

Appendix A

NOP and Comments



CITY OF ELK GROVE
8401 LAGUNA PALMS WAY • ELK GROVE, CALIFORNIA 95758
TEL: 916.683.7111 • FAX: 916.691.3175 • www.elkgrovecity.org

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

DATE: November 18, 2022

TO: Responsible and Trustee Agencies, Organizations, and Interested Parties

LEAD AGENCY: City of Elk Grove
Contact: Christopher Jordan, Director of Strategic Planning and Innovation
8401 Laguna Palms Way
Elk Grove, CA 95758

PROJECT: The New Zoo at Elk Grove

APPLICANT: City of Elk Grove and Sacramento Zoological Society

COMMENT PERIOD: November 21, 2022 to January 13, 2023

In discharging its duties under Section 15021 of the California Environmental Quality Act (CEQA) Guidelines, the City of Elk Grove (as lead agency, hereinafter "City" or "Elk Grove") intends to prepare an Environmental Impact Report (EIR) for the **New Zoo at Elk Grove** (the "Project"). In accordance with Sections 15082 of the CEQA Guidelines, the City has prepared this Notice of Preparation (NOP) to provide the Office of Planning and Research, responsible and trustee agencies, and other interested parties with sufficient information describing the Project and its potential environmental effects.

The City made the determination to prepare an EIR following preliminary review of the Project. Pursuant to CEQA Guidelines Section 15063(a), because an EIR is needed, an initial study has not been prepared. Probable environmental effects of the Project are described in the attached Project summary.

As specified by the CEQA Guidelines, the NOP will be circulated for a 53-day review period. **The comment period runs from November 21, 2022 to January 13, 2023.** The City welcomes public input during the review period. If the City has not received either a response or a well-justified request for additional time by a responsible agency or the Office of Planning and Research by the end of the review period, the City may presume that each responsible and trustee agency and the Office of Planning and Research had no response to make. (CEQA Guidelines, § 15082(b)(2).)

CEQA provides for a Lead Agency to facilitate one or more Scoping Meetings, which provide opportunity for determining the scope and content of the EIR. Traditionally, the City hosts one Scoping Meeting for agencies and the general public during the NOP comment period. A video presentation by staff, introducing the Project and outlining the CEQA process, is available for review at the website URL listed below. This video and comment opportunity will be available at the link below throughout the NOP comment period (November 21, 2022 to January 13, 2023).

Comments may also be submitted in writing during the review period and addressed to:

City of Elk Grove
Office of Strategic Planning and Innovation
c/o Christopher Jordan
8401 Laguna Palms Way
Elk Grove, CA 95758
cjordan@elkgrovecity.org

<http://www.elkgrovecity.org/zoo>

PROJECT LOCATION AND SETTING

The Project site (Assessor's Parcel Numbers [APNs] 132-0320-010, -001 and -002; and 132-2390-006) is located at the northwest intersection of Kammerer Road and Lotz Parkway (Figure 1) in the City of Elk Grove. The Project site is a fallow field surrounded by single-family residences to the east, agriculture to the south and west, and active construction of a new residential subdivision to the north.

The core of the Project site (APNs 132-0320-010, -001 and -002) is within the Southeast Policy Area Community Plan and has a land use designation of Light Industrial/Flex (LI/F), Resource Management and Conservation (RMC), and Employment Center (EC). The City is in the process of a General Plan amendment to place the southern portion of the Southeast Policy Area and portions of the Promenade Parkway corridor into the Livable Employment Area Community Plan, a new Community Plan. That effort includes consideration of the Project site used as a zoological park, but not to a sufficient detail as to approve the Project.

PROJECT DESCRIPTION

The Project would result in the operation of a zoological park and associated support and operational, retail, and guest services facilities on the Project site as part of the development of the New Zoo in Elk Grove. The Project would include a new Special Planning Area (SPA) referred to as the Zoological Park SPA, development of the zoo, parking facilities, off-site public infrastructure improvements, and an animal browse program. These Project elements are further described below and shown in Figure 2, [Zoological Park SPA](#)

The Project would result in a new SPA for the Project site that would establish a land use plan and allowed uses for properties within the Zoological Park SPA. The SPA would also include development standards such as minimum setbacks and height limits. Permitting requirements including thresholds for Design Review and identification of the approving authority for various permits required to construct and operate the proposed Zoo would be contained in the SPA.

Zoological Park

The zoological park would include various facilities and buildings that would encompass the proposed Zoo. The main facility would be on approximately 65 acres and would be designed to support an average annual attendance of between 1.1 and 1.6 million visitors. The following elements would be included in the zoological park:

- ▶ Main entry complex;
- ▶ Education center;
- ▶ Main restaurant, bar, and event space (referred to as the Lodge), with access for both ticketed and non-ticketed guests;
- ▶ Animal care center;
- ▶ A restaurant/cafeteria within the Zoo (referred to as the Food Hall), along with various smaller retail and food pavilions;
- ▶ Play areas and structures for children;
- ▶ Overnight accommodations including an area for personal tents, a tent camp with safari tents, and suites attached to animal care quarters;
- ▶ Warehouse and storage support facilities; and
- ▶ Other animal care/holding and guest services facilities.

The zoological park would be constructed in two main phases. Phase I would include construction of the Green Corridor and Africa zones. Specific animal habitats within these zones may be further phased. The California, Australia, and Asia zones would be developed as part of Phase II as funding becomes available.

Parking Facilities

Two main guest parking lots would be constructed to support parking for the Zoo. The North Lot would adjoin to the guest entrance to the facility and the South Lot would be across Classical Way to the south of the Zoo. A total of 1,100 to 1,300 parking spaces would be distributed between the two lots. Employee parking would be located on and off site from the main Zoo facilities. A 2.22 acre employee lot would be constructed off the main site, across Lotz Parkway at the intersection of Lotz Parkway and Overture Way east of the main portion of the Project site. Driveway access to the employee lot would occur along Overture Way. At least 120 bicycle parking stalls would be installed as part of the Project.

Off-Site Public Infrastructure

Off-site public infrastructure improvements for the Project would include roadway improvements, pedestrian and bicycle facilities, potable and recycled water infrastructure, sewer infrastructure, electrical and telecommunications infrastructure, and storm drainage. Roadway improvements would include the widening of Lotz Parkway, an extension of Classical Way and Road B, and a variety of intersection improvements. A new Class I path would be constructed along the west side of Lotz Parkway and a new Class IV bikeway would be constructed along the east side of Road B.¹ Water and sewer lines would be extended to the site to serve the Project. Electrical and telecommunication infrastructure would be extended to the site in joint trenches along the roadway network. A new stormwater retention basin would be constructed west of Road B.

Animal Browse Program

The Project would include a Browse Program to address the nutritional needs of the herbivore and omnivore species housed at the Zoo. Under the program, plant clippings would be gathered from various sites around the City, processed at the Zoo, and fed to the animals. The Browse Program would utilize vegetation from existing parks, open space, and landscaping as well as two future sites. The Arcadian Village Park Site at 8341 Sheldon Road as well as Elk Ridge Way Property between Elk Ridge Way and Lodestone Circle would provide additional vegetation for the Browse Program once the two projects are completed.² Finally, the Browse Program would have a community partnership where residents or neighborhoods could participate in the program by planting browse vegetation.

PROBABLE ENVIRONMENTAL EFFECTS

The EIR will evaluate whether implementing the proposed Project would potentially result in one or more significant environmental effects. The following issue areas will be addressed in the EIR:

- ▶ Aesthetics
- ▶ Agriculture Resources
- ▶ Air Quality
- ▶ Biological Resources
- ▶ Cultural and Tribal Cultural Resources
- ▶ Energy
- ▶ Geology and Soils
- ▶ Greenhouse Gases and Climate Change
- ▶ Hazards and Hazardous Materials
- ▶ Hydrology and Water Quality

¹ A Class I path is a bike path or shared-use path away from vehicle travel and off the roadway. A Class IV bikeway is a separated bikeway that is separated from vehicle traffic by physical features, such as flexible barriers.

² This EIR does not provide environmental review for the Arcadian Village Park Site or Elk Ridge Way Property projects, but does analyze transportation of vegetation materials from the two sites.

- ▶ Land Use and Planning
- ▶ Noise and Vibration
- ▶ Public Services
- ▶ Transportation
- ▶ Utilities and Service Systems

Issues Scoped Out from Analysis in the EIR

The City has determined that the Project would have no significant impacts on the following environmental issue areas. These areas will not be discussed in the EIR for the reasons discussed below.

Forestry Resources

No forestry resources have been identified in the City. The Project site does not have trees that would be used for forestry. Therefore, there would be no impacts related to forestry resources, and this issue will not be discussed in the EIR.

Mineral Resources

No significant mineral resources have been identified in the City. The Project site is not used for mineral extraction, nor is it designated as an important mineral recovery site. Therefore, there would not be no impacts related to mineral resources, and this issue will not be discussed in the EIR.

Population and Housing

The Project would include development of zoological park on undeveloped land. The Project would not include new housing, displace existing housing or people, or result in population growth. Therefore, there would be no significant impacts related to population and housing and this issue will not be discussed in the EIR.

Recreation

The Project would not contribute to unplanned population growth and would not include any new housing that would increase the use of existing recreational facilities or demand for new recreational facilities. The Project would provide additional recreational opportunities in the City through the development of a zoological park. Therefore, there would be no impacts related to recreation, and this issue will not be discussed in the EIR.

Wildfire

The project site is not located in or near a Very High Fire Hazard Severity Zone. Therefore, there would be no significant impacts related to wildfire, and this issue will not be discussed in the EIR.



Source: adapted by Ascent in 2022.

Figure 1 Project Site



Source: Image produced and provided by SHR Studios in 2022.

Figure 2 Project Site Master Plan



January 13, 2023

VIA EMAIL

City of Elk Grove
Office of Strategic Planning and Innovation
c/o Christopher Jordan
8401 Laguna Palms Way
Elk Grove, CA 95758

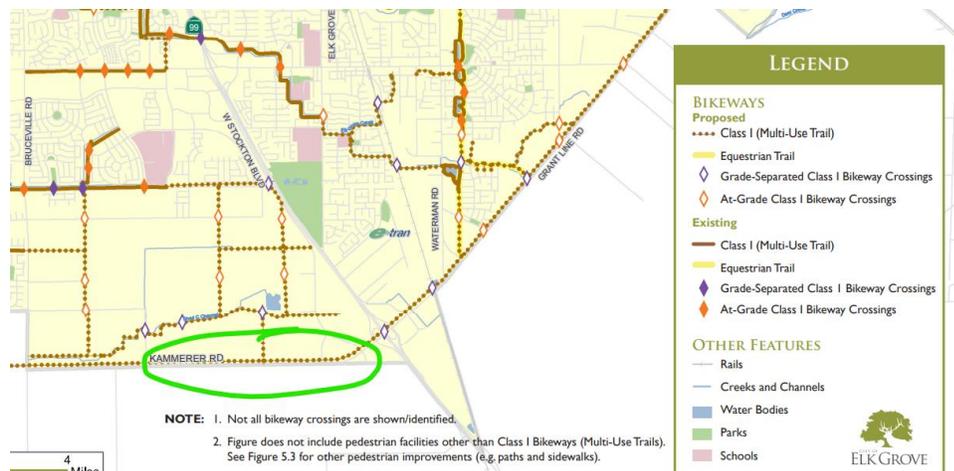
RE: New Elk Grove Zoo - Notice of Preparation of an Environmental Impact Report

Dear Christopher Jordan:

Thank you for providing Civic Thread the opportunity to comment on the Notice of Preparation for the Elk Grove Zoo. This is an exciting project that will bring an important recreational opportunity to Elk Grove and provide more space for the animals at the Sacramento Zoo.

As a nonprofit that advocates for mobility access and active transportation, we see several opportunities in the early stages of this project to set it up for success from a transportation access standpoint. While the new zoo will be located on an as-yet undeveloped parcel in the Kammerer Urban Design Study Area, several future trail connections are planned as noted in the Bicycle, Pedestrian, and Trails Master Plan¹. A Class I multi-use trail is proposed on Kammerer Road which could in the future connect the Elk Grove Zoo with the Elk Grove Regional Park, as well as to an existing Class I trail along Whitelock Parkway, offering greater regional connectivity and options to get to the Zoo via active transportation. See Figure below.

¹ <https://www.elkgrovecity.org/sites/default/files/city-files/Departments/GIS%20Department/Download%20PDF%20Maps/trails-master-plan-map.pdf>



Civic Thread encourages the project team to conduct a transportation analysis that considers options to minimize new vehicle trips induced by this project or mitigate impacts from vehicle trips by improving active transportation and/or transit infrastructure elsewhere. Due to the rural nature of the proposed location, we anticipate that the majority of visitors will choose to take a personal vehicle to the Zoo due to a lack of other options. However, there is an opportunity for innovative design that could redirect a portion of trips to active transportation, particularly for people who already are inclined to bike long distances for recreation or those who use public transit. To that end, we offer the following suggestions for potential design elements to evaluate in the environmental review:

Class I Bike Trails:

- The NOP states that Lotz Parkway on the eastern boundary of the site will receive a Class I shared-use path, and that Road B on the western boundary will receive a Class IV separated bikeway. We recommend studying the impact of constructing a Class I path on Road B as well as Lotz Parkway. Class I trails can provide a safer and more pleasant biking experience, particularly for inexperienced bicyclists. Though Class IV trails provide a buffer from vehicle traffic, the buffer may not be as wide (or solid, in the case of some barriers such as bollards) as the space buffer inherent in a Class I trail.
- We suggest looking into the feasibility of beginning construction of the planned Class I trail along Kammerer Road as part of this project's scope, due to the high value a connecting trail would bring. Kammerer Road currently connects to East Stockton Blvd via a Class II bike lane on a busy arterial road, which will not

incentivize bicycle travel due to the lack of comfort and safety. Connecting the Zoo to East Stockton Blvd via a Class I trail would offer a feasible connection to more developed residential areas of Elk Grove and encourage bicycle travel to the Zoo for bikers of varying skill and comfort levels.

- We note that in the Laguna Creek Inter-Regional Trail Master Plan, future ACE and Amtrak services were identified to be expanded south of Franklin Boulevard, which would coincide with the proposed Class I trail on the west side of the zoo site. This is supportive of improving connectivity for the regional audience the zoo site will attract.

Street Design

- We hope to see roadway designs that prioritize bicycle and pedestrian movement equal to autos. Where Lotz Parkway is set to be widened, we hope to see traffic calming and complete street strategies employed, such as buffers between the sidewalk and the vehicle lanes, sidewalks of at least 6-8 feet depending on expected pedestrian traffic, bulb-outs at pedestrian crossings, and shade provided via tree planting to reduce urban heat island effects and offer a pleasant walking experience. Pedestrian-friendly street design is an important VMT mitigation strategy that should be considered under the scope of this environmental review.

Active Transportation Amenities

- We understand that the Zoo design is not final, but we note that for the proposed bicycle parking on site, it is critical to locate it strategically to maximize convenience for bicyclists, offer lines of sight to visitors to increase security, and for optics – seeing well-utilized bicycle parking may encourage others to bike.

Transit

- Currently, the closest bus line to the Zoo site stops off Promenade Parkway, which is within 2.0 miles of the proposed Zoo site. We encourage the project team to work with Sacramento Regional Transit to consider the option for and impact of expanding the reach of existing lines or adding a line that stops in close proximity to the Zoo's entrance.

- Noting that rail service will be extended to the future Elk Grove Station north of Laguna Blvd, there is opportunity for bus lines to connect this station to the zoo in the future.
- We recommend analyzing the impact of providing a bus drop off loop directly in front of the Zoo, which could offer access to touring, charter, and/or school buses.

Sustainability

- Since a restaurant will be located on site, we hope that the environmental review will include consideration of the benefits of procuring healthy food locally to reduce VMT and cost for visitors, as well as using sustainable packaging.

Development projects that lead to more walking and active travel are critical to our community's future. Civic Thread is working to support increased physical activity such as walking, rolling, and bicycling in local neighborhoods as well as helping to create community environments that support active modes. The benefits include improved public health and physical fitness, better air quality, a stronger sense of cohesion and safety in neighborhoods, and more sustainable communities and local economies.

Thank you for the opportunity to provide comments. Should you have any questions, please don't hesitate to reach out to me at kcanepa@civicthread.org.

Please notify Civic Thread of future routings or notices for this project.

Sincerely,



Kathryn Canepa
Project Manager, Civic Thread

From: [Christopher Jordan](#)
To: [Kari Zajac](#)
Subject: Fwd: New Zoo Environmental Study - Comments
Date: Monday, November 21, 2022 5:57:12 AM

Sent from Surface Duo

From: Walt Hess <walthess46@yahoo.com>
Sent: Monday, November 21, 2022 5:29:32 AM
To: Christopher Jordan <cjordan@elkgrovecity.org>
Subject: New Zoo Environmental Study - Comments

[EXTERNAL EMAIL]

As District Four residents we want to say we fully support the City's efforts in bringing the new zoo to Elk Grove. The potential economic aspects are nothing but positive to our city, given the projected 1 million visitors the new site will bring. The opportunity for our City to be in on the ground floor of such an exciting, state of the art facility is a large feather in Elk Grove's cap!

Additionally, we fully support and applaud the City's diligent review of all potential environment effects. We wish to comment on a few of the potential concerns:

Aesthetics: The new will be a very positive aesthetic enhancement to our city given the proposed modern design as reflected in the renderings. Concerns for both animals and visitors is paramount in the design renderings.

Air Quality: We believe this to be a non-issue. Modern environmentally construction techniques

undoubtedly will be employed. Odor during operation also is a non-issue given the experience of almost 100 years of the current zoo operation located in the heart of Land Park.

Energy: We assume design, construction and operation will utilize state of the art energy and resource conservation methods to the fullest extent. Hopefully solar resources can be aggressively employed.

Land Use and Planning: It is our understanding the site is currently zoned for a zoo facility. Access via roadways is good given the recent upgrades to Kammerer Road.

Noise and Vibration: Not an issue as this is not a manufacturing or assembly operation. Rhinos and hippos are certainly large, but their movements will be unheard and unfelt outside the zoo gates!

Public Services, Transportation & Utilities and Service Systems: All will certainly need to be enhanced in the area due to its current rural setting. We have confidence that state of the art engineering design and construction techniques will be employed.

We will continue to watch the development of this project, hoping for a positive environmental review and for the eventual project approval by the City of Elk Grove. Thank you all for your ongoing work on this project.

Respectfully,

Walt and Sharon Hess
9854 Derby Way
Elk Grove, CA 95757

By sending us an email (electronic mail message) or filling out a web form, you are sending us personal information (i.e. your name, address, email address or other information). We store this information in order to respond to or process your request or otherwise resolve the subject matter of your submission.

Certain information that you provide us is subject to disclosure under the California Public Records Act or other legal requirements. This means that if it is specifically requested by a member of the public, we are required to provide the information to the person requesting it. We may share personally identifying information with other City of Elk Grove departments or agencies in order to respond to your request. In some circumstances we also may be required by law to disclose information in accordance with the California Public Records Act or other legal requirements.

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From: [Christopher Jordan](#)
To: [Stephanie Dong](#)
Cc: [Zoo Project](#)
Subject: RE: Elk Grove Zoo
Date: Monday, November 21, 2022 3:50:31 PM
Attachments: [image001.png](#)

Hello,

Thank you for your email. An analysis of potential noise impacts is a topic/research area of the Environmental Impact Report that is being prepared for the proposed zoo. It will look at a variety of noise sources, including human, animal, and traffic. The analysis has not occurred yet; we expect to have it later in 2023. Be sure to sign up for email notices on the Zoo website.

Christopher



Christopher Jordan, AICP | City Manager's Office
Director of Strategic Planning and Innovation

City of Elk Grove
8401 Laguna Palms Way, Elk Grove, CA 95758
t 916.478.2222
TTY/TDD 888.435.6092
elkgrovecity.org

[Sign Up For City Email Updates](#)

From: Stephanie Dong <stephdongucla@gmail.com>
Sent: Monday, November 21, 2022 3:39 PM
To: Zoo Project <zoo@elkgrovecity.org>
Subject: Elk Grove Zoo

[EXTERNAL EMAIL]

Hi Christopher,

My name is Stephanie and I'm a future home buyer in the area immediately surrounding the proposed Elk Grove Zoo. I was wondering if there was any information regarding potential noise concerns (both human and animal) for residents living in the area.

Thank you so much for your time,

Stephanie Dong

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January 13, 2023

City of Elk Grove
Office of Strategic Planning and Innovation
c/o Christopher Jordan
8401 Laguna Palms Way
Elk Grove, CA 95758
cjordan@elkgrovecity.org

Subject: Notice of Preparation of a Draft Environmental Impact Report for the New Zoo at Elk Grove

Dear Chris Jordan:

Thank you for providing the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) with the Notice of Preparation of a Draft Environmental Impact Report (DEIR) under the California Environmental Quality Act (CEQA) for the New Zoo at Elk Grove (Project). The proposed Project would result in the operation of a zoological park and associated support and operational, retail, and guest services facilities. In addition to the construction of the zoo, support facilities, and associated infrastructure, the Project would include a new Special Planning Area (SPA) referred to as the Zoological Park SPA. Sac Metro Air District comments on the project CEQA review follow.

CEQA Review:

CEQA Guide:

The Sac Metro Air District recommends that the City of Elk Grove utilize the Guide to Air Quality Assessment in Sacramento County¹ (CEQA Guide) as a resource for preparing the DEIR. The CEQA Guide includes recommended thresholds of significance, analysis methods, mitigation measures, and best management practices for project CEQA review in support of regional plans to attain Federal and State air quality and climate goals, reduce public exposure to toxic air contaminants, and disclose project public health effects. The Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for the Sacramento region.

Construction Analysis:

The DEIR's construction analysis should quantify and disclose projected construction emissions of Criteria Pollutants, pollutants regulated by the Clean Air Act, using methods referenced in the CEQA Guide's chapter on Construction-Generated Criteria Air Pollutant and Precursor Emissions. If construction emissions are projected to exceed applicable Sac Metro Air District thresholds of significance, the DEIR should incorporate mitigation measures for construction emissions using methods in this chapter.

¹ Guide to Air Quality Assessment in Sacramento County: <https://www.airquality.org/Businesses/CEQA-Land-Use-Planning/CEQA-Guidance-Tools>

All projects must implement Sac Metro Air District Basic Construction Emission Control Practices to use the non-zero particulate matter CEQA thresholds of significance. These are also helpful to ensure compliance with Sac Metro Air District's Rule 403, Fugitive Dust.

Please note that all projects are subject to Sac Metro Air District rules and regulations at the time of construction. Please visit our website to find a list of the most common rules that apply during the construction phase of projects².

Operational Analysis:

The DEIR's analysis of operational emissions should quantify and disclose projected operational emissions of Criteria Pollutants using methods referenced in the CEQA Guide's chapter on Operational Criteria Air Pollutant and Precursor Emissions³. For projects that will exceed Sac Metro Air District's operational emissions thresholds of significance for reactive organic gases, oxides of nitrogen, or particulate matter, Sac Metro Air District recommends the project proponent develop an Air Quality Mitigation Plan (AQMP), using methods described in the CEQA Guide. The AQMP should include measures to reduce operational emissions of these pollutants by 15% or more and can be a standalone document or incorporated into the environmental document. The AQMP must be referenced in the DEIR as an air quality mitigation measure, appended to the document, and referenced as a condition of approval by the lead agency.

Sac Metro Air District recommends using its Recommended Guidance for Land Use Emission Reductions⁴ to develop AQMP measures. Should the project need to develop an AQMP, Sac Metro Air District respectfully requests consultation to review the AQMP for technical adequacy before inclusion in the DEIR.

Analysis of operational Criteria Pollutants should also include an analysis of health effects that may result from operational emissions pursuant to the "Friant Ranch" decision. In December 2018, the California Supreme Court issued a decision in the Sierra Club v. County of Fresno case regarding the "Friant Ranch" project ((2018) 6 Cal. 5th 502). The Court determined that CEQA air quality analysis should include a reasonable effort to connect a project's air quality impacts to likely health consequences or explain why it is not feasible to do so in meaningful detail. To analyze health effects pursuant to the Friant Ranch decision, consult Sac Metro Air District's Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District.⁵

² Sac Metro Air District Rules Attachment,

<https://www.airquality.org/LandUseTransportation/Documents/RulesAttachment10-2020Final.pdf>

³ Sac Metro Air District, Guide to Air Quality Assessment in Sacramento County, Chapter 4-Operational,

<http://www.airquality.org/LandUseTransportation/Documents/Ch4OperationalFinal10-2020.pdf>

⁴ Sac Metro Air District Guide to Air Quality Assessment in Sacramento County,

<http://www.airquality.org/Residents/CEQA-Land-Use-Planning/CEQA-Guidance-Tools>

⁵ Sac Metro Air District Guidance to address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District,

<http://www.airquality.org/LandUseTransportation/Documents/SMAQMDFriantRanchFinalOct2020.pdf>

The operational analysis should also study consistency with local and regional plans, including the City of Elk Grove Southeast Policy Area Community Plan⁶ and SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for the Sacramento region⁷.

Greenhouse Gases:

If CEQA analysis demonstrates that Project greenhouse gas (GHG) emissions, from construction or operations will exceed applicable [Sac Metro Air District thresholds of significance](#)⁸, we recommend mitigating emission impacts using mitigation methods referenced in the [CEQA Guide's chapter on GHG Emissions](#)⁹.

Permit Requirements:

Sac Metro Air District Rule 201 requires any business or person to obtain an Authority to Construct and Permit to Operate before installing or operating new equipment or processes that may release or control air pollutants. To ensure that all Sac Metro Air District rules and regulations are considered, please visit the Sac Metro Air District's [website](#)¹⁰ for permit application instructions and forms.

Design Comments:

Zero Emission Operational Strategies

The DEIR should evaluate the potential of utilizing innovative programs to reduce operational Criteria Pollutant and GHG emissions. We encourage the City to aim for Project carbon neutrality requiring zero-emission vehicles for delivery trips, zero-emission food service operations, and other state-of-the-art approaches for making the zoo carbon-negative.

Multi-Modal Accommodation

The DEIR should evaluate project support of bicycle and pedestrian transportation as consistent with adopted policies to encourage multi-modal transportation. Specific policies include those in the City of Elk Grove General Plan and the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan¹¹.

⁶ City of Elk Grove Southeast Policy Area Community Plan https://www.elkgrovecity.org/sites/default/files/city-files/Departments/Planning/Projects/General%20Plan/17_SEPA_CommPlan.pdf

⁷ Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for the Sacramento region <https://www.sacog.org/metropolitan-transportation-plansustainable-communities-strategy>

⁸ <http://www.airquality.org/LandUseTransportation/Documents/CH2ThresholdsTable4-2020.pdf>

⁹ <http://www.airquality.org/LandUseTransportation/Documents/Ch6GHG2-26-2021.pdf>

¹⁰ Sac Metro Air District Permit & Registration Programs webpage: <https://www.airquality.org/Businesses/Permits-Registration-Programs>

¹¹ City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan, May 2021. https://www.elkgrovecity.org/city_hall/departments_divisions/planning/resources_and_policies/bicycle_pedestrian_and_trails_master_plan

Urban Heat Island (UHI) impacts:

Sac Metro Air District participated in the Capital Region Transportation Sector Urban Heat Island Mitigation Project (UHI Project), producing a report on urban heat island effect impacts on the Sacramento region and mitigation strategies for these impacts. According to the report, the heat island effect already presents a serious challenge for our region. Developed areas in Sacramento range from 3 to 9 degrees Fahrenheit warmer than surrounding areas, which results in decreased air quality and associated public health impacts. The urban heat island results from the conversion of undeveloped land to developed land.

Higher ambient temperatures can increase the formation of ozone, a respiratory system irritant. During extreme heat and extended heat waves, these higher temperatures can lead to heat stress, heat stroke, and even heat mortality, especially for the elderly, the young, and those with pre-existing health conditions.

The recommendations below on strategies to reduce urban heat island effect impacts are consistent with the UHI Project.

- Utilize certified cool roofs, consistent with recommendations for solar reflectance and thermal emittance in the California Building Energy Efficiency Standards Table 170.2-A for the Sacramento Climate Zone (Zone 12), as applicable.
- Utilize "cool pavement" for new outdoor pavement, with the highest albedo possible but no less than 0.25. Please visit Sac Metro Air District's [Recommended Cool Pavement Strategies](#)¹² for guidance on cool pavement strategies
- Incorporate new trees to shade new and existing pavements and structures to the full extent feasible.
- We recommend selecting air-quality supportive tree species for these plantings. A list of air-quality-supportive tree species is available in the Sacramento Tree Foundation's [Shady Eighty guide](#),¹³ along with information for each species on tree shade canopy, the distance between plantings, and more.

¹² Capital Region Transportation Sector Urban Heat Island Mitigation Plan

<https://www.airquality.org/LandUseTransportation/Documents/UHI%20Mitigation%20Plan.pdf>

¹³ Sacramento Tree Foundation Shady 80 Guide; <https://sactree.org/best-trees-for-sacramento/>

Communication:

To allow for sufficient time for coordination, please send all future environmental documents and notices to ProjectReview@AirQuality.org.

You may contact me at jhurley@airquality.org or 279-207-1130 if you have questions regarding these comments.

-JJ Hurley

Joseph J. Hurley
Air Quality Planner/Analyst
CEQA & Land Use

Cc: Paul Philley, AICP, CEQA, and Land Use Program Supervisor, Sac Metro Air District



Sent Via E-Mail

January 10, 2023

City of Elk Grove
Office of Strategic Planning and Innovation
c/o Christopher Jordan
8401 Laguna Palms Way
Elk Grove, CA 95758
cjordan@elkgrovecity.org

Subject: **The New Zoo at Elk Grove / NOP / 2022110393**

Dear Mr. Jordan:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) for The New Zoo at Elk Grove (Project, SCH 2022110393). SMUD is the primary energy provider for Sacramento County and the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

It is our desire that the Project will acknowledge any impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on smud.org for more information regarding transmission encroachment:
 - <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>
 - <https://www.smud.org/en/Corporate/Do-Business-with-SMUD/Land-Use/Transmission-Right-of-Way>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency
- Climate Change
- Cumulative impacts related to the need for increased electrical delivery
- The potential need to relocate and or remove any SMUD infrastructure that may be affected in or around the project area

SMUD currently does not have existing facilities on the proposed project parcel. The extent of infrastructure required will be determined upon customer application for service. Offsite SMUD distribution system upgrades may be required to increase capacity to serve estimated load of approximately 7.0MW, as well as the surrounding community electricity demand. These off-site capacity increases are not required to serve the immediate project exclusively but may need to be coordinated with the service need date of the project phases. These upgrades can take 12-24 months to complete depending on scope and timing. Continued communication with SMUD regarding timing of electric service need will allow for better coordination of this work.

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed Project. Please ensure that the information included in this response is conveyed to the Project planners and the appropriate Project proponents.

Environmental leadership is a core value of SMUD, and we look forward to collaborating with you on this Project. Again, we appreciate the opportunity to provide input on this Project. If you have any questions regarding this letter, please do not hesitate to contact me at 916.732.5384, or by email at Amy.Spitzer@smud.org.

Sincerely,



Amy Spitzer
Environmental Services Specialist
Sacramento Municipal Utility District
6201 S Street
Sacramento, CA 95817

cc: Entitlements



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



January 10, 2023

Christopher Jordan
Director of Strategic Planning and Innovation
8401 Laguna Palms Way
Elk Grove, CA 95758
cjordan@elkgrovecity.org

Subject: The New Zoo at Elk Grove - Notice of Preparation (NOP)
SCH #2022110393

Dear Mr. Jordan:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of an Environmental Impact Report (EIR) from the City of Elk Grove for the New Zoo at Elk Grove (Project) in Sacramento County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has authority over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site (Assessor's Parcel Numbers [APNs] 132-0320-010, -001 and -002; and 132-2390-006) is located at the northwest intersection of Kammerer Road and Lotz Parkway in the City of Elk Grove. The Project site is a fallow field surrounded by single-family residences to the east, agriculture to the south and west, and active construction of a new residential subdivision to the north.

The Project would result in the operation of a zoological park and associated support and operational, retail, and guest services facilities on the Project site as part of the development of the New Zoo in Elk Grove. The Project would include a new Special Planning Area (SPA) referred to as the Zoological Park SPA, development of the zoo, parking facilities, off-site public infrastructure improvements, and an animal browse program.

The Project description should include the whole action as defined in the CEQA Guidelines section 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment staging areas, spoils areas, adjacent infrastructure development, and access and haul roads if applicable.

As required by section 15126.6 of the CEQA Guidelines, the EIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the basic Project objectives and avoid or minimize significant impacts to resources under CDFW's authority.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations presented below to assist the City of Elk Grove in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming EIR address the following:

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Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the EIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends the EIR specifically include:

1. An assessment of all habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following, *The Manual of California Vegetation*, second edition². Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey (USGS) 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the Department webpage www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

² Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. *A Manual of California Vegetation*, 2nd ed. California Native Plant Society Press, Sacramento, California. <http://vegetation.cnps.org/>

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Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship (CWHR) System, California Native Plant Society (CNPS) Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code § § 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The EIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends the City of Elk Grove rely on survey and monitoring protocols and guidelines available at: www.wildlife.ca.gov/Conservation/Survey-Protocols. Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.
4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see www.wildlife.ca.gov/Conservation/Plants).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

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Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The EIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the EIR:

1. The EIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The EIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed and it must permit the significant effects of the Project to be considered in the full environmental context.
2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The EIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The EIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The EIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

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Mitigation Measures for Project Impacts to Biological Resources

The EIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Several Fully Protected Species (Fish & G. Code § 3511) have the potential to occur within or adjacent to the Project area, including, but not limited to: white-tailed kite (*Elanus leucurus*)]. Fully protected species may not be taken or possessed at any time. Project activities described in the EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends the EIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the City of Elk Grove include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.
2. *Species of Special Concern*: Several Species of Special Concern (SSC) have the potential to occur within or adjacent to the Project area, including, but not limited to: western pond turtle (*Actinemys marmorata*) Project activities described in the EIR should be designed to avoid any SSC that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the EIR fully analyze potential adverse impacts to SSC due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends the City of Elk Grove include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce impacts to SSC.
3. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The EIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.

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4. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the EIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration, enhancement, or permanent protection should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The EIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as

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appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and propagation purposes. Please see our website for more information on Scientific Collecting Permits at www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-.

6. *Nesting Birds*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory nongame native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Project area. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the EIR.

CDFW recommends the EIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The EIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g. Swainson's hawk surveys) and scientific assessments, CDFW recommends a final preconstruction survey be required no more than

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three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

7. *Moving out of Harm's Way*: The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, the City of Elk Grove should state in the EIR a requirement for a qualified biologist with the proper handling permits, will be retained to be onsite prior to and during all ground- and habitat-disturbing activities. Furthermore, the EIR should describe that the qualified biologist with the proper permits may move out of harm's way special-status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities, as needed. The EIR should also describe qualified biologist qualifications and authorities to stop work to prevent direct mortality of special-status species. CDFW recommends fish and wildlife species be allowed to move out of harm's way on their own volition, if possible, and to assist their relocation as a last resort. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.
8. *Translocation of Species*: Additionally, the EIR should cover a range of possibilities for mitigation. The use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species are generally experimental in nature and largely unsuccessful. Therefore, the EIR should describe additional mitigation measures utilizing habitat restoration, conservation, and/or preservation, in addition to avoidance and minimization measures, if it is determined that there may be impacts to rare, threatened, or endangered species.

The EIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the EIR should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To avoid deferring mitigation in this way, the EIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA). CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (Fish & G. Code § 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project.

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State-listed species with the potential to occur in the area include, but are not limited to: Swainson's hawk (*Buteo swainsoni*).

The EIR should disclose the potential of the Project to take State-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To issue an ITP, CDFW must demonstrate that the impacts of the authorized take will be minimized and fully mitigated (Fish & G. Code §2081 (b)). To facilitate the issuance of an ITP, if applicable, CDFW recommends the EIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both State and federally listed species may be present within the Project vicinity.

Swainson's Hawk Foraging Habitat

Consistent with CEQA Guidelines, Section 15380, the status of the Swainson's hawk as a threatened species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) qualifies it as an endangered, rare, or threatened species under CEQA.

The estimated historical population of Swainson's hawk was nearly 17,000 pairs; however, in the late 20th century, Bloom³ estimated a population of only 375 pairs. The decline was primarily a result of habitat loss from development⁴. The species is currently threatened by loss of nesting and foraging habitat (e.g., from agricultural shifts to less crops that provide less suitable habitat), urban development, environmental contaminants (e.g., pesticides), and climate change³. The NOP currently identifies the site as containing fallow fields surrounded by agriculture. This type of habitat represents suitable Swainson's hawk foraging habitat, especially considering the high density of Swainson's hawk nests in Elk Grove and southern Sacramento County⁵.

As such, CDFW recommends adding an appropriate analysis and reference to the studies of local Swainson's hawk foraging onsite and subsequent determination

³ Bloom, P. H. 1980. The status of the Swainson's hawk in California, 1979. Bureau of Land Management, Sacramento, CA, USA.

⁴ California Department of Fish and Wildlife [CDFW]. 2016. Status review: Swainson's hawk (*Buteo swainsoni*) in California. Report to the California Fish and Game Commission, Sacramento, CA, USA.

⁵ California Department of Fish and Wildlife [CDFW]. 2023. California Natural Diversity Database, Sacramento, CA, USA.

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compliance with the City of Elk Grove's Swainson's Hawk Ordinance for any loss of habitat (Chapter 16.130 of the Elk Grove Municipal Code). In general, CDFW recommends a ratio of no less than one acre or replacement habitat for every acre of impacted foraging habitat. In the event mitigation for loss of foraging habitat is indicated by further analysis, CDFW recommends indicating that the project proponent shall mitigate by purchasing Swainson's hawk foraging habitat credits at a CDFW-approved conservation site, purchasing credits at CDFW-approved mitigation or conservation bank, or recording a conservation easement on a CDFW-approved site at a ratio appropriate to mitigate the biological impact to a level of less-than-significant.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) (Fish & G. Code §1900 *et seq.*) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

Lake and Streambed Alteration Program

The EIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the EIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

1. Substantially divert or obstruct the natural flow of any river, stream or lake;
2. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
3. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow.

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It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the EIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the Project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects should be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit

<https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, forms, and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.

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2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

Based on review of Project materials, aerial photography and observation of the site from public roadways, the Project site supports the Shed C Channel to its northern boundary. CDFW recommends the EIR fully identify the Project's potential impacts to the stream and/or its associated vegetation and wetlands.

PUBLIC ACCESS AND COMMUNITY ENGAGEMENT

The Project site borders the Shed C Channel, an improved drainage corridor that contains restored habitat for native fish and wildlife species. This area can serve as an important environmental education tool and demonstration area for positive benefits to water quality, drainage, and wildlife. It presents a valuable opportunity to connect the public with wild species also present around the proposed project site. This can support positive environmental stewardship and highlight the importance of the channel but also to highlight the diversity of wildlife present in Elk Grove.

CDFW recommends the EIR include enhancements in the public's connection to the habitat. Such examples could include providing open access, a view of the channel or interpretative materials which highlight native species as a part of the community's "backyard zoo."

CDFW recommends implementation of a bird impact avoidance strategy.

The proposed Project is currently located in habitat known to support migratory and resident nesting birds. Placement of new buildings within suitable nesting bird habitat may adversely affect bird populations by introducing sources of common bird mortalities such reflective windows that birds may collide with. Given declines in segments of the overall bird population⁶ and ecological benefits of healthy bird activity⁷⁸⁹, CDFW recommends consideration of bird enhancement and mortality reduction strategies in

6 Douglas W Tallamy, W Gregory Shriver, Are declines in insects and insectivorous birds related?, *Ornithological Applications*, Volume 123, Issue 1, 1 February 2021.

7 Maas, B., D. S. Karp, S. Bumrungsri, K. Darras, D. Gonthier, J. C.-C. Huang, C. A. Lindell, J. J. Maine, L. Mestre, N. L. Michel, et al. (2016). Bird and bat predation services in tropical forests and agroforestry landscapes. *Biological Reviews* 91:1081–1101.

8 Wenny, D. G., Ç. H. Şekercioğlu, N. J. Cordeiro, H. S. Rogers, and D. Kelly (2016). Seed dispersal by fruit-eating birds. In *Why Birds Matter: Avian Ecological Function and Ecosystem Services* (Ç. H. Şekercioğlu, D. G. Wenny, and C. J. Whelan, Editors). University of Chicago Press, IL, USA. pp. 107–146.

9 Fujita, M., and K. O. Kameda (2016). Nutrient dynamics and nutrient cycling by birds. In *Why Birds Matter: Avian Ecological Function and Ecosystem Services* (Ç. H. Şekercioğlu, D. G. Wenny, and C. J. Whelan, Editors). University of Chicago Press, IL, USA. pp. 271–297.

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Project design and implementation. Incorporation of these strategies can reduce anthropogenic effects on birds and promote sustainable development in California.

Collisions with clear and reflective sheet glass and plastic is also a leading cause in human-related bird mortalities¹⁰. Many types of windows, sheet glass, and clear plastics are invisible to birds resulting in casualties or injuries from head trauma after an unexpected collision. Birds may collide with windows as little as one meter away in an attempt to reach habitat seen through, or reflected in, clear and tinted panes, so even taking small measures to increase visibility of windows to birds can make a substantial difference in minimizing long-term impacts of urban development near natural environments.

As such, CDFW recommends the Project incorporate bird and wildlife friendly strategies:

- Install screens, window patterns, or new types of glass such as acid-etched, fritted, frosted, ultraviolet patterned, or channel. Additional information can be found at <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php>.

Incorporation of bird and wildlife strategies not only promotes environmental stewardship but also facilitates compliance with State and federal protections aimed at preserving bird populations.

CDFW recommends consideration of available planting and habitat resources.

CDFW is supportive of public and private landowner efforts to enhance localized habitat value. Utilizing native plants onsite can lead to increased drought tolerance, decreased water use, and decreased maintenance/replacement costs while simultaneously increasing functionality for pollinators and wildlife, increasing the site's biodiversity and ecosystem health, and increasing carbon sequestration and climate change resilience.

CDFW recommends the City of Elk Grove consider utilization of the Homegrown Habitat Plant List (Sacramento Valley Chapter, California Native Plant Society) (Attachment 1) when developing landscaping plans. Further resources, including interactive planting guidance can be found at <https://calscape.org/>.

CHEMICAL USE

Rodenticides that control small mammal populations would also reduce available burrows, making the habitat no longer suitable for burrowing owl and other sensitive

¹⁰ Klem, D. (2009). Avian Mortality at Windows: The Second Largest Human Source of Bird Mortality on Earth. Acopian Center for Ornithology, Department of Biology, Muhlenberg College, Allentown, Pennsylvania.

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wildlife species. Lack of underground refugia could result in an increase exposure to predators, heat, and other elements. As such, CDFW recommends the project avoid use of chemical rodenticides. Additionally, the widespread use of rodenticides has been documented to result in wildlife losses due to non-target exposure of fully protected and listed species as well as losses through secondary exposure¹¹¹². CDFW recommends that the EIR fully identify, and address, the Project's potential impacts to fish and wildlife populations from the use of agricultural pesticides and related pest control activities.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project.

11 Hosea, R.C. 2000. Exposure of Non-Target Wildlife to Anticoagulant Rodenticides in California. Proceedings, 19th Vert. Pest Conf. (A.C. Crabb, Ed.) Publ. Univ. of Cal., Davis.

12 McMillin, S. C., R.C. Hosea, B.J. Finlayson, B.L. Cypher, and A Mekebri. 2008. Anticoagulant Rodenticide Exposure in an Urban Population of the San Joaquin Kit Fox. Proc.23rd Vertebrate. Pest Conf. (R. M. Timm and M. B. Madon, Eds.) Published at Univ. of Calif., Davis. Pp. 163-165.

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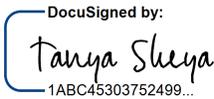
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Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

CDFW appreciates the opportunity to comment on the NOP of the EIR for the New Zoo at Elk Grove and recommends that the City of Elk Grove address CDFW's comments and concerns in the forthcoming EIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter, or wish to schedule a meeting and/or site visit, please contact Dylan Wood, Environmental Scientist at (916) 358-2384 or by email at dylan.wood@wildlife.ca.gov.

Sincerely,

DocuSigned by:

1ABC45303752499...

Tanya Sheya
Environmental Program Manager

ec: Juan Torres, Senior Environmental Scientist (Supervisory)
Dylan Wood, Environmental Scientist
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

Central Valley Regional Water Quality Control Board

12 January 2023

Christopher Jordan
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758
cjordan@elkgrovecity.org

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, NEW ZOO AT ELK GROVE PROJECT, SCH#2022110393, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 17 November 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environmental Impact Report* for the New Zoo at Elk Grove Project, located in Sacramento County.

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

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

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

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento