the wetland areas were not federally jurisdictional and recommended that the applicant apply for an Approved Jurisdictional Determination (AJD) for the aquatic resources mapped within the Study Area. However, Madrone did caveat that the USACE and the U.S. Environmental Protection Agency ultimately have the authority to determine the jurisdictional status of aquatic features within the Study Area. Therefore it is possible that the appropriate permits would still be required from USACE, the U.S. Fish and Wildlife Service, the Central Valley Regional Water Quality Control Board, and the California Department of Fish and Wildlife.

Impacts to waters would require permits from the USACE and/or CRWQCB. The type and level of permits would depend on the level of jurisdiction, to be determined by individual agencies. Mitigation has been included to obtain proper permits prior to any work within delineated waters, or obtaining proper verification that waters are not jurisdictional. With the issuance of permits and/or verification of jurisdiction, impacts would be ***less than significant with mitigation.***

### **SPECIAL STATUS SPECIES**

Between database review and field survey, 41 special status species were identified as having a possibility of being present within the general area of the project site. However, subsequent review of onsite habitat, found that only 13 species could likely occur on the project site (see Table 2 of Appendix A for complete list of special-status species that



were evaluated, including their listing status, habitat associations, and their potential to occur in the project area). The species that have the potential of being present on the project site are discussed below.

### **SPECIAL STATUS PLANTS**

#### **SANFORD'S ARROWHEAD**

Sanford's arrowhead (*Sagittaria sanfordii*) is listed as a CRPR 1B.2 plant by the CNPS. It generally occurs at elevations ranging from 0 to 2,135 feet in shallow freshwater habitats associated with drainages, canals, and larger ditches that sustain inundation and/or slow moving water into early summer. Sanford's arrowhead is a perennial rhizomatous emergent species, and it blooms from May to October.

The CNDDDB lists one occurrence of this species within 5 miles of the project area. CNDDDB occurrence #5 is located approximately 4.6 miles to the north in Pasture Creek; however, this occurrence has been classified as "possibly extirpated" by CDFW. The likelihood of occurrence on-site is low due to ongoing cattle grazing and flood irrigation, with the only potentially suitable habitat being located within the ephemeral ditch on the south side of the site.

With development of the project site, the ephemeral ditch may be replaced with other drainage infrastructure. Prior to any change to the ditch and its surrounding drainage a focused survey will be required to determine the presence of Sanford's arrowhead. If present, the applicant will consult with CDFW as to mitigation such as avoidance, or compensatory mitigation that may include transplanting existing plants, seed collection and inoculation in other suitable habitat areas, and/or preservation in perpetuity of other existing populations of these species. If no plants are found then no further mitigation is required. Impacts to Sanford's arrowhead are ***less than significant with mitigation***.

### **SPECIAL STATUS BIRDS**

#### **SWAINSON'S HAWK**

The Swainson's hawk (*Buteo swainsoni*) is listed as a threatened species by the State of California and is a candidate for federal listing as threatened or endangered. It is a migratory raptor typically nesting in or near valley floor riparian habitats during spring and summer months. Swainson's hawks were once common throughout the state, but various habitat changes, including the loss of nesting habitat (trees) and the loss of foraging habitat through the conversion of native Central Valley grasslands to certain incompatible agricultural and urban uses has caused an estimated 90% decline in their population.

Swainson's hawks feed primarily upon small mammals, birds, and insects. Their typical foraging habitat includes native grasslands, alfalfa, and other hay crops that provide suitable habitat for small mammals. Certain other row crops and open habitats also provide some foraging habitat. The availability of productive foraging habitat near a Swainson's hawk's nest site is a critical requirement for nesting and fledgling success. In central California, about 85% of Swainson's hawk nests are within riparian forest or

remnant riparian trees. CEQA analysis of impacts to Swainson’s hawks consists of separate analyses of impacts to nesting habitat and foraging habitat.

The CEQA analysis provides a means by which to ascertain impacts to the Swainson’s hawk. When the analysis identifies impacts, mitigation measures are established that will reduce impacts to the species to a less than significant level. Project proponents are cautioned that the mitigation measures are designed to reduce impacts and do not constitute an incidental take permit under the California Endangered Species Act (CESA). Anyone who directly or incidentally takes a Swainson’s hawk, even when in compliance with mitigation measures established pursuant to CEQA, may violate the California Endangered Species Act.

**SWAINSON’S HAWK NESTING HABITAT IMPACT METHODOLOGY**

There are no trees present on the project site. While there have been recorded nesting occurrences using power transmission towers these are rare. For determining impacts to and establishing mitigation for nesting Swainson’s hawks in Sacramento County, CDFW recommends utilizing the methodology set forth in the Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley (Swainson’s Hawk TAC 2000). The document recommends that surveys be conducted for the two survey periods immediately prior to the start of construction. The five survey periods are defined by the timing of migration, courtship, and nesting in a typical year (refer to Table IS-4). Surveys should extend a ½-mile radius around all project activities, and if active nesting is identified, CDFW should be contacted.

**Table IS-4: Recommended Survey Periods for Swainson’s Hawk (TAC 2000)**

Period #	Timeframe	# of surveys required	Notes
I.	Jan. 1 – Mar. 20	1	Optional, but recommended
II.	Mar. 20 – Apr. 5	3	
III.	Apr. 5 – Apr. 20	3	
IV.	Apr. 21 – June 10	N/A	Initiating surveys is not recommended during this period
V.	June 10 – July 30	3	

**SWAINSON’S HAWK NESTING HABITAT IMPACTS**

This species was observed foraging over the project area during the field visit on April 19, 2021. Though the site lacks any trees, it does support a pair of high tension powerline towers, which are on rare occasions known to be utilized for nesting by large raptors, including Swainson’s hawk.

As such, a preconstruction survey for nesting hawks is necessary prior to construction. However, given that use of the towers are not the typical nesting site, and there would be

no foliage to obscure potential nests, a single nesting survey is appropriate. The purpose of the survey requirement is to ensure that construction activities do not agitate nesting hawks, potentially resulting in nest abandonment or other harm to nesting success. If Swainson’s hawk nests are found, the developer is required to contact CDFW to determine what measures need to be implemented in order to ensure that nesting hawks remain undisturbed. The measures selected will depend on many variables, including the distance of activities from the nest, the types of activities, and whether the landform between the nest and activities provides any kind of natural screening. The mitigation described above will ensure that impacts to nesting Swainson’s hawk will be **less than significant**.

**SWAINSON’S HAWK FORAGING HABITAT IMPACT METHODOLOGY**

The California Department of Fish and Wildlife (CDFW) recommends evaluating project sites located within 10 miles of recorded Swainson’s hawk nests because the raptors most commonly forage within that range. To determine impacts to the foraging habitat of Swainson’s hawks, the CDFW recommends either implementation of the measures set forth in their Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (*Buteo swainsoni*) in the Central Valley of California (November 1, 1994); or, the development of a more location-specific methodology. In May of 2006, CDFW approved a methodology to determine impacts to the foraging habitat of Swainson’s hawks in Sacramento County. The Board of Supervisors adopted an ordinance to establish a Swainson’s Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code). The Program has been amended several times; the latest amendment went into effect in December of 2009.

The value of Swainson’s hawk foraging habitat is greatest in open space areas not fragmented development, and lessens as properties develop with increasingly more intensive uses on smaller parcel sizes. Therefore, there is a strong correlation between the presence of suitable habitat and zoning for large agricultural parcels; conversely, areas zoned for agricultural-residential or more dense uses tended to have fragmented, or absent habitat. Although there may be individual properties which do not follow the observed regional trend, CDFW concluded that the value of Swainson’s hawk habitat in Sacramento County correlates to the minimum parcel size allowed by zoning. Implementation of mitigation based on the following sliding scale would result in adequate cumulative mitigation for the species (Table IS-5).

**Table IS-5: Swainson’s Hawk Foraging Habitat Value by Zoning Category**

Zoning Category	Habitat Value Remaining
AG-40 and above (e.g., AG-80, 160 etc.)	100%
AG-20	75%
AR-10	25%
AR-5 and smaller (e.g., AR-2, 1 or RD-5, 7, 10, 15, 20 etc.)	0%

The methodology assumes that properties with zoning of AG-40 and larger maintain 100% of their foraging habitat value and properties with AR-5 zoning and smaller have

lost all foraging habitat value. The percentage of foraging value lost between zones between AG-40 and AR-5 reflect the fragmentation of large agricultural land holdings and changes in land use from general agriculture to agricultural-residential. The project site is zoned AR-5 and determined to have 0% habitat value remaining based on the methodology above. Impacts to foraging habitat are **less than significant**.

### **GREATER SANDHILL CRANE**

The greater sandhill crane (*Grus canadensis tabida*) is state listed as threatened under CESA and is a CDFW fully protected species. It is also categorized as a covered species under the SSHCP. Prior to European settlement, this bird was once common throughout the intermountain west region during breeding season. Wintering primarily occurred in the Central Valley of California. Habitat loss and overhunting resulting in a drastic population decline, and the species was nearly extinct in Washington by 1941. In California, the breeding population numbered less than five pairs by the 1940s. Populations have partially recovered due to conservation efforts; however, the overall number remain well below historic levels. The greater sandhill crane continues to winter in California generally from October to February, where it forages in agricultural fields, grasslands, and wetlands.

Though the CNDDDB records no occurrences of this species within 5 miles of the project area, it was included in this discussion since the site is located within its known range. The irrigated pasture in the project area provide limited winter foraging habitat for this species. The potential for greater sandhill crane to occur within the project area is moderate.

Mitigation for sandhill crane is focused on protection of nesting individuals. The project site does not contain nesting habitat for the species. While the discontinuing of irrigation would result in the reduction in the size of foraging habitat, as described in the Swainson's hawk section above, areas zoned for agricultural-residential or more dense uses tended to have fragmented, or absent habitat. Therefore, the impacts of the pasturelands impacts of the project on greater sandhill crane would be **less than significant**.

### **LOGGERHEAD SHRIKE**

The loggerhead shrike (*Lanius ludovicianus*) is a CDFW species of special concern and a SSHCP covered species. Loggerhead shrikes nest in small trees and shrubs in woodland and savannah vegetation communities, and forage in open habitats throughout California (Shuford and Gardali 2008). The nesting season ranges from March through June.

This species has not been documented by the CNDDDB within five miles of the project area (CNDDDB 2021); however, the parcel is located within the historic range of loggerhead shrike. The irrigated pasture provides limited suitable foraging habitat. While the discontinuing of irrigation would result in the reduction in the size of foraging habitat, as described in the Swainson's hawk section above, areas zoned for agricultural-residential or more dense uses tended to have fragmented, or absent habitat. Therefore, the impacts of the pasturelands impacts of the project on loggerhead shrike would be **less than significant**.

## NESTING BIRDS OF PREY

This section addresses raptors which are not listed as endangered, threatened, or of special concern, but are nonetheless afforded general protections by the Fish and Game Code. Raptors and their active nests are protected by the California Fish and Game Code Section 3503.5, which states: It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey, or raptors) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. Section 3(19) of the Federal Endangered Species Act defines the term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Causing a bird to abandon an active nest may cause harm to egg(s) or chick(s) and is therefore considered “take.” Thus, take may occur both as a result of cutting down a tree or as a result of activities nearby an active nest which cause nest abandonment.

Raptors within the Sacramento region include tree-nesting species such as the red-tailed hawk and red-shouldered hawk, as well as ground-nesting species such as the northern harrier. The following raptor species are identified as “special animals” due to concerns over nest disturbance: Cooper’s hawk, sharp-shinned hawk, golden eagle, northern harrier, and white-tailed kite.

The project site does not contain any trees and while the probability of nesting on the transmission line towers is low nesting raptors can be disturbed by construction equipment if appropriate measures are not taken. To avoid impacts to nesting raptors, mitigation involves pre-construction nesting surveys to identify any active nests and to implement avoidance measures if nests are found – if construction will occur during the nesting season of March 1 to September 15. The purpose of the survey requirement is to ensure that construction activities do not agitate or harm nesting raptors, potentially resulting in nest abandonment or other harm to nesting success. If nests are found, the developer is required to contact CDFW to determine what measures need to be implemented in order to ensure that nesting raptors remain undisturbed. The measures selected will depend on many variables, including the distance of activities from the nest, the types of activities, and whether the landform between the nest and activities provides any kind of natural screening. If no active nests are found during the focused survey, no further mitigation will be required. Mitigation will ensure that impacts to nesting raptors will be ***less than significant***.

## MIGRATORY BIRDS

The Migratory Bird Treaty Act of 1918, which states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. Section 3(19) of the Federal Endangered Species Act defines the term “take” to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Causing a bird to abandon an active nest may cause harm to egg(s) or chick(s) and is therefore considered “take.”

The project site does not contain trees that could serve as suitable habitat for migratory birds. While the potential nesting on the transmission line towers, if present, migratory

birds can be disturbed by construction equipment if appropriate measures are not taken. To avoid take of nesting migratory birds, mitigation has been included to require that activities either occur outside of the nesting season, or to require that nests be buffered from construction activities until the nesting season is concluded. Impacts to migratory birds are ***less than significant***.

## GREENHOUSE GAS EMISSIONS

This section supplements the Initial Study Checklist by analyzing if the proposed project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

### *GREENHOUSE GAS EMISSIONS – REGULATORY BACKGROUND*

California has adopted statewide legislation addressing various aspects of climate change and GHG emissions mitigation. Much of this establishes a broad framework for the State's long-term GHG reduction and climate change adaptation program. Of particular importance is AB 32, which establishes a statewide goal to reduce GHG emissions back to 1990 levels by 2020, and Senate Bill (SB) 375 supports AB 32 through coordinated transportation and land use planning with the goal of more sustainable communities. SB 32 extends the State's GHG policies and establishes a near-term GHG reduction goal of 40% below 1990 emissions levels by 2030. Executive Order (EO) S-03-05 identifies a longer-term goal for 2050.<sup>1</sup>

### **COUNTY OF SACRAMENTO CLIMATE ACTION PLANNING**

In November of 2011, Sacramento County approved the Phase 1 Climate Action Plan Strategy and Framework document (Phase 1 CAP), which is the first phase of developing a community-level Climate Action Plan. The Phase 1 CAP provides a framework and overall policy strategy for reducing greenhouse gas emissions and managing our resources in order to comply with AB 32. It also highlights actions already taken to become more efficient, and targets future mitigation and adaptation strategies. This document is available at [http://www.green.saccounty.net/Documents/sac\\_030843.pdf](http://www.green.saccounty.net/Documents/sac_030843.pdf). The CAP contains policies/goals related to agriculture, energy, transportation/land use, waste, and water.

Goals in the section on agriculture focus on promoting the consumption of locally-grown produce, protection of local farmlands, educating the community about the intersection of agriculture and climate change, educating the community about the importance of open space, pursuing sequestration opportunities, and promoting water conservation in agriculture. Actions related to these goals cover topics related to urban forest

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<sup>1</sup> EO S-03-05 has set forth a reduction target to reduce GHG emissions by 80 percent below 1990 levels by 2050. This target has not been legislatively adopted.

management, water conservation programs, open space planning, and sustainable agriculture programs.

Goals in the section on energy focus on increasing energy efficiency and increasing the usage of renewable sources. Actions include implementing green building ordinances and programs, community outreach, renewable energy policies, and partnerships with local energy producers.

Goals in the section on transportation/land use cover a wide range of topics but are principally related to reductions in vehicle miles traveled, usage of alternative fuel types, and increases in vehicle efficiency. Actions include programs to increase the efficiency of the County vehicle fleet, and an emphasis on mixed use and higher density development, implementation of technologies and planning strategies that improve non-vehicular mobility.

Goals in the section on waste include reductions in waste generation, maximizing waste diversion, and reducing methane emissions at Kiefer landfill. Actions include solid waste reduction and recycling programs, a regional composting facility, changes in the waste vehicle fleet to use non-petroleum fuels, carbon sequestration at the landfill, and methane capture at the landfill.

Goals in the section on water include reducing water consumption, emphasizing water efficiency, reducing uncertainties in water supply by increasing the flexibility of the water allocation/distribution system, and emphasizing the importance of floodplain and open space protection as a means of providing groundwater recharge. Actions include metering, water recycling programs, water use efficiency policy, water efficiency audits, greywater programs/policies, river-friendly landscape demonstration gardens, participation in the water forum, and many other related measures.

The Phase 1 CAP is a strategy and framework document. The County adopted the Phase 2A CAP (Government Operations) on September 11, 2012. Neither the Phase 1 CAP nor the Phase 2A CAP are “qualified” plans through which subsequent projects may receive CEQA streamlining benefits. The Communitywide CAP (Phase 2B) has been in progress for some time (<https://planning.saccounty.net/PlansandProjectsIn-Progress/Pages/CAP.aspx>) but was placed on hold in late 2018 pending in-depth review of CAP-related litigation in other jurisdictions.

The commitment to a Communitywide CAP is identified in General Plan Policy LU-115 and associated Implementation Measures F through J on page 117 of the General Plan Land Use Element. This commitment was made in part due to the County’s General Plan Update process and potential expansion of the Urban Policy Area to accommodate new growth areas. General Plan Policies LU-119 and LU-120 were developed with SACOG to be consistent with smart growth policies in the SACOG Blueprint, which are intended to reduce VMT and GHG emissions. This second phase CAP is intended to flesh out the strategies involved in the strategy and framework CAP, and will include economic analysis, intensive vetting with all internal departments, community outreach/information

sharing, timelines, and detailed performance measures. The County completed the draft of the second phase CAP in March 2021.

*GREENHOUSE GAS EMISSIONS – THRESHOLDS OF SIGNIFICANCE*

Addressing GHG generation impacts requires an agency to make a determination as to what constitutes a significant impact. Governor’s Office of Planning and Research’s (OPR’s) Guidance does not include a quantitative threshold of significance to use for assessing a proposed development’s GHG emissions under CEQA. Moreover, CARB has not established such a threshold or recommended a method for setting a threshold for proposed development-level analysis.

In April 2020, SMAQMD adopted an update to their land development project operational GHG threshold, which requires a project to demonstrate consistency with CARB’s 2017 Climate Change Scoping Plan. The Sacramento County Board of Supervisors adopted the updated GHG threshold in December 2020. SMAQMD’s technical support document, “Greenhouse Gas Thresholds for Sacramento County”, identifies operational measures that should be applied to a project to demonstrate consistency.

All projects must implement Tier 1 Best Management Practices to demonstrate consistency with the Climate Change Scoping Plan. After implementation of Tier 1 Best Management Practices, project emissions are compared to the operational land use screening levels table (equivalent to 1,100 metric tons of CO<sub>2</sub>e per year). If a project’s operational emissions are less than or equal to 1,100 metric tons of CO<sub>2</sub>e per year after implementation of Tier 1 Best Management Practices, the project will result in a less than cumulatively considerable contribution and has no further action. Tier 1 Best Management Practices include:

- BMP 1 – no natural gas: projects shall be designed and constructed without natural gas infrastructure.
- BMP 2 – electric vehicle (EV) Ready: projects shall meet the current CalGreen Tier 2 standards.
  - EV Capable requires the installation of “raceway” (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) and adequate panel capacity to accommodate future installation of a dedicated branch circuit and charging station(s)
  - EV Ready requires all EV Capable improvements plus installation of dedicated branch circuit(s) (electrical pre-wiring), circuit breakers, and other electrical components, including a receptacle (240-volt outlet) or blank cover needed to support future installation of one or more charging stations

Projects that implement BMP 1 and BMP 2 can utilize the screening criteria for operation emissions outlined in Table IS-7. Projects that do not exceed 1,100 metric tons per year are then screened out of further requirements. For projects that exceed 1,100 metric tons per year, then compliance with BMP 3 is also required:



- BMP 3 – Reduce applicable project VMT by 15% residential and 15% worker relative to Sacramento County targets, and no net increase in retail VMT. In areas with above-average existing VMT, commit to provide electrical capacity for 100% electric vehicles.

SMAQMD’s GHG construction and operational emissions thresholds for Sacramento County are shown in Table IS-6.

**Table IS-6: SMAQMD Thresholds of Significance for Greenhouse Gases**

<b>Land Development and Construction Projects</b>		
	Construction Phase	Operational Phase
Greenhouse Gas as CO <sub>2</sub> e	1,100 metric tons per year	1,100 metric tons per year
<b>Stationary Source Only</b>		
	Construction Phase	Operational Phase
Greenhouse Gas as CO <sub>2</sub> e	1,100 metric tons per year	10,000 metric tons per year

*GREENHOUSE GAS EMISSIONS – PROJECT IMPACTS*

**CONSTRUCTION-GENERATED GREENHOUSE GAS EMISSIONS**

GHG emissions associated with the project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. The project is within the screening criteria for construction related impacts related to air quality. Therefore, construction-related GHG impacts are considered ***less than significant***.

**OPERATIONAL PHASE GREENHOUSE GAS EMISSIONS**

Based on the SMAQMD screening table, the operational emissions associated with the project would be less than 1,100 MT of CO<sub>2</sub>e per year, and screen out from requiring further analysis. To utilize the screening thresholds, the project must implement BMP 1 and BMP 2 in their entirety. Although no construction is currently proposed, future construction would be held to implement BMP 1 and BMP 2. The impacts from GHG emissions are ***less than significant with mitigation***.

**ENVIRONMENTAL MITIGATION MEASURES**

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Mitigation Measures (A-H) are critical to ensure that identified significant impacts of the project are reduced to a level of less than significant. Pursuant to Section 15074.1(b) of the CEQA Guidelines, each of these measures must be adopted exactly as written unless both of the following occur: (1) A public hearing is held on the proposed changes; (2) The hearing body adopts a written finding that the new measure is equivalent or more effective

in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.

As the applicant, or applicant's representative, for this project, I acknowledge that project development creates the potential for significant environmental impact and agree to implement the mitigation measures listed below, which are intended to reduce potential impacts to a less than significant level.

Applicant \_\_\_\_\_ Date: \_\_\_\_\_

#### MITIGATION MEASURE A: BASIC CONSTRUCTION EMISSIONS CONTROL PRACTICES

The following Basic Construction Emissions Control Practices are considered feasible for controlling fugitive dust from a construction site. The practices also serve as best management practices (BMPs), allowing the use of the non-zero particulate matter significance thresholds.

Control of fugitive dust is required by District Rule 403 and enforced by District staff.

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.

- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, [doors@arb.ca.gov](mailto:doors@arb.ca.gov), or [www.arb.ca.gov/doors/compliance\\_cert1.html](http://www.arb.ca.gov/doors/compliance_cert1.html).
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic

#### MITIGATION MEASURE B: WETLANDS AND WATERS

To compensate for impacts to state and/or federally jurisdictional waters, the applicant shall obtain all applicable permits from the Army Corps of Engineers and the Central Valley Regional Water Quality Control Board prior to issuance of improvement plans. If waters are determined to be not be jurisdictional by permitting agencies, then correspondence indicating such shall be submitted to the satisfaction of the Environmental Coordinator.

#### MITIGATION MEASURE C: SANFORD'S ARROWHEAD

If construction, grading, or project-related improvements to occur in the vicinity of the ephemeral ditch a focused survey will be required to determine the presents of Sanford's arrowhead. If present applicant will consult with CDFW as to mitigation such as avoidance, or compensatory mitigation that may include transplanting existing plants, seed collection and inoculation in other suitable habitat areas, and/or preservation in perpetuity of other existing populations of these species. If no plants are found then no further mitigation is required.

#### MITIGATION MEASURE D: SWAINSON'S HAWK NESTING HABITAT

If construction, grading, or project-related improvements are to commence between February 1 and September 15, a focused survey for Swainson's hawk nests shall be conducted by a qualified biologist within a ½-mile radius of project activities.. If active nests are found, CDFW shall be contacted to determine appropriate protective measures, and these measures shall be implemented prior to the start of any ground-disturbing activities. If no active nests are found during the focused survey, no further mitigation will be required.

#### MITIGATION MEASURE E: RAPTOR NEST PROTECTION

If construction activity (which includes clearing, grubbing, or grading) is to commence within 500 feet of suitable nesting habitat between March 1 and September 15, a survey for raptor nests shall be conducted by a qualified biologist. The survey shall cover all potential tree habitat on-site and off-site up to a distance of 500 feet from the project boundary. The survey shall occur within 30 days of the date that construction will encroach within 500 feet of suitable habitat. The biologist shall supply a brief written report (including date, time of survey, survey method, name of surveyor and survey results) to the Environmental Coordinator prior to ground disturbing activity. If no active

nests are found during the survey, no further mitigation will be required. If any active nests are found, the Environmental Coordinator and California Fish and Wildlife shall be contacted to determine appropriate avoidance/protective measures. The avoidance/protective measures shall be implemented prior to the commencement of construction within 500 feet of an identified nest.

#### MITIGATION MEASURE F: MIGRATORY BIRD NEST PROTECTION

To avoid impacts to nesting migratory birds the following shall apply:

1. If construction activity (which includes clearing, grubbing, or grading) is to commence within 50 feet of nesting habitat between February 1 and August 31, a survey for active migratory bird nests shall be conducted no more than 14 day prior to construction by a qualified biologist.
2. Trees slated for removal shall be removed during the period of September through January, in order to avoid the nesting season. Any trees that are to be removed during the nesting season, which is February through August, shall be surveyed by a qualified biologist and will only be removed if no nesting migratory birds are found.
3. If active nest(s) are found in the survey area, a non-disturbance buffer, the size of which has been determined by a qualified biologist, shall be established and maintained around the nest to prevent nest failure. All construction activities shall be avoided within this buffer area until a qualified biologist determines that nestlings have fledged, or until September 1.

#### MITIGATION MEASURE G: CULTURAL RESOURCES UNANTICIPATED DISCOVERY

In the event that human remains are discovered in any location other than a dedicated cemetery, work shall be halted and the County Coroner contacted. For all other unexpected cultural resources discovered during project construction, work shall be halted until a qualified archaeologist may evaluate the resource encountered.

1. Pursuant to Sections 5097.97 and 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, if a human bone or bone of unknown origin is found during construction, all work is to stop and the County Coroner and the Office of Planning and Environmental Review shall be immediately notified. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposition of, with appropriate dignity, the human remains and any associated grave goods.

2. In the event of an inadvertent discovery of cultural resources (excluding human remains) during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained at the Applicant's expense to evaluate the significance of the find. If it is determined due to the types of deposits discovered that a Native American monitor is required, the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites as established by the Native American Heritage Commission shall be followed, and the monitor shall be retained at the Applicant's expense.
  - a. Work cannot continue within the 100-foot radius of the discovery site until the archaeologist and/or tribal monitor conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially eligible for listing on the National Register of Historic Places or California Register of Historical Resources.
  - b. If a potentially-eligible resource is encountered, then the archaeologist and/or tribal monitor, Planning and Environmental Review staff, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations or total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the County Environmental Coordinator as verification that the provisions of CEQA for managing unanticipated discoveries have been met.

#### MITIGATION MEASURE H: GREENHOUSE GASES

The project is required to incorporate the following Tier 1 Best Management Practices (BMPs)

- BMP 1: No natural gas: Projects shall be designed and constructed without natural gas infrastructure.
- BMP 2: Electric vehicle ready: Projects shall meet the current CalGreen Tier 2 standards, except all EV Capable spaces shall instead be EV Ready.
  - EV Capable requires the installation of "raceway" (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) and adequate panel capacity to accommodate future installation of a dedicated branch circuit and charging station(s)
  - EV Ready requires all EV Capable improvements plus installation of dedicated branch circuit(s) (electrical pre-wiring), circuit breakers, and other electrical components, including a receptacle (240-volt outlet) or blank cover needed to support future installation of one or more charging stations

MITIGATION MEASURE COMPLIANCE

Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:

1. It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$4,500.00**, which includes administrative costs of **\$948.00**. Over the course of the project, the Office of Planning and Environmental Review will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.
2. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

## INITIAL STUDY CHECKLIST

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Appendix G of the California Environmental Quality Act (CEQA) provides guidance for assessing the significance of potential environmental impacts. Based on this guidance, Sacramento County has developed the following Initial Study Checklist. The Checklist identifies a range of potential significant effects by topical area. The words "significant" and "significance" used throughout the following checklist are related to impacts as defined by the California Environmental Quality Act as follows:

- 1 Potentially Significant indicates there is substantial evidence that an effect MAY be significant. If there are one or more "Potentially Significant" entries an Environmental Impact Report (EIR) is required. Further research of a potentially significant impact may reveal that the impact is actually less than significant or less than significant with mitigation.
- 2 Less than Significant with Mitigation applies where an impact could be significant but specific mitigation has been identified that reduces the impact to a less than significant level.
- 3 Less than Significant or No Impact indicates that either a project will have an impact but the impact is considered minor or that a project does not impact the particular resource.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
<b>1. LAND USE - Would the project:</b>					
a. Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		The project is consistent with environmental policies of the Sacramento County General Plan, Southeast-Alta Mesa Community Plan and Sacramento County Zoning Code.
b. Physically disrupt or divide an established community?			X		The project will not create physical barriers that substantially limit movement within or through the community.
<b>2. POPULATION/HOUSING - Would the project:</b>					
a. Induce substantial unplanned population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of infrastructure)?			X		The project will neither directly nor indirectly induce substantial unplanned population growth; the proposal is consistent with existing land use designations.
b. Displace substantial amounts of existing people or housing, necessitating the construction of replacement housing elsewhere?			X		The project will not result in the removal of existing housing, and thus will not displace substantial amounts of existing housing.
<b>3. AGRICULTURAL RESOURCES - Would the project:</b>					
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance or areas containing prime soils to uses not conducive to agricultural production?			X		The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the current Sacramento County Important Farmland Map published by the California Department of Conservation. The site does not contain prime soils.
b. Conflict with any existing Williamson Act contract?				X	No Williamson Act contracts apply to the project site.



	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
c. Introduce incompatible uses in the vicinity of existing agricultural uses?			X		Though in an area where agricultural uses occur, the project will not substantially interfere with agricultural operations because the zoning for the current and future parcels are consistent with the provision of residential uses in agricultural areas.
<b>4. AESTHETICS - Would the project:</b>					
a. Substantially alter existing viewsheds such as scenic highways, corridors or vistas?			X		The project does not occur in the vicinity of any scenic highways, corridors, or vistas.
b. In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings?			X		Construction will not substantially degrade the visual character or quality of the project site.
c. If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X	The project is not located in an urbanized area.
d. Create a new source of substantial light, glare, or shadow that would result in safety hazards or adversely affect day or nighttime views in the area?			X		The project will not result in a new source of substantial light, glare or shadow that would result in safety hazards or adversely affect day or nighttime views in the area.
<b>5. AIRPORTS - Would the project:</b>					
a. Result in a safety hazard for people residing or working in the vicinity of an airport/airstrip?				X	The project occurs outside of any identified public or private airport/airstrip safety zones.
b. Expose people residing or working in the project area to aircraft noise levels in excess of applicable standards?				X	The project occurs outside of any identified public or private airport/airstrip noise zones or contours.
c. Result in a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft?				X	The project does not affect navigable airspace..

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
d. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	The project does not involve or affect air traffic movement.
<b>6. PUBLIC SERVICES - Would the project:</b>					
a. Have an adequate water supply for full buildout of the project?			X		Private wells would be required to provide potable water to future development. Sacramento County Environmental Management Department (EMD) is responsible for oversight of the construction, modification, repair, inactivation and destruction of wells in Sacramento County, pursuant to Chapter 6.28 of the Sacramento County Code.  As proposed, the project could result in the addition of up to 3 new water wells to serve the project. The introduction of 3 wells is consistent with the current zoning.
b. Have adequate wastewater treatment and disposal facilities for full buildout of the project?			X		Septic systems would be required. Sacramento County EMD is responsible through the Liquid Waste Program to oversee the design, construction and installation of on-site wastewater treatment systems, septic (systems), and wastewater holding tanks.  The project site is not within an area that requires soil-testing in order to install a septic system. While there is no requirement for soil-test drilling, EMD does require 40 foot deep leaching pits. To obtain the needed permit from EMD, any proposed septic system will need to be approved prior to construction, and inspected and approved prior to operation. Compliance with EMD requirements will ensure that adequate wastewater treatment and disposal facilities will be in place.
c. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		The Kiefer Landfill has capacity to accommodate solid waste until the year 2050.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
d. Result in substantial adverse physical impacts associated with the construction of new water supply or wastewater treatment and disposal facilities or expansion of existing facilities?			X		The project will not require construction or expansion of new water supply, wastewater treatment, or wastewater disposal facilities.
e. Result in substantial adverse physical impacts associated with the provision of storm water drainage facilities?			X		Project construction would not require the addition of new stormwater drainage facilities.
f. Result in substantial adverse physical impacts associated with the provision of electric or natural gas service?			X		The area is served by electrical infrastructure; however, there is no natural gas service in the area. Any gas appliances used would have to utilize propane, which would be stored in tanks on the property. As no new electrical facilities would be needed beyond connection to the existing grid, and no new natural gas infrastructure would be required impacts to electrical and natural gas services would be less than significant.  The project area contains an easement for the electrical transmission lines that cross the property. The easements would be retained and future development would be subject to the provisions of the existing easements. Impacts to existing electrical facilities would be less than significant.
g. Result in substantial adverse physical impacts associated with the provision of emergency services?			X		The project would incrementally increase demand for emergency services, but would not cause substantial adverse physical impacts as a result of providing adequate service.
h. Result in substantial adverse physical impacts associated with the provision of public school services?			X		The project would result in minor increases to student population; however, the increase would not require the construction/expansion of new unplanned school facilities. Established case law, <i>Goleta Union School District v. The Regents of the University of California</i> (36 Cal-App. 4 <sup>th</sup> 1121, 1995), indicates that school overcrowding, standing alone, is not a change in the physical conditions, and cannot be treated as an impact on the environment.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
i. Result in substantial adverse physical impacts associated with the provision of park and recreation services?			X		The project will result in increased demand for park and recreation services, but meeting this demand will not result in any substantial physical impacts.
<b>7. TRANSPORTATION - Would the project:</b>					
a. Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) – measuring transportation impacts individually or cumulatively, using a vehicles miles traveled standard established by the County?			X		A Traffic Impact Study including a vehicle miles traveled (VMT) analysis was prepared and the project screens out as a Small Project generating less than 237 trips per day. Therefore, project impacts individually or cumulatively are less than significant.
b. Result in a substantial adverse impact to access and/or circulation?			X		The project will be required to comply with applicable access and circulation requirements of the County Improvement Standards and the Uniform Fire Code. Upon compliance, impacts are less than significant.
c. Result in a substantial adverse impact to public safety on area roadways?			X		The project will be required to comply with applicable access and circulation requirements of the County Improvement Standards and the Uniform Fire Code. Upon compliance, impacts are less than significant.
d. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X		The project does not conflict with alternative transportation policies of the Sacramento County General Plan, with the Sacramento Regional Transit Master Plan, or other adopted policies, plans or programs supporting alternative transportation.
<b>8. AIR QUALITY - Would the project:</b>					
a. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?			X		The project does not exceed the screening thresholds established by the Sacramento Metropolitan Air Quality Management District and will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment.
b. Expose sensitive receptors to pollutant concentrations in excess of standards?			X		See Response 8.a.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
c. Create objectionable odors affecting a substantial number of people?			X		The project will not generate objectionable odors.
<b>9. NOISE - Would the project:</b>					
a. Result in generation of a temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established by the local general plan, noise ordinance or applicable standards of other agencies?			X		The project is not in the vicinity of any uses that generate substantial noise, nor will the completed project generate substantial noise. The project will not result in exposure of persons to, or generation of, noise levels in excess of applicable standards.
b. Result in a substantial temporary increase in ambient noise levels in the project vicinity?			X		Project construction will result in a temporary increase in ambient noise levels in the project vicinity. This impact is less than significant due to the temporary nature of these activities, limits on the duration of noise, and evening and nighttime restrictions imposed by the County Noise Ordinance (Chapter 6.68 of the County Code).
c. Generate excessive groundborne vibration or groundborne noise levels.			X		The project will not involve the use of pile driving or other methods that would produce excessive groundborne vibration or noise levels at the property boundary.
<b>10. HYDROLOGY AND WATER QUALITY - Would the project:</b>					
a. Substantially deplete groundwater supplies or substantially interfere with groundwater recharge?			X		The project will incrementally add to groundwater consumption; however, the singular and cumulative impacts of the proposed project upon the groundwater decline in the project area are minor.
b. Substantially alter the existing drainage pattern of the project area and/or increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X		Compliance with applicable requirements of the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards will ensure that impacts are less than significant.
c. Develop within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map or within a local flood hazard area?			X		The project is not within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map, nor is the project within a local flood hazard area.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
d. Place structures that would impede or redirect flood flows within a 100-year floodplain?			X		The project site is not within a 100-year floodplain.
e. Develop in an area that is subject to 200 year urban levels of flood protection (ULOP)?				X	The project is not located in an area subject to 200-year urban levels of flood protection (ULOP).
f. Expose people or structures to a substantial risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X		The project will not expose people or structures to a substantial risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.
g. Create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems?			X		Adequate on- and/or off-site drainage improvements will be required pursuant to the Sacramento County Floodplain Management Ordinance and Improvement Standards.
h. Create substantial sources of polluted runoff or otherwise substantially degrade ground or surface water quality?			X		Sacramento County Code Chapters 6.28 and 6.32 provide rules and regulations for water wells and septic systems that are designed to protect water quality. The Environmental Health Division of the County Environmental Management Department has permit approval authority for any new water wells and septic systems on the site. Compliance with existing regulations will ensure that impacts are less than significant.
<b>11. GEOLOGY AND SOILS - Would the project:</b>					
a. Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				X	Sacramento County is not within an Alquist-Priolo Earthquake Fault Zone. Although there are no known active earthquake faults in the project area, the site could be subject to some ground shaking from regional faults. The Uniform Building Code contains applicable construction regulations for earthquake safety that will ensure less than significant impacts.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
b. Result in substantial soil erosion, siltation or loss of topsoil?			X		Compliance with the County's Land Grading and Erosion Control Ordinance will reduce the amount of construction site erosion and minimize water quality degradation by providing stabilization and protection of disturbed areas, and by controlling the runoff of sediment and other pollutants during the course of construction.
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, soil expansion, liquefaction or collapse?			X		The project is not located on an unstable geologic or soil unit.
d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available?			X		All septic systems must comply with the requirements of the County Environmental Management Department, Environmental Health Division, as set forth in Chapter 6.32 of the County Code. Compliance with County standards will ensure impacts are less than significant.
e. Result in a substantial loss of an important mineral resource?				X	The project is not located within an Aggregate Resource Area as identified by the Sacramento County General Plan Land Use Diagram, nor are any important mineral resources known to be located on the project site.
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		No known paleontological resources (e.g. fossil remains) or sites occur at the project location.
<b>12. BIOLOGICAL RESOURCES - Would the project:</b>					
a. Have a substantial adverse effect on any special status species, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community?		X			The project site contains suitable habitat for Swainson's Hawk, Raptors and Migrating Birds. Mitigation is included to reduce impacts to less than significant levels. Refer to the Biological Resources discussion in the Environmental Effects section above.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
b. Have a substantial adverse effect on riparian habitat or other sensitive natural communities?			X		No sensitive natural communities occur on the project site, nor is the project expected to affect natural communities off-site.
c. Have a substantial adverse effect on streams, wetlands, or other surface waters that are protected by federal, state, or local regulations and policies?			X		There are non-jurisdictional wetlands located within the project area. The applicant is requesting an Approved Jurisdictional Determination (AJD) for the aquatic resources mapped within the project area and no mitigation proposed. Refer to the Biological Resources discussion in the Environmental Effects section above.
d. Have a substantial adverse effect on the movement of any native resident or migratory fish or wildlife species?			X		Resident and/or migratory wildlife may be displaced by project construction; however, impacts are not anticipated to result in significant, long-term effects upon the movement of resident or migratory fish or wildlife species, and no major wildlife corridors would be affected.
e. Adversely affect or result in the removal of native or landmark trees?				X	No native and/or landmark trees occur on the project site, nor is it anticipated that any native and/or landmark trees would be affected by off-site improvement required as a result of the project.
f. Conflict with any local policies or ordinances protecting biological resources?			X		The project is consistent with local policies/ordinances protecting biological resources.
g. Conflict with the provisions of an adopted Habitat Conservation Plan or other approved local, regional, state or federal plan for the conservation of habitat?			X		There are no known conflicts with any approved plan for the conservation of habitat.
<b>13. CULTURAL RESOURCES - Would the project:</b>					
a. Cause a substantial adverse change in the significance of a historical resource?			X		No historical resources would be affected by the proposed project.



	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
b. Have a substantial adverse effect on an archaeological resource?			X		The Northern California Information Center was contacted regarding the proposed project. A record search indicated that the project site is not considered sensitive for archaeological resources.
c. Disturb any human remains, including those interred outside of formal cemeteries?			X		No known human remains exist on the project site. Nonetheless, mitigation has been recommended to ensure appropriate treatment should remains be uncovered during project implementation.
<b>14. TRIBAL CULTURAL RESOURCES - Would the project:</b>					
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?			X		Notification pursuant to Public Resources Code 21080.3.1(b) was provided to the tribes and it was determined that no tribal cultural resources are present and that no need for further consultation was required.
<b>15. HAZARDS AND HAZARDOUS MATERIALS - Would the project:</b>					
a. Create a substantial hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	The project does not involve the transport, use, and/or disposal of hazardous material.
b. Expose the public or the environment to a substantial hazard through reasonably foreseeable upset conditions involving the release of hazardous materials?				X	The project does not involve the transport, use, and/or disposal of hazardous material..
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?			X		The project does not involve the use or handling of hazardous material.
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, resulting in a substantial hazard to the public or the environment?			X		The project is not located on a known hazardous materials site.

	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact	Comments
e. Impair implementation of or physically interfere with an adopted emergency response or emergency evacuation plan?			X		The project would not interfere with any known emergency response or evacuation plan.
f. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to or intermixed with urbanized areas?			X		The project is within an urbanizing area of the unincorporated County and is located within the State Responsibility Area/Local Responsibility Area according to the CalFire Fire Hazard Severity Zones Map (2007). The project is proposing large open space areas which could be subject to wildland fires. Compliance with local Fire District standards and requirements ensures impacts are less than significant.
<b>16. ENERGY – Would the project:</b>					
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction?			X		As the parcels are developed, the project will introduce three new homes and increase energy consumption, compliance with Title 24, Green Building Code, will ensure that all project energy efficiency requirements are net resulting in less than significant impacts.
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		The project will comply with Title 24, Green Building Code, for all project efficiency requirements.
<b>17. GREENHOUSE GAS EMISSIONS – Would the project:</b>					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		The project will fully implement BMP 1 and BMP 2 of the 2020 GHG significance thresholds; therefore, the climate change impact of the project is considered less than significant. Refer to the GHG discussion above.
b. Conflict with an applicable plan, policy or regulation for the purpose of reducing the emission of greenhouse gases?			X		The project is consistent with County policies adopted for the purpose or reducing the emission of greenhouse gases.

SUPPLEMENTAL INFORMATION

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LAND USE CONSISTENCY	Current Land Use Designation	Consistent	Not Consistent	Comments
General Plan	AG-RES	Y		
Community Plan	AR-5	Y		
Land Use Zone	AR-5	Y		

## INITIAL STUDY PREPARERS

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Environmental Coordinator: Joelle Inman

Project Leader: Kurtis Steinert

Initial Review: Julie Newton

Office Manager: Belinda Wekesa-Batts

Administrative Support: Justin Maulit