

2 RESPONSES TO COMMENTS

This chapter contains comment letters received during the public review period for the DEIR, which concluded on February 12, 2018. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared addressing comments on environmental issues raised in comments on the Draft EIR.

2.1 LIST OF COMMENTERS ON THE DRAFT EIR

Table 2-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

Table 2-1 List of Commenters		
Letter No.	Commenter	Date
STATE AGENCIES (S)		
S1	State of California Department of Transportation (Caltrans) Jeffrey Morneau	February 12, 2018
REGIONAL AGENCIES (R)		
R1	Central Valley Regional Water Quality Control Board Stephanie Tadlock	January 17, 2018
LOCAL AGENCIES (L)		
L1	Sacramento Regional County Sanitation District and the Sacramento Area Sewer District Sarena Moore	January 8, 2018
L2	County of Sacramento, County Executive Jeff King	January 26, 2018
L3	County of Sacramento, Office of Planning and Environmental Review Leighann Moffitt	January 24, 2018
L4	County of Sacramento, Department of Transportation Matthew Darrow	January 25, 2018
L5	Sacramento County Water Agency Michael Grinstead	January 10, 2018
L6	Sacramento Metropolitan Air Quality Management District Joanne Chan	February 9, 2018
L7	City of Elk Grove Christopher Jordan	February 12, 2018
L8	Cosumnes Community Services District Maureen Zamarripa	February 16, 2018
INDIVIDUALS		
I1	Gillum Consulting Jim Gillum	February 9, 2018
H1	Testimony at the Sacramento LAFCo Hearing	February 7, 2018

2.2 COMMENTS AND RESPONSES

The written individual comments received on the DEIR and the responses to those comments are provided below. The comment letters are reproduced in their entirety and are followed by the response(s). Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter.

2.3 STATE AGENCIES

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN JR.

Letter
S1

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 – MS 19
SACRAMENTO, CA 95833
PHONE (530) 741-4543
FAX (916) 274-0602
TTY 711



Serious drought.
Help save water!

February 12, 2018

03-SAC-2017-00208
SCH#2017042071
LAFC #04-16

Mr. Don Lockhart, AICP
Executive Officer
Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814

Draft Environmental Impact Report (DEIR) – Bilby Ridge Sphere of Influence Amendment

Dear Mr. Lockhart

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

The proposed project consists of approximately 480 acres and is in the unincorporated area of Sacramento County, just south of the City of Elk Grove. The City's existing jurisdictional boundaries are adjacent to the project site's western, northern, eastern boundaries. Roadway access to the project site is provided by Willard Parkway, Bilby Road, Bruceville Road, and Kammerer Road.

S1-1

The application is a landowner-initiated proposal to amend the City of Elk Grove's Sphere of Influence (SOIA) to include the 480-acre project site, which could potentially include a mixture of low density residential, commercial/office/business professional, commercial, public school and public park land uses. Our comments are based on the full development of the conceptual land use development plan for the project area.

Traffic Study(ies) for future development

Page 3-13-42 states that:

S1-2

"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"

LAFCo
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"In addition, a detailed traffic study shall be completed after a more defined land use plan has been developed. Improvements needed from development in the SOIA area shall be established by subsequent traffic studies and LOS standards of affected agencies in effect at the time. Annexation and development activity within the SOIA area shall require the preparation of traffic impact report/s to establish the fair share and costing of required improvements. Evidence of compliance with this mitigation measure shall be provided in the annexation application to LAFCo."

S1-2
 cont.

When such time a land use plan is finalized and a Traffic Study is proposed in the Bilby Ridge area, Caltrans requests an opportunity to review and comment on the scope of work for the Traffic Study before it commences.

Bilby Ridge EIR Traffic, Transportation, and Circulation chapter comments

- The traffic study uses volume-to-capacity (v/c) ratios to determine level of service (LOS). This is an outdated methodology which is no longer supported by the Highway Capacity Manual (HCM) after 2010. For adequate LOS analysis, methodologies identified by the 2010 HCM or latest HCM version should be used. S1-3
- Table 3.13-4: residential development is expected to have 20.6 VMT per capita which is significantly higher than the regional average of 16.8 VMT per capita, as identified by SACOG for the Sacramento region. Based on this VMT comparison, it is determined that this development would have a VMT generation 22% higher than the regional average. Therefore, when specific developments are proposed, multi-modal solutions such as transit and bike/ped improvements should be proposed that would reduce its VMT generation to the regional average or below. S1-4
- Table 3.13-7: daily internal trips reported were 3,926 with the AM peak hour at 2,439 and the PM peak hour at 2,739. Please revise or explain the disproportionate number of internal peak hour trips when compared to the daily amount. S1-5
- Please provide a trip distribution diagram with the proposed project only volumes. S1-6
- Please provide an exhibit with the total interchange (at I-5/Hood Franklin Road & SR-99/Grant Line Road) volumes including on and off ramps which includes cumulative conditions and cumulative plus project conditions. S1-7
- Please include a Synchro analysis for Length of Queue output for all off-ramps at the I-5/Hood Franklin interchange. The purpose of this analysis is to ensure the adequate storage capacity of off-ramps and prevent collision near the ramp diverge areas. S1-8
- Out of the 2,730 AM peak hour trips the reported trips in and out of I-5 interchange at Hood Franklin Rd and SR-99 interchange at Grant line Rd appear to be low. Same is the issue with the PM peak hour trips. We request an explanation for these results or a revision if incorrect. S1-9
- Out of reported total project trips which are 30,603 (Table 3.13-7) and 31,294 (Table 3.13-8), the reported trips to and from I-5 interchange at Hood Franklin Rd and trips assigned to SR-99 interchange at Grant line Rd. seem to be low. We request an explanation for these results or a revision if incorrect. S1-10
- If available, we would like to review the loaded network files from Modified SACMET TDF Model for all scenarios that were used in the establishing traffic projections. S1-11

"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"

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

If you have any questions regarding these comments or require additional information, please contact Alex Fong, Intergovernmental Review Coordinator at (530) 634-7616 or by email at: Alexander.Fong@dot.ca.gov.

Sincerely,



JEFFREY MORNEAU, Chief
Office of Transportation Planning – South Branch

c: State Clearinghouse

"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"

Letter S1	State of California Department of Transportation (Caltrans) Jeffrey Morneau, Chief 2/12/2018
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S1-1 The comment provides an overview of project details and notes Caltrans comments are focused on full development of the conceptual land use plan identified in the DEIR. Caltrans comments are addressed in the responses below.

S1-2 The comment re-states information provided on DEIR page 3.13-42 and requests review of the future traffic scope of work once a land use plan is finalized.

Future consideration of development of the Bilby Ridge SOIA would involve a request for annexation by the City of Elk Grove. It is anticipated that the City would engage consultation with Caltrans on the future traffic analysis scope for this application.

S1-3 The comment questions the use of generalized service volume tables, as applied in the transportation analysis, and states that this is an outdated methodology that is no longer supported by the High Capacity Manual (HCM) after 2010.

Chapter 2 (Levels of Analysis) of the Chapter 2 (Levels of Analysis) of the 6th Edition (latest edition) of the HCM recommends three distinct applications of the HCM: Operations Analysis; Design Analysis; and Planning and Preliminary Engineering Analysis. The transportation analysis for the project applied a planning-level analysis methodology, consistent with the HCM recommendations. As stated in the HCM (Page 2-4, Levels of Analysis, Chapter 2/Applications), the objective of a planning-level analysis:

is to make a rough determination of whether a roadway facility will perform adequately rather than to estimate a particular performance characteristic, such as speed or delay, precisely. For these situations, the HCM and its companion *Planning and Preliminary Engineering Applications Guide to the HCM* provide tools (e.g., service volume tables, quick estimation methods) that require less input data and fewer calculation, and the produce correspondingly less precise results.

Therefore, the application of generalized service volume tables is appropriate and the analysis to estimate performance characteristics such as speed, delay, or density is not required.

S1-4 The comment refers to DEIR Table 3.13-4 and states that the residential vehicle miles traveled (VMT) cited in the table is 22 percent higher than the regional average identified by SACOG. The comment also states that the project would have a VMT per capita 22 percent higher than the regional average.

DEIR Table 3.13-4 is a description of 2015 VMT per service population for existing land uses in the City that does not include the project site. This table is based on the City of Elk Grove General Plan Update, Introduction of Draft Mobility Policies and Processes (City of Elk Grove 2017). The source of the VMT values sited from SACOG is not provided, so it is not known if the methodology used to develop these VMT values is the same methodology used to develop the VMT values in DEIR Table 3.13-4. In addition, the denominator of the comparison is not consistent. The denominator of the VMT values in DEIR Table 3.13-4 is people and employment (i.e., service population) and the denominator of the SACOG VMT is people (i.e., capita). Consequently, the comparison is inconsistent and not meaningful. The DEIR does not make any comparison between project and 2015 VMT estimates. The City of Elk Grove General Plan Update proposes to establish a VMT target of a 15 percent reduction from 2015 city-wide VMT conditions that the Bilby Ridge SOIA would be subject to upon annexation and future development approval.

S1-5 This comment identifies inconsistencies in DEIR Table 3.13-7, related to the reported daily, AM, and PM peak hour vehicle trip internalization. This error is corrected below and does not alter the traffic impact conclusions of the DEIR because the external trips did not change.

The following corrections are made to Table 3.13-7 on DEIR page 3.13-26:

Table 3.13-7 Bilby Ridge Vehicle Trip Generation – Modified SACMET TDF Model

Development		Total Vehicle Trips ¹		
		Daily	AM	PM
Build-out	Total Trips	34,529	2,730	3,097
	Internal Trips	3,926	2,439 <u>291</u>	2,739 <u>358</u>
	External Trips	30,603	2,439	2,739

Notes:

¹ Trip generation is based on the Bilby Ridge Modified SACMET TDF model.

Source: Fehr & Peers 2017

S1-6 This comment requests that a trip distribution diagram showing only project trips be provided.

CEQA authorizes the preparation of different types of EIRs to allow for different situations and uses. As stated in State CEQA Guidelines Section 15160, lead agencies may use other variations consistent with the State Guidelines to meet the needs of other circumstances. Common types of EIRs include Project EIRs and Program EIRs. As identified on DEIR page 1-4, Sacramento LAFCo prepared a Program EIR for the proposed Bilby Ridge SOIA consistent with State CEQA Guidelines Section 15168. Program EIRs are prepared when the project consists of a program, regulation, or series of related actions that can be characterized as one large project. Typically, such a project involves actions that are closely related either geographically or temporally. Program EIRs are typically prepared for general plans, specific plans, and regulatory programs. Program EIRs analyze broad environmental effects of the program with the acknowledgment that site-specific environmental review will be required when future development projects are proposed under the approved regulatory program.

The land use assumptions (conceptual land use plan for the Bilby Ridge SOIA) within the DEIR were developed for the purposes of understanding possible environmental effects that should be considered with future annexation proposals and do not necessarily represent the City’s vision for land use distribution in the SOIA Area (see DEIR pages 2-6 through 2-8). No land use entitlements are proposed as part of the SOIA. Consistent with State CEQA Guidelines Section 15146, a detailed project-only trip distribution was not developed and is not required, because development of a detailed trip distribution would convey a level of accuracy in the analysis that cannot be achieved without a detailed land plan or transportation network to support it. In addition, any future development, if pursued by the City of Elk Grove, will require annexation of the subject parcel(s) and would be subject to subsequent CEQA review that would include analysis appropriate to the level of environmental review of that future development proposal. The reader is referred to Mitigation Measure 3.13-1 (Participation in transportation system improvements.), which will require preparation of detailed traffic impact analyses for any project application to annex territory within the SOIA area.

S1-7 This comment requests that an exhibit showing interchange volume be provided for the analysis scenarios.

The proposed Bilby Ridge SOIA would expand the City of Elk Grove's sphere of influence to include the project area. Approval of this project would not modify the existing Sacramento County agricultural land use designations and zoning for the SOIA Area and would not entitle any development. Future development would occur at a later date if Sacramento LAFCo approves annexation of the SOIA to the City. Consistent with State CEQA Guidelines Section 15146, a detailed analysis that would require detailed peak hour traffic volume exhibits at the freeway interchanges is not required, since development of a detailed trip distribution would convey a level of accuracy in the analysis that cannot be achieved without a detailed land plan or transportation network to support it. The reader is referred to Mitigation Measure 3.13-1 (Participation in transportation system improvements.), which will require preparation of detailed traffic impact analyses for any project application to annex territory within the SOIA area and Response to Comment S1-3 and S1-6.

S1-8 The comment requests detailed vehicle queuing analysis at the I-5/Hood Franklin Road interchange. The reader is referred to Response to Comments S1-3, S1-6, and S1-7

S1-9 The comment requests clarification of the AM and PM traffic volume forecasts at I-5/Hood Franklin Road and the SR 99/Grant Line Road interchanges.

In reviewing the traffic volume forecasts, different scenarios such as cumulative no project versus cumulative plus project should be treated as different "snapshots" of the future. When changing land uses or roadway networks between future scenarios, the model produces a new set of forecasts reflecting different trip distribution and trip assignment results based on the changed input. This capability of the model recognizes that travel patterns under existing conditions or 20 or more years in the future would likely be different if a significant roadway link is excluded or a major new land-use development is added. Under this approach, the project's traffic is not added to a fixed amount of traffic under the no project scenario. Therefore, the project may contribute traffic to many roadways under the cumulative conditions but may not necessarily result in higher volumes on a roadway segment when compared to the no project scenarios, due to the redistribution of trips from other planned or anticipated development. The following summarizes the general trip distribution with build-out of the conceptual land use plan identified for the Bilby Ridge SOIA (see DEIR pages 2-6 through 2-8):

- ▲ To/From the North – 51 percent
- ▲ To/From the South – 1 percent
- ▲ To/From the East – 36 percent
- ▲ To/From the West – 12 percent

S1-10 The comment requests clarification of the daily traffic volume forecasts at I-5/Hood Franklin Road and the SR 99/Grant Line Road interchanges. The reader is referred to Response to Comments S1-9 and S1-6.

S1-11 The comment requests loaded network files from the modified version of the forecasting model used to develop forecast for the transportation analysis. The requested networks are included in Appendix A of this document.

2.4 REGIONAL AGENCIES



Letter R1

Central Valley Regional Water Quality Control Board

17 January 2018

Don Lockhart
Sacramento LAFCo
1112 I Street, Suite 100
Sacramento, CA 95814



CERTIFIED MAIL
91 7199 9991 7036 7026 4498

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, BILBY RIDGE SPHERE OF INFLUENCE AMENDMENT PROJECT, SCH# 2017042071, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 14 December 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the Bilby Ridge Sphere of Influence Amendment 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.

R1-1

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.

R1-2

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,

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER
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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.

R1-2
cont.

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 Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.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.

R1-3

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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

R1-4

(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.

R1-4
cont.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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

R1-5

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

R1-6

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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Clean Water Act Section 404 Permit

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

R1-7

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

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 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 (i.e., discharge of dredge or fill material) 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.

R1-8

Waste Discharge Requirements (WDRs)

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project 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.

R1-9

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

Local Agency Oversight

Pursuant to the State Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs. A county environmental health department may permit septic tank and leach field systems designed for less than 10,000 gpd. For more information on septic system regulations, visit the Central Valley Water Board's website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/owts/sb_owts_policy.pdf

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

R1-9
cont.

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 Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. 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 Risk General Order and the application process, visit the Central Valley Water Board website at:

R1-10

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

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

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other

R1-11

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action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

R1-11
cont.

Low or Limited Threat General NPDES Permit

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

R1-12

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/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the 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.

R1-13

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

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If you have questions regarding these comments, please contact me at (916) 464-4644 or
Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

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

Letter R1	Central Valley Regional Water Quality Control Board (CVRWQCB) Stephanie Tadlock, Environmental Scientist 1/17/2018
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- R1-1 The comment is an introductory statement explaining the responsibility of the Central Valley Regional Water Quality Control Board. The comment has been noted. This is not a comment on the adequacy of the DEIR.
- R1-2 The comment provides background about the regulatory requirements for Basin Plans. The comment has been noted. Basin plan provisions and the requirements of the Porter-Cologne Water Quality Control Act are described on DEIR page 3.8-8.
- R1-3 The comment provides background about antidegradation requirements and suggests that the document evaluate impacts to surface and groundwater quality. Potential effects on water quality are evaluated in DEIR Section 3.8, "Hydrology, Drainage, and Water Quality." All impacts would be less than significant with mitigation.
- R1-4 The comment provides background about the Construction General Permit. This permit is considered in the evaluation of impacts in DEIR Section 3.8, "Hydrology, Drainage, and Water Quality," on DEIR page 3.8-17.
- R1-5 The comment provides background regarding Municipal Separate Storm Sewer System permits. Sacramento County's National Pollutant Discharge Elimination System (NPDES) permit is considered in the analysis of impacts in DEIR Section 3.8, "Hydrology, Drainage, and Water Quality," on DEIR page 3.8-9.
- R1-6 The comment provides background regarding the Industrial Storm Water General Permit. The project does not propose industrial uses and this permit would not apply.
- R1-7 The comment provides general background information about Clean Water Act Section 404 permits. DEIR Section 3.4, "Biological Resources," identifies these regulations on DEIR page 3.4-11 and potential impacts to wetlands on DEIR page 3.4-31 and 3.4-32.
- R1-8 The comment provides general background information about Clean Water Act Section 401 approvals. DEIR Section 3.8, "Hydrology and Water Quality," identifies these requirements.
- R1-9 The comment provides general background information about Waste Discharge Requirements. These requirements are considered in the analysis of impacts in DEIR Section 3.4, "Biological Resources," and Section 3.8, "Hydrology, Drainage, and Water Quality." The project would not involve the construction new on-site wastewater treatment systems.
- R1-10 The comment provides general background information about dewatering permits. The project would amend the existing SOI boundary of the City of Elk Grove and would not involve construction activities that may require dewatering of groundwater. Upon approval of annexation, subsequent development may require dewatering permit coverage.
- R1-11 The comment provides information about regulatory compliance for commercially irrigated agriculture. The project would amend the existing SOI boundary of the City of Elk Grove. No new commercial agricultural operations are proposed by the project. The comment has been noted. This is not a comment on the adequacy of the EIR.

- R1-12 The comment provides information about low or limited threat NPDES permits for construction dewatering. The project would amend the existing SOI boundary of the City of Elk Grove and would not involve construction activities that may require dewatering of groundwater. Upon approval of annexation, subsequent development may require dewatering permit coverage.
- R1-13 The comment provides information about NPDES permitting. DEIR Section 3.8, "Hydrology and Water Quality," pages 3.8-8 and 3.8-9 describe applicable NPDES requirements that would apply to future development should the Bilby Ridge SOIA be annexed to the City of Elk Grove and developed.

2.5 LOCAL AGENCIES



Main Office

10060 Goethe Road
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Fax: 916.876.6160

Treatment Plant

8521 Laguna Station Road
Elk Grove, CA 95758-9550
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Board of Directors

Representing:
County of Sacramento
County of Yolo
City of Citrus Heights
City of Elk Grove
City of Folsom
City of Rancho Cordova
City of Sacramento
City of West Sacramento

Prabhakar Somavarapu
District Engineer

Ruben Robles
Director of Operations

Christoph Dobson
Director of Policy & Planning

David O'Toole
Director of Internal Services

Joseph Maestretti
Cities Financial Officer

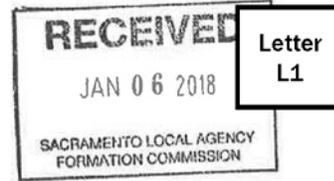
Claudia Goss
Public Affairs Manager

www.regionalsan.com



January 8, 2018

Don Lockhart, Executive Officer, AICP
Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814-2836



Subject: Notice of Availability of a Draft Environmental Impact Report for the Landowner Initiated Bilby Ridge City of Elk Grove Sphere of Influence Amendment (LAFC#04-16)

Dear Mr. Lockhart:

Sacramento Regional County Sanitation District (Regional San) and the Sacramento Area Sewer District (SASD) have the following comments regarding the Draft Environmental Impact Report for the Bilby Ridge project:

SASD and Regional San have the means and capacity to provide sewer service for the proposed project area. SASD will provide the local sewer service. Regional San will provide conveyance from local trunk sewers to the Sacramento Regional Wastewater Treatment Plant (SRWTP) through large pipelines called interceptors.

L1-1

The Regional San Board of Directors adopted the Interceptor Sequencing Study (ISS) in February 2013. The ISS updated the SRCSD Master Plan 2000 is located on the Regional San website at <http://www.regionalsan.com/ISS>. The SASD Board of Directors approved the most current SASD planning document, the 2010 System Capacity Plan Update (SCP) in January 2012. The SCP is on the SASD website at <http://www.sacsewer.com/devres-standards.html>.

L1-2

Regional San and SASD are not land-use authorities. Regional San and SASD designs their sewer systems using predicted wastewater flows that are dependent on land use information provided by each land use authority. Regional San and SASD base the projects identified within their planning documents on growth projections provided by these land-use authorities.

L1-3

The proposed project lies within the SASD LA Laguna Trunk shed. Project proponents should work closely with SASD and Regional San Development Services to ensure proper connection to any existing SASD or Regional San facilities. The developer typically constructs SASD trunk facilities located in expansion sheds and developers may seek reimbursement in accordance with the SASD ordinance. The developer must also complete a sewer study that includes connection points and phasing information to assess the capacity of the existing sewer system to accommodate additional flows generated by this project.

L1-4

Customers receiving service from Regional San and SASD are responsible for rates and fees outlined within the latest Regional San and SASD ordinances. Fees for connecting to the sewer system recover the capital investment of sewer and treatment facilities that serves new customers. The SASD ordinance is located on the SASD website at <http://www.sacsewer.com/ordinances.html>, and the Regional San ordinance is located on their website at <http://www.regionalsan.com/ordinance>.

L1-5

The SRWTP provides secondary treatment using an activated sludge process. Incoming wastewater flows through mechanical bar screens and then through a primary sedimentation process. This allows most of the heavy solids to settle to the bottom of the tanks. These solids are later delivered to the digesters. Next, oxygen is added to the wastewater to grow naturally occurring microscopic organisms, which consume the organic particles in the wastewater. These organisms eventually settle on the bottom of the secondary clarifiers and are also delivered to the digesters. Clean water pours off the top of these clarifiers and is chlorinated, removing and inactivating any pathogens or other harmful organisms that may still exist. Chlorine disinfection occurs while the wastewater travels through a two-mile "outfall" pipeline to the Sacramento River, near the town of Freeport, California. Before entering the Sacramento River, sulfur dioxide is added to neutralize the chlorine.

The design of the SRWTP and collection system was balanced to have SRWTP facilities accommodate some of the wet weather flows while minimizing idle SRWTP facilities during dry weather. Regional San designed the SRWTP to accommodate some wet weather flows with onsite storage basins and interceptors designed to accommodate the remaining wet weather flows. The Central Valley Regional Water Quality Control Board (Water Board) issued an NPDES Discharge Permit in December 2010 (2010 Permit)-requiring Regional San to meet significantly more restrictive treatment levels for ammonia and nitrate by May 2021 and for pathogens by May 2023. Regional San began the necessary activities, studies, and projects to meet the new requirements with the adoption of the 2010 Permit. In April 2016, the Water Board issued an NPDES Discharge Permit (2016 Permit) which replaced the 2010 Permit while continuing the more restrictive treatment requirements and deadlines.

Regional San currently owns and operates a 5-mgd Water Reclamation (WRF) that has been producing Title 22 tertiary recycled since 2003. The WRF is located within the SRWTP property in Elk Grove. Regional San uses a portion of the recycled water at the SRWTP and the rest is wholesaled to the Sacramento County Water Agency (SCWA). SCWA retails the recycled water, primarily for landscape irrigation use, to select customers in the City of Elk Grove. Regional San currently does not have any planned facilities that could provide recycled water to the proposed project or its vicinity. Additionally, Regional San is not a water purveyor and any potential use of recycled water in the project area must be coordinated between the key stakeholders, e.g. land use jurisdictions, water purveyors, users, and the recycled water producers.

If you have any questions regarding these comments, please contact me at 916-876-9994

Sincerely,

Sarena Moore

Sarena Moore
Regional San/SASD
Policy and Planning

Cc: Regional San Development Services, SASD Development Services, Michael Meyer, Dave Ocnosak, Christoph Dobson

L1-6

Letter L1	Sacramento Regional County Sanitation District and the Sacramento Area Sewer District Sarena Moore 1/8/2018
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- L1-1 The comment indicates that the SOIA area would be served by Sacramento Regional County Sanitation District (Regional San) and Sacramento Area Sewer District (SASD). DEIR Section 3.14, "Utilities," identifies that the SOIA area is within the spheres of influence of Regional San and SASD (see DEIR page 3.14-4). The DEIR also identifies that Regional San and SASD would provide wastewater conveyance and treatment services should the SOIA area be annexed to the City of Elk Grove and approved for subsequent development (see DEIR pages 3.14-10 through 3.14-13).
- L1-2 The comment provides general information about the Interceptor Sequencing Study, the Master Plan 2000, and the System Capacity Plan. DEIR page 3.14-4 describes these studies and identifies that the SOIA area was included in the System Capacity Plan study area.
- L1-3 The comment provides information about Regional San and SASD growth projections. DEIR page 3.14-12 identifies wastewater system planning to accommodate growth. The Sacramento Regional Wastewater Treatment Plant (SRWTP) is anticipated to have adequate treatment capacity through the year 2050.
- L1-4 The comment provides information about the typical obligations of the developer with respect to sewer studies and construction of utility connections. This is addressed on DEIR pages 3.14-12 and 3.14-13.
- L1-5 The comment indicates that customers are responsible for payment of fees. The comment has been noted. This is not a comment on the adequacy of the EIR.
- L1-6 The comment provides background information about the SRWTP. This is consistent with the discussion on DEIR pages 3.14-4 and 3.13-5.



County Executive
Navdeep S. Gill

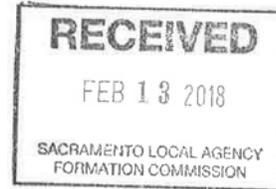
County of Sacramento

Board of Supervisors
Phillip R. Serna, District 1
Patrick Kennedy, District 2
Susan Peters, District 3
Sue Frost, District 4
Don Nottoli, District 5

Letter
L2

January 26, 2018

Mr. Don Lockhart
Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814



SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT DATED DECEMBER 2017 FOR THE PROPOSED BILBY RIDGE SPHERE OF INFLUENCE AMENDMENT FOR THE CITY OF ELK GROVE (LAFCo 04-16)

Mr. Lockhart:

We have received the Draft Environmental Impact Report for the Proposed Bilby Ridge Sphere of Influence Amendment for the City of Elk Grove. Please see the attached comments from the Sacramento County Office of Planning and Environmental Review, Sacramento County Department of Transportation and Sacramento County Water Agency.

L2-1

Sincerely,

Jeff King
CEO Management Analyst

Attachments:

- Sacramento County Office of Planning and Environmental Review dated January 24, 2018
- Sacramento County Office of Planning and Environmental Review dated May 16, 2017
- Sacramento County Department of Transportation data January 25, 2018
- Sacramento County Department of Transportation dated May 10, 2017
- Sacramento County Water Agency dated January 10, 2018

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Letter L2	County of Sacramento, County Executive Jeff King, CEO Management Analyst 1/26/2018
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- L2-1 The comment is a cover letter that acknowledges receipt of the DEIR and attaches comments from Sacramento County’s Office of Planning and Environmental Review, Department of Transportation, and Water Agency. Responses to these department comments are responded to under Letter L3, L4, and L5.

Office of Planning and Environmental Review
Leighann Moffitt, Director



County Executive
Navdeep S.

Letter
L3

January 24, 2018

Don Lockhart, AICP
Executive Officer
1112 I Street, Suite 100
Sacramento, CA 95814-2836

SUBJECT: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE PROPOSED BILBY RIDGE SPHERE OF INFLUENCE (SOI) AMENDMENT FOR THE CITY OF ELK GROVE (LAFC 04-16)

Dear Mr. Don Lockhart:

Thank you for the opportunity to review the DEIR for the proposed Bilby Ridge Sphere of Influence Amendment for the City of Elk Grove (Project). The proposed Project would facilitate future urbanization on the approximately 480-acre project area that is in the unincorporated area of Sacramento County just south of the City of Elk Grove and inside the County's Urban Services Boundary (USB).

The County submitted comments on the Notice of Preparation (NOP) on May 16, 2017. Sacramento County's interests in the proposed Project relate to the ongoing South Sacramento Habitat Conservation Plan (SSHCP) process and General Plan policies applicable to the unincorporated area of the County. The DEIR for the Project has been reviewed, and it appears that the comments provided on the NOP have been partially addressed in the DEIR as discussed below.

L3-1

NOP comments indicated that the EIR for the Project should analyze impacts to biological resources and farmland consistent with established County policies and practices. Specifically, with regard to Swainson's hawk foraging habitat, the Project should analyze impacts consistent with the County's published guidance. In general, the guidance states that impacts to Swainson's hawk foraging habitat be based on changes in zoning and that large impacts over 40 acres be mitigated by land dedication and not by utilization of a mitigation fee. This methodology should apply to any pre-zoning as part of this SOI Amendment and a comprehensive mitigation plan and impacts analysis should be contained in the EIR. This NOP comment is addressed in the DEIR beginning on page 3.4-13. The DEIR discussion includes applicable Sacramento County General Plan Conservation Element Policies and summaries of the Swainson's Hawk Ordinance and the SSHCP.

L3-2

The DEIR concludes that implementing Mitigation Measure 3.4-2d would reduce impacts on Swainson's hawk and other raptors, but not to a less-than-significant level because approximately 480 acres of potentially suitable foraging habitat would be converted to urban uses. Development within the region surrounding the project site has resulted in widespread loss of foraging habitat for Swainson's hawk because of conversion of grassland and agricultural habitats. While loss of foraging habitat within the project site would be mitigated at a 1:1 ratio, any loss of foraging habitat would result in significant and unavoidable impacts to local nesting Swainson's hawks.

Pursuant to the County's Swainson's Hawk Ordinance, mitigation for impacts of 40 acres or greater shall be achieved by providing replacement habitat in the form of land title or easement rather than a fee option. The

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www.per.saccounty.net

DEIR Mitigation for loss of Swainson's hawk foraging habitat will follow the provisions of City of Elk Grove's Municipal Code, Chapter 16.130, which requires projects to mitigate the loss of Swainson's hawk foraging habitat through the purchase of conservation easements (if the project will impact greater than 40 acres of habitat) or by paying a mitigation fee (if the project will impact less than 40 acres of habitat). The amount of land preserved shall be governed by a one-to-one (1:1) mitigation ratio for each acre developed as set forth in Chapter 16.130.

L3-2
cont.

The DEIR specifies that the SOIA area is within the proposed SSHCP area, and is designated as an Urban Development Area (UDA); however, the City of Elk Grove is not a participant in the SSHCP. Should future developers participate in the HCP, development within the SOIA area would be permitted because it is within an Urban Development Area and is not within a preserve area. Impacts to implementation of the SSHCP would be less than significant.

The Project area (i.e., currently unincorporated County land) within is covered under the SSHCP, and the SSHCP and EIS/EIR assumed that covered activities would cause take in those areas. If the City of Elk Grove annexes those lands, they could apply to use the SSHCP take coverage as a Participating Special Entity. Any area outside the UDA (e.g., areas south of Kammerer Road) are not assumed in the SSHCP or EIS/EIR to be impacted by the SSHCP and the City of Elk Grove would need to seek a major amendment to the SSHCP to become a Plan Permittee in order to get take coverage through the SSHCP permits if they were to annex those lands. The Plan Partners are expecting that both state and federal Endangered Species Act Take permits will be issued by late 2018.

L3-3

The County requests that should the proposed SOI Amendment area be annexed by the City of Elk Grove, that project proponents within the proposed SOI Amendment area be required to use the SSHCP as the permitting vehicle to satisfy Endangered Species Act and Clean Water Act permitting requirements

The mitigation measures in the DEIR should be revised to include the requirement to participate in the SSHCP for impacts to species that are identified as covered species in the SSHCP or the other DEIR identified measures may be applied in the event that the SSHCP is not available.

With regard to farmland impacts and mitigation, the DEIR considers County General Plan Policy AG-5, which requires mitigation for the loss of more than 50 acres of Prime, Statewide Importance, Unique, and Local Importance farmlands located inside the USB.

Mitigation Measure 3.2-1, in the DEIR requires setting aside lands in permanent conservation easements at a 1:1 ratio. However, the impact is still considered significant because the Bilby Ridge SOIA may result in the permanent loss of Williamson Act contract land and would not create additional replaced farmland because it is a finite resource.

L3-4

Additionally, based on the positioning of commercial uses on the southern boundary of the area, it is clear that the City does not intend to stop its growth at the Urban Services Boundary, which would conflict with the SSHCP and General Plan policy goals. **The EIR should include an alternative plan that provides a greater buffer between urban development and the USB or a greater transition of density approaching the USB.**

Chapter 5 of the DEIR addresses the expansion of the City's sphere of influence and how it removes a policy obstacle to future development of the project site. The DEIR also mentions a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Examples of development that would indirectly facilitate growth include the installation of new roadways or the construction or expansion of water delivery/treatment facilities.

L3-5

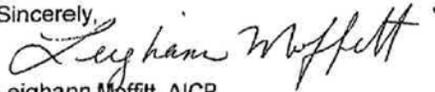
The DEIR states it is reasonably foreseeable that the approval of the SOIA would result in substantial population growth. The potential impacts related to substantial population growth is **significant** and there are no feasible mitigation measures available to reduce the growth inducement impact to a less-than-significant level.

The DEIR does not consider the growth inducing effects adjacent to the proposed boundary, which abuts rural land not planned for development. As stated in the Sacramento County General Plan, the USB is a growth boundary and is intended to protect the County's natural resources from urban encroachment. Given the SSHCP and General Plan policy goals, **the DEIR should be revised to include a CEQA alternative to reduce growth inducing impacts and edge effects to biological resources. An alternative that reduces these impacts should provide a buffer between urban development and the USB or a transition of density approaching the USB.**

L3-5
cont.

Thank you for the opportunity to submit these comments. County staff are available to meet and discuss these comments and our interests should the need arise.

Sincerely,



Leighann Moffitt, AICP
Planning Director

MB

W:\11. Section Folders\Environmental Review\Other Agency CEQA-NEPA Docs\Bilby Ridge SOIA (LAF#04-16)\Bilby Ridge DEIR comments\January 19.docx

Letter L3	County of Sacramento, Office of Planning and Environmental Review Leighann Moffitt, Planning Director 1/24/2018
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- L3-1 The comment states that the County submitted comments on the project's Notice of Preparation (NOP) related to the South Sacramento Habitat Conservation Plan (SSHCP) and County General Plan policies that have been partially addressed in the DEIR.

Responses to County comments regarding biological resources, SSHCP, agricultural resources, and growth inducement are provided below.

- L3-2 The comment refers to NOP comments that the DEIR should address biological resources and farmland impacts with a specific focus on Swainson's hawk foraging habitat. The comment provides a summary of the DEIR impact and mitigation measures Swainson's hawk in relation to the County's Swainson's Hawk Ordinance.

The DEIR addresses impact to Swainson's hawk on DEIR pages 3.4-22 and 3.4-23. Loss of Swainson's hawk foraging habitat in the Bilby Ridge SOIA area would occur only after approval of annexation of the SOIA area to the City of Elk Grove and subsequent development. DEIR Mitigation Measure 3.4-2d identifies mitigation that would address the loss of foraging habitat through compliance with the City of Elk Grove Municipal Code Chapter 16.130, which includes similar requirements to the County's Swainson's Hawk Ordinance for land dedication for 40 acres and greater. The amount of land preserved shall be governed by a one-to-one (1:1) mitigation ratio for each acre developed as required in Chapter 16.130.

- L3-3 The comment summarizes DEIR Impact 3.4-4 conclusions regarding consistency with the SSHCP and recommends that the DEIR include mitigation that requires participation in the SSHCP for impacts to covered species. DEIR page 3.4-32 identifies that the developer could participate in the SSHCP.

The comment requests that the EIR includes mitigation that requires project applicants within the project area be required to participate in the SSHCP. It is acknowledged that the City of Elk Grove could obtain coverage as a Participating Special Entity under the SSHCP as identified in the comment. The DEIR includes mitigation measures 3.4-1, 3.4-2a through 3.4-2g, and 3.4-3 that address the project's impacts to biological resources. While the City's option to participate in the SSHCP would be anticipated to be available to project applicants in the future if the County ultimately adopts the SSHCP, the City of Elk Grove is not a current participant in the SSHCP. Sacramento LAFCo has determined that the mitigation is adequate as proposed because it is compliant with State and local requirements.

- L3-4 The comment summarizes the impact and mitigation measures associated with DEIR Impact 3.2-1 and expresses the opinion that the City does not intend to stop its growth at the Urban Services Boundary (USB) (southern boundary of the Bilby Ridge SOIA) and recommends that the DEIR include an alternative to provide a buffer or land use transition between urban development and the USB.

The proposed Bilby Ridge SOIA is a landowner-initiated request that does not involve the City of Elk Grove. It is acknowledged that the City of Elk Grove's proposed General Plan Update establishes four Study Areas (West, South, East, and North) that are currently located outside of the City boundaries and that may be annexed in the future (see DEIR page 3.9-10). DEIR Mitigation Measure 3.2-3 requires implementation of City Municipal Code, Chapter 14.05, "Agricultural Activities," in effect at the time of the annexation application to address compatibility with agricultural operations beyond the SOIA area. Agricultural uses to the south of the Bilby Ridge SOIA area would also be buffered by Kammerer Road extension that would consist of 200-foot right-of-way containing a four-lane expressway with a Class 1 bicycle and pedestrian trail along the expressway (Capital SouthEast

Connector Joint Powers Authority 2018). The Kammerer Road extension project is anticipated to be approved in May 2018. Exhibit 2-1 shows the currently proposed Kammerer Road extension alignment in relation to the Bilby Ridge SOIA. Implementation of Mitigation Measure 3.2-3 and the future construction of the Kammerer Road extension would provide sufficient buffering to minimize the project's impact on agricultural uses to the south and growth inducement. Thus, no additional buffering/land use transition mitigation measures or alternatives are required.

- L3-5 The comment asserts that Chapter 5 of the DEIR fails to adequately address the growth inducing effects to adjacent to the proposed Bilby Ridge SOIA. The comment recommends that the DEIR be revised to include a CEQA alternative to reduce growth inducing impacts and edge effects to biological resources that should consider a buffer/land use transition to the USB.

DEIR pages 3.11-6, 5-2, and 5-3 discloses that the proposed Bilby SOIA may induce growth from adjacent population growth, infrastructure extension, and economic growth consistent with the requirements of CEQA. The DEIR identifies potential secondary effects of growth could include environmental consequences, such as conversion of open space to developed uses, increased demand on community and public services and infrastructure, increased traffic and noise, degradation of air and water quality, or degradation or loss of plant and wildlife habitat. While the SOIA may induce or encourage population growth in the neighboring unincorporated area through additional SOIA requests, any growth outside of the SOIA area would require its own LAFCo SOIA and environmental review outside of this SOIA process.

The reader is referred to Response to Comment L3-4 regarding the provisions of Mitigation Measure 3.2-3 and the future extension of Kammerer Road that are generally consistent with the comment's suggested alternative for buffering/land use transition.



Legend

 Project Boundary

0 500 1,000
 Feet



2016 Google Earth Pro Imagery

G16010132 01 022

Source: Ascent Environmental 2017

Exhibit 2-1

Proposed Kammerer Road Extension Alignment



Department of Transportation
Ron E. Vicari, Director



Maintenance & Engineering
Letter L4

County of Sacramento

January 25, 2018

Mr. Don Lockhart
Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814
Email: Don.Lockhard@SacLAFCo.org

SUBJECT: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE LANDOWNER INITIATED BILBY RIDGE CITY OF ELK GROVE SPHERE OF INFLUENCE (SOI) AMENDMENT (LAFc #04-16)

Mr. Lockhart:

We have received a copy of the Draft Environmental Impact Report (DEIR) for the Bilby Ridge Sphere of Influence (SOI) Amendment Municipal Service Review (LAFc #04-16), dated December 14, 2017. We appreciate the opportunity to comment. We have the following comments to offer on the DEIR at this time.

- 1. **Page 3.13-2.** The report states traffic counts were collected in April 2015 and August 2014. That means these counts are older than two years from the date the NOP was issued. Typically counts older than 2 years become stale and recounts are necessary. It might be wise to consider recounts or some type of spot check validation to confirm the counts used in the study are still valid. L4-1
- 2. **Table 3.13-7.** It appears that the peak hour internal trips shown in this table are too high and unrealistic. Please review and correct if necessary. L4-2
- 3. **Table 3.13-9.** Roadway segments 16 and 17 for Bilby Road should be two lanes. Please correct and update the analysis as necessary. L4-3
- 4. **General.** We commented on the NOP in our letter dated May 10, 2017 and specifically asked for roadway and intersection analysis on Grant Line Road, Kammerer Road, Bruceville Road, Bilby Road, Franklin Boulevard, and Hood Franklin Road. It appears no intersection analysis was done in this DEIR. On Page 3.13-2 of the report it says that traffic counts were collected at study intersections during both peak hours; however, these turning movement counts and the corresponding intersection analysis were not included in the traffic report. Please include the intersection analysis for all study scenarios and both peak hours. L4-4
- 5. **General.** Please refer to comment 4 and our letter dated May 10, 2017. Traffic volumes on Willard Parkway, Bilby Road, and Bruceville Road were not shown on Exhibit 3.13-9 L4-5

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Comments on the Draft Environmental Impact Report (DEIR) for the Landowner Initiated Bilby Ridge City Of Elk Grove Sphere Of Influence (SOI) Amendment (LAFC #04-16)
Page 2 of 2

and Exhibit 3.13-11. Please include the traffic volumes for these roadways and perform the LOS analysis.

L4-5
cont.

- 6. **General.** Please refer to our letter dated May 10, 2017 in regards to the effect development will have on the rural roadways in the project vicinity. Our letter stated that the County was developing a roadway functionality standard for rural roadways that we'd like to be considered in this DEIR. It doesn't appear this was considered. The roads in question are rural in nature and have narrow travel lanes and limited or no shoulders. Adding additional traffic to these roads without widening or adding shoulders is not advisable. Specifically, no shoulders exist on the rural roadway adjacent to the City/County boundary including Kammerer Road east of Bruceville Road and Bruceville Road south of Bilby Road. These roadways exceed the FHWA AASHTO threshold for requiring a shoulder improvement and the DEIR simply says that LOS is acceptable. The impact analysis does not address how these roadways should be widened to address the safety of the rural roadway. Please consider including an interim mitigation measure(s) to add a shoulder widening on these roadways.

L4-6

Should you have any questions please feel free to contact Kamal Atwal at (916) 874-6291.

Sincerely,

Matthew G. Darrow, PE, TE, PTOE,
Senior Transportation Engineer
Department of Transportation

MGD:ka

- Cc: Ron Vicari, DOT
Reza Moghissi, DOT
Dan Shoeman, DOT
Dean Blank, DOT
Kamal Atwal, DOT
Leighann Moffitt, PER
Tim Hawkins, PER
Susan Goetz, Special Districts
Derek Minnema, Capital Southeast Connector JPA

Letter L4	County of Sacramento, Department of Transportation Matthew Darrow, Senior Transportation Engineer 1/25/2018
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- L4-1 The comment states that the traffic count data used in the DEIR is older than two years and suggests re-counting or validating the data.

Land use conditions in the project area have not changed in a magnitude that would result in dramatic changes in the description of existing traffic conditions. As identified on DEIR pages 4.13-21 through 4.13-44, the traffic impact analysis focuses on cumulative conditions in 2036 because future development of the Bilby SOIA area would not occur until annexation to the City is approved and land use entitlements are obtained.

- L4-2 The comment notes that the peak hour internal trips show in DEIR Table 3.13-7 are too high. The reader is referred to Response to Comment S1-5.

- L4-3 The comment notes that the roadway segments 16 and 17 in DEIR Table 3.13-9 should be two lanes and requests that the lane assumptions should be revised, and the analysis be updated.

The lane assumptions in Table 3.13-9 are corrected below to show two lanes on segments 16 and 17. While the table identified four lanes for segments 16 and 17, the analysis correctly assumed two lanes.

Table 3.13-9 on DEIR page 3.13-37 is corrected below. These changes do not alter the conclusions of the DEIR.

Table 3.13-9 Daily Roadway Segment Operations – Cumulative Plus Project Conditions

Roadway Segment	Threshold LOS	Lanes (Two-Way Total) ¹	Daily Capacity	Cumulative No Project Conditions			Cumulative Plus Project Conditions		
				Daily Volume	LOS	V/C Ratio	Daily Volume	LOS	V/C Ratio
16. Bilby Rd - Willard Pkwy to Coop Dr	D	<u>2</u> 4	18,000	3,700	A	0.21	4,800	A	0.27
17. Bilby Rd - Coop Dr to Bruceville Rd	D	<u>2</u> 4	18,000	8,800	A	0.49	11,900	B	0.66

- L4-4 The comment identifies notice of preparation comments that requested intersection analysis for Grant Line Road, Kammerer Road, Bruceville Road, Bilby Road, Franklin Boulevard, and Hood Franklin Road.

CEQA authorizes the preparation of different types of EIRs to allow for different situations and uses. As stated in State CEQA Guidelines Section 15160, lead agencies may use other variations consistent with the State CEQA Guidelines to meet the needs of other circumstances. Common types of EIRs include Project EIRs and Program EIRs. As identified on DEIR page 1-4, Sacramento LAFCo prepared a Program EIR for the proposed Bilby Ridge SOIA consistent with State CEQA Guidelines Section 15168. Program EIRs are prepared when the project at hand consists of a program, regulation, or series of related actions that can be characterized as one large project. Such a project involves actions that are closely related either geographically or temporally. Program EIRs are prepared for general plans, specific plans, and regulatory programs. Program EIRs analyze broad environmental effects of the program with the acknowledgment that site-specific environmental

review will be required when future development projects are proposed under the approved regulatory program.

The land use assumptions (conceptual land use plan for the Bilby Ridge SOIA) within the DEIR were developed for the purposes of understanding possible environmental effects that should be considered with future annexation proposals and do not necessarily represent the City's vision for land use distribution in the SOIA Area (see DEIR pages 2-6 through 2-8). No land use entitlements are proposed as part of the SOIA. The conceptual land use plan is used in the DEIR to evaluate the magnitude of potential changes that could occur in the area to appropriately inform Sacramento LAFCo commissioners of the potential impacts that could occur as a result of their actions. Identification of project specific impacts like intersection or segment impacts would be speculative and not meaningful as a specific land use plan is not proposed. Consistent with State CEQA Guidelines Section 15146, a detailed analysis that would require detailed peak hour intersection traffic volume forecasts that would support detailed operations analysis of intersections interchanges is not required, since that level of detail would convey a level of accuracy in the analysis that cannot be achieved without a detailed land plan or transportation network to support it. In addition, any future development, if pursued by the City of Elk Grove, will require annexation of the subject parcel(s) and would be subject to subsequent CEQA review that would include analysis appropriate to the level of environmental review of that future development proposal. The reader is referred to Mitigation Measure 3.13-1 (Participation in transportation system improvements.), which will require preparation of detailed traffic impact analyses for any project application to annex territory within the SOIA area.

- L4-5 The comment requests that traffic volumes on Willard Parkway, Bilby Road, and Bruceville Road be shown on DEIR Exhibits 3.13-9 and 3.13-11 and that LOS be analyzed.

Exhibits 3.13-9 and 3.13-11 show AM and PM peak hour directional volumes. Daily traffic volume forecasts for these roadway segments are included on DEIR Exhibits 3.13-8 and 3.13-10. The analysis of these roadway segments was conducted based on daily traffic volumes and is summarized in Table 3.13-9.

- L4-6 The comment refers to the County's May 10, 2017 comment letter on the NOP and specifically to the effect that development will have on rural roadway near the project. In the NOP comment letter, the County indicated it was developing a roadway functionality standard for rural roadways that are affected by urbanization. The outcome of the functionality standard would be improvement to non-standard roadways that meet a certain average daily traffic volume threshold. In addition, the County requested that the City of Elk Grove participate in bringing any affected rural roadways near the project up to standard when future annexation of the SOIA occurs.

The project being analyzed would only expand the City of Elk Grove's sphere of influence to include the Bilby Ridge SOIA area. Approval of this project would not modify the existing Sacramento County agricultural land use designations and zoning for the SOIA and would not entitle any development. Mitigation Measure 3.13-1 (Participation in transportation system improvements.) will require preparation of detailed traffic impact analyses for any project application to annex territory within the SOIA area and identify necessary roadway improvements that address non-standard roadways to ensure proper operation.

Department of Water Resources
Michael L. Peterson, Director



SACRAMENTO COUNTY
WATER AGENCY

Including service to the City of
Elk Grove and Rancho Colusa

Letter
L5

Date: January 10, 2018

To: Jeff King – Analyst
County of Sacramento

From: Michael Grinstead – Senior Civil Engineer
Sacramento County Water Agency

Subject: SCWA Comments on the Draft Environmental Impact Report (DEIR) from the Sacramento Local Agency Formation Commission (LAFCo) for the Landowner Initiated Bilby Ridge Sphere of Influence Ammendment (LADC #04-16)

The Sacramento County Water Agency (SCWA) has reviewed the subject document and has the following comments:

Page 3.14-15 of the DEIR states “The excess supply during normal years is projected to range from 140,000 afy in 2020 to 84,600 afy in 2052, and in dry years the excess supply is projected to range between 60,700 afy in 2020 and 11,800 afy in 2052 (SCWA 2016).” The following changes are suggested to be consistend with the the 2016 WSIP and the context of the paragraph (*italics for highlighting purposes only*):

The *available supply capacity* during normal years is projected to range from 140,000 afy in 2020 to 84,600 afy in 2052, and in dry years the excess supply is projected to range between 60,700 afy in 2020 and 11,800 afy in 2052 (SCWA 2016).

L5-1

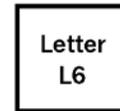
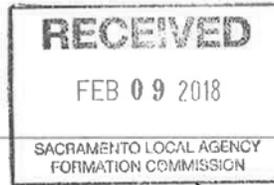
Cc: electronic file: P:\Shared Folders\Wsplandev\Zone 40\City of Elk Grove\SOI\Bilby Ridge SOI\2018 01 09 DEIR

Letter L5	Sacramento County Water Agency Michael Grinstead, Senior Civil Engineer 1/10/2018
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L5-1 The comment recommends text edits to DEIR page 3.14-15 regarding water supply.

The following text changes are made to the first full sentence on DEIR page 3.14-15. These changes do not alter the conclusions of the DEIR.

The available ~~excess~~ supply capacity during normal years is projected to range from 140,000 afy in 2020 to 84,600 afy in 2052, and in dry years the excess supply is projected to range between 60,700 afy in 2020 and 11,800 afy in 2052 (SCWA 2016).



February 9, 2018

SENT VIA EMAIL

Mr. Don Lockhart, AICP, Executive Officer
Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814

RE: Bilby Ridge Sphere of Influence Amendment (LAFC #04-16; State Clearinghouse No. 2017042071) Draft Environmental Impact Report

Dear Mr. Lockhart:

Thank you for providing an opportunity for the Sacramento Metropolitan Air Quality Management District (SMAQMD) to review and comment on the Bilby Ridge Sphere of Influence Amendment (SOIA) Draft Environmental Impact Report (DEIR). We review and provide comments through the lead agency planning, environmental and entitlement processes with the goal of reducing adverse air quality impacts and ensuring compliance with the California Environmental Quality Act (CEQA). We offer the following comments to ensure air quality impacts are adequately analyzed, disclosed and mitigated.

Short-term Construction Emissions of Criteria Air Pollutants and Precursors

Thresholds of Significance

SMAQMD recommends removing the last two sentences in the first bulleted section of the Thresholds of Significance on page 3.3-12. These two sentences contain errors and contradict the previous sentence in the same bulleted section.

"SMAQMD does not specific a mass emission threshold for evaluating construction-generated emissions of PM2.5. Because PM2.5 is a subset of PM10, the mass emission thresholds of 80 lb/day and 14.6 tons/year for PM10 serves as a proxy to determine whether operational emissions of PM2.5 would be a significant contribution to the SVAB;"

L6-1

Basic Construction Emissions Control Practices

SMAQMD recommends removing "Fugitive Dust" from the title of Basic Construction Fugitive Dust Emissions Control Practices on pages 3.3-14 and ES-8 of the DEIR because the measures listed in this section address more than just fugitive dust; the measures also reduce exhaust emissions and ozone precursor emissions.

L6-2

Enhanced Exhaust Control Practices

SMAQMD appreciates the discussion on page 3.3-15 and page ES-9 (Mitigation Measure 3.3-1) of the DEIR regarding Enhanced Exhaust Control Practices and achieving a project-wide fleet average of 20-90 percent NOx reduction for heavy-duty off-road vehicles, 50 horsepower or greater, that will be used in the future construction of the project site. Even though the SMAQMD's current Enhanced Exhaust Control Practices1 recommends a 20 percent NOx reduction, there is the potential of achieving greater NOx reductions as cleaner-emission construction equipment replaces older, less efficient equipment in the future.

L6-3

1 Sacramento Metropolitan Air Quality Management District. CEQA Guide. Enhanced Exhaust Control Practices (October 2013). http://www.airquality.org/LandUseTransportation/Documents/Ch3EnhancedExhaustControlFINAL10-2013.pdf

777 12th Street, 3rd Floor ■ Sacramento, CA 95814-1908
916/874-4800 ■ 916/874-4899 fax
www.airquality.org

Mr. Don Lockhart
Bilby Ridge SOIA (LAFc #04-16) DEIR
February 9, 2018
Page 2 of 2

• **Mitigation Measure 3.3-1: Construction exhaust and fugitive dust emissions controls**

SMAQMD recommends replacing the following sentence from the *Significance after Mitigation* paragraph on page 3.3-16 of the DEIR:

“No additional feasible mitigation is available at this time.”

with the following modified mitigation language:

If a project cannot fully mitigate onsite construction emissions by implementing off-road and on-road measures, a fee will be assessed to achieve the remaining mitigation offsite. The offsite construction mitigation fee has been established as feasible mitigation. The mitigation fees will be adopted by the City of Elk Grove and calculated in cooperation with the SMAQMD.

Additionally, SMAQMD recommends adding the offsite mitigation fee to the list of air quality mitigation measures shown on pages ES-8 through ES-13 of the DEIR.

L6-4

Greenhouse Gas Reduction Plan

SMAQMD appreciates the discussion on page 3.3-17 of the DEIR regarding a Greenhouse Gas (GHG) reduction plan and the list of comprehensive onsite and offsite GHG mitigation measures, including examples of local direct investments in GHG reductions within the geographic area of the SOIA.

L6-5

CalEEMod Analysis

- The full buildout year shown in the title of Table 3.3-5 says 2019; however, the data in this table appears to be from the 2025 operational year CalEEMod report in Appendix B.
- SMAQMD cannot reconcile the pounds per day figures in Table 3.3-4 and the tons per year figures in Table 3.3-5 with the CalEEMod reports in Appendix B.

L6-6

L6-7

Non-CEQA Comments: Typographical Errors

The last full paragraph on page 3.3-18 lists the incorrect units of measurement for the California Ambient Air Quality Standards for carbon monoxide.

L6-8

Thank you for your consideration of these comments. If you have any questions, please contact me at 916-874-6267 or JChan@airquality.org.

Regards,



Joanne Chan
Air Quality Planner/Analyst

- c: Paul Phillee, Program Supervisor – CEQA & Land Use Section, SMAQMD
Karen Huss, Air Quality Planner/Analyst – CEQA & Land Use Section, SMAQMD

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Letter L6	Sacramento Metropolitan Air Quality Management District (SMAQMD) Joanne Chan, Air Quality Planner/Analyst 2/9/2018
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- L6-1 The comment provides edits to the text of DEIR Section 3.3, “Air Quality,” regarding thresholds of significance.

The text describing thresholds of significance on DEIR page 3.3-12 has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

- ▲ cause construction-generated emissions of criteria air pollutant or precursors that exceed the SMAQMD-recommended thresholds of 85 lb/day for NO_x, 80 lb/day and 14.6 tons/year for PM₁₀, and 82 lb/day and 15 tons/year for PM_{2.5} and/or uncontrolled fugitive dust emissions. ~~SMAQMD does not specify a mass emission threshold for evaluating construction-generated emissions of PM_{2.5}. Because PM_{2.5} is a subset of PM₁₀, the mass emission thresholds of 80 lb/day and 14.6 tons/year for PM₁₀ serves as a proxy to determine whether operational emissions of PM_{2.5} would be a significant contribution to the SVAB;~~

- L6-2 The comment provides edits to the text of DEIR Section 3.3, “Air Quality,” regarding Mitigation Measure 3.3-1.

The text describing Mitigation Measure 3.3-1 on DEIR page 3.3-14 has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

Basic Construction Fugitive Dust Emissions Control Practices

- L6-3 The comment appreciates the enhanced exhaust control practices included in Mitigation Measure 3.3-1 on DEIR page 3.3-14.

This comment is noted. The analysis and mitigation measures for construction emissions of criteria air pollutants and ozone precursors of the project is addressed in DEIR pages 3.3-13 through 3.3-16.

- L6-4 The comment recommends edits to the text of DEIR Mitigation Measure 3.3-1 to include the SMAQMD offsite mitigation fee as an additional mitigation strategy.

The text describing Mitigation Measure 3.3-1 on DEIR page 3.3-14 has been revised, as follows. These revisions do not result in a change to any of the impact conclusions of the DEIR.

Unpaved Roads

- ▲ Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the site.
- ▲ Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.
- ▲ Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.

Offsite Exhaust Mitigation

- ▲ If, based upon the incorporation of all onsite measures described above (e.g., basic construction fugitive dust emissions control practices, enhanced exhaust control practices, enhanced fugitive PM dust control practices), NO_x and PM emissions still do not meet the SMAQMD recommended thresholds, an off-site mitigation fee for construction activities will be assessed for the purpose of offsetting NO_x and PM emissions such that emissions are reduced to a less-than-significant level. The fee calculation to offset daily emissions is based on the SMAQMD-determined cost to reduce one ton of NO_x (currently \$30,000 per ton). The mitigation fees will be determined by the City of Elk Grove and calculated in cooperation with the SMAQMD. The final mitigation fee will be based on contractor equipment inventories provided to SMAQMD and will reconcile any fee discrepancies due to schedule adjustments and increased or decreased equipment inventories. Equipment inventories and emissions estimates for subsequent construction activities shall be coordinated with SMAQMD, and the off-site mitigation fee measure shall be assessed to any construction phase that would result in an exceedance of SMAQMD's mass emission threshold for NO_x and PM.

Significance after Mitigation

Implementation of Mitigation Measure 3.3-1 would result in a reduction of fugitive PM₁₀ and PM_{2.5} dust and NO_x emissions from off-road equipment. Additionally, development within the SOIA Area, upon annexation, would be subject to City of Elk Grove General Plan policy CAQ-33, which requires assessment and mitigation of criteria air pollutant emissions, including the use of low-emission vehicles and equipment during construction, where feasible. If emissions reduction measures to support policy CAQ-30 of the City of Elk Grove General Plan were to be developed and implemented before construction were to begin, emissions would be further reduced.

~~However, because of the uncertainty of construction timing, phasing, and overlap of development of the SOIA area, construction related emissions of criteria air pollutants and precursors could still exceed significance thresholds. No additional feasible mitigation is available at this time. Therefore, this impact would be significant and unavoidable.~~

If a project cannot reduce construction-related emissions of criteria air pollutants and precursors to less than the applicable thresholds, a fee will be assessed to achieve the remaining mitigation off-site. The mitigation fees will be adopted by the City of Elk Grove and calculated in cooperation with the SMAQMD. With the implementation of Mitigation Measure 3.3-1, exhaust and fugitive dust emissions associated with construction activities would be mitigated to below SMAQMD's emissions thresholds for applicable pollutants. As a result, the project would remain in compliance with applicable air quality plans and not contribute substantially to existing air quality violations within the air district. Thus, with incorporation of Mitigation Measure 3.3-1, this impact would be reduced to **less than significant**.

L6-5 The comment appreciates the greenhouse gas analysis on DEIR page 3.3-17.

This comment is noted. The analysis and mitigation measures for greenhouse emissions of the project is addressed in DEIR pages 3.7-11 through 3.7-16.

L6-6 The comment provides edits to the text of DEIR Section 3.3, "Air Quality," regarding Table 3.3-5.

The title of DEIR Table 3.3-5 on pages 3.3-16 and 3.3-17 has been revised, as follows. These revisions do not result in a change to any of the impact conclusions of the DEIR.

Table 3.3-5 Summary of Maximum (Unmitigated) Operational Emissions of Criteria Air Pollutants and Precursors at Full Buildout (2019~~25~~)

L6-7 The comment asserts that figures within DEIR Table 3.3-4 and Table 3.3-5 cannot be reconciled with the CalEEMod reports in DEIR Appendix B.

The values referenced in this comment related to DEIR Table 3.3-5 are found on page 177 of DEIR Appendix B. The values referenced in this comment related to Table 3.3-4 are calculated values based on the methodology described in the Analysis Methodology Section on DEIR pages 3.3-11 and 3.3-12. To provide additional clarity, a table of the off-model calculations has been added to Appendix B of this document.

L6-8 The comment provides typographical edits to the text of DEIR Section 3.3, "Air Quality."

The text describing the SMAQMD screening methodology for CO emissions on DEIR page 3.3-18 has been revised, as follows. These revisions do not result in a change to any of the impact conclusions of the DEIR.

SMAQMD recommends a screening methodology to determine whether CO emissions generated by traffic at congested intersections have the potential to exceed, or contribute to an exceedance of, the 8-hour CAAQS of 9.0 ppm ~~µg/m³~~ or the 1-hour CAAQS of 20.0 ppm ~~µg/m³~~ (SMAQMD 2016b). The screening methodology consists of two tiers of screening criteria, listed below. If the first tier is not met, then the second tier may be applied.

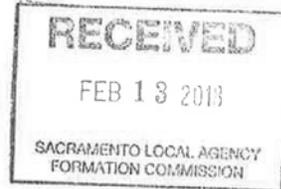
Letter
L7



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February 12, 2018

Sacramento Local Agency Formation Commission
1112 I Street, Suite 100
Sacramento, CA 95814-2836
ATTN: Mr. Don Lockhart, Assistant Executive Officer, AICP
Email: Don.Lockhart@SacLAFCo.org



VIA USPS and EMAIL

RE: Draft Environmental Impact Report for the Bilby Ridge Sphere of Influence Amendment (LAFCo#04-16)

Dear Mr. Lockhart,

Thank you for providing the Bilby Ridge Sphere of Influence Amendment (the SOIA or Project) Draft Environmental Impact Report (DEIR) for the City's review and comment. The proposed Project envisions the amendment of the City of Elk Grove (City's) Sphere of Influence (SOI) to add approximately 480 acres just south of, and adjacent to, the City's current City limits. The Project is being proposed by private land interests; the City is not a party to the application. The Project is within the area identified in the (current) 2003 General Plan as "Urban Study Areas" and is included in the pending General Plan Update's "West Study Area."

L7-1

In reviewing the DEIR, the City has prepared a number of comments, which are attached. The City requests that LAFCo consider these comments as it finalizes the environmental review and considers action on the Project.

Should you have any questions, please feel free to contact me.

Sincerely,

Christopher Jordan, AICP
Assistant to the City Manager
City of Elk Grove

Enclosures

Bilby Ridge Sphere of Influence Amendment
 Draft Environmental Impact Report (DEIR)
 Comments from the City of Elk Grove

The following are comments from the City regarding the above referenced Project.

- | | |
|--|---------------------------------|
| <p>1. The City is in the process of completing a comprehensive General Plan Update. The document should reflect that the policies of the City could be updated at that time.</p> | <p>┌ L7-1
├ cont.
└</p> |
| <p>2. Overall, the analysis in the document is speculative, based upon a conceptual land use plan and capacity as provided in the SOIA application, which has not be reviewed and approved by the City. The final land use plan, should the property move forward for annexation to the City, could take a different form. Therefore, please ensure that mitigation measures include flexibility so that the ultimate measures (to be approved by the City with annexation) allow for changes to reflect the final plan and the regulatory framework in place at the time of adoption.</p> | <p>┌ L7-2
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└</p> |

<p>Further, the DEIR seems to overstate impacts in a number of places based upon this speculative land plan and speculation of mitigation measures available/applied at the time of annexation. This level of speculation does not constitute substantial evidence to support a finding of an impact (Pub. Res. Code § 21082.2(c) [speculation does not constitute substantial evidence of an environmental impact].) For example, the following impacts rely on speculation, and this speculative analysis could also influence the cumulative impacts analysis (that cumulative impacts analysis should also be revisited with these comments in mind):</p>	<p>┌ L7-3 ├ └</p>
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- | | |
|---|---------------------------|
| <ul style="list-style-type: none"> • Impact 3.1-1 assumes an adverse aesthetic impact despite compliance with development standards. It is not clear why this Project would result in "substantial alteration of the existing visual character" and why open fields constitute a "scenic vista" that is more attractive than currently undefined development. Without knowing the scope of development, this conclusion is speculative and unsupported by substantial evidence. | <p>┌ L7-4
├
└</p> |
| <ul style="list-style-type: none"> • Impact 3.1-2 assumes a glare impact without knowing what will be built. It is not clear how development of 480 acres necessarily creates a significant and unavoidable "skyglow" impact when there are thousands of other undeveloped acres in the area. | <p>┌ L7-5
├
└</p> |
| <ul style="list-style-type: none"> • Impact 3.3-1 assumes certain construction emissions as a result of development and imposes standard mitigations from the Sacramento Metropolitan Air Quality Management District which, through the analysis, are shown to mitigate the potential impact. However, a significant impact is still identified, simply because the timing is unknown. These two statements are in conflict. The timing of mitigation should not impact its viability here, and the conclusion that the impact is significant and unavoidable is speculative. | <p>┌ L7-6
├
└</p> |
| <ul style="list-style-type: none"> • Impact 3.6-2 states improvements "could" have a significant energy impact and the impact is found to be unavoidable. But this conclusion is speculative because the future land uses are not known. | <p>┌ L7-7
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└</p> |
| <ul style="list-style-type: none"> • Impact 3.7-1 states that GHG impacts can be mitigated with the identified measures, but still concludes that the impact is significant and unavoidable. It is not clear how this is the case and the impact finding is speculative. | <p>┌ L7-8
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└</p> |

- Impact 3.10-1 concludes, despite the list of mitigation measure provided, that significant noise impacts still "could" occur and labels the impacts significant and unavoidable. This conclusion is speculative. L7-9
 - Impacts 3.12-1 and 3.12-2 are addressed by identifying proper mitigation in requiring adequate plans for police and fire. But the DEIR still concludes the impact to police and fire to be significant and unavoidable. This is illogical since an "adequate" plan would address the needs and thereby mitigate for the potential impact. L7-10
 - Impact 3.14-1, which discusses the need for increased utility infrastructure to serve the Project area in the event it is developed, concludes that impacts from construction of the improvements would result in significant and unavoidable impacts. However, the analysis also notes that those improvements would be subject to environmental review. The range of improvement necessary to serve future development is unknown and speculative, and, therefore, there is a lack of substantial evidence to support the finding of significant and unavoidable. L7-11
3. Consider revisions to the structure and wording of the proposed mitigation measures to more closely align with the measures for the recently approved Kammerer/99 SOIA. For example, both projects/documents have an impact relative to loss of agricultural land (3.2-1 respectively); however, the measure imposed for the Kammerer/99 SOIA project only address Prime Farmland, Unique Farmland, and Farmland of Statewide importance. The Bilby Ridge mitigation measure includes Farmland of Local Importance. L7-12
 4. The southern boundary of the Project area is defined in Chapter 2 as what appears to be a straight line between the existing City limits at Bruceville Road/Kammerer Road and Willard Parkway (future extension). LAFCo should be aware that at the October 27, 2017 Capital Southeast Connector Joint Powers Agency (JPA) meeting, the JPA Board provided direction to its staff on the alignment for Kammerer Road. As shown in Agenda Item 8 (attached here for reference) the alignment is slightly south of the proposed Project limits. The City recommends that LAFCo expand the Project area south to the future centerline of Kammerer Road so that there are no island areas between the City's SOI and the centerline of future Kammerer Road. Additionally, please update page 4-3 to note that a Subsequent Mitigated Negative Declaration is being prepared for that project. L7-13
 5. Impact 3.2-3 and corresponding mitigation measure 3.2-3 call for the establishment of agricultural buffering as part of the future project design. The City agrees with this concept, including the recording of "Right to Farm" notices within the Project area; however, three sides of the proposed Project abut the existing City and urban uses and the fourth side is the future extension of Kammerer Road (part of the Capital Southeast Connector). Development of buffer areas along the north side of Kammerer Road (within the Project area) may not be appropriate and would be inconsistent with the pending General Plan Update. The City requests that the mitigation measure be revised to read as follows: L7-14

Mitigation Measure 3.2-3 Provision of agricultural buffering as part of future project design. *At the time of submittal of any application to annex territory within the Bilby Ridge SOIA area, the City shall demonstrate a requirement that future development implement City Municipal Code, Chapter 14.05, "Agricultural Activities," in effect at the time of the annexation application that include notice to prospective buyers of property adjacent to agricultural land and that they could be subject to*

inconvenience or discomfort resulting from accepted farming activities. Further, the City should consider appropriate design elements (as determined by the City) that provide for continued agricultural operations beyond the Project area. Evidence of compliance with this mitigation measure shall be provided in the annexation application to LAFCo.

L7-14
cont.

6. The City enjoys a cooperative relationship with the various local, State, and Federal agencies involved in land development within the City's jurisdiction. However, the City cannot consent to a transfer of its land use and regulatory authority under a future land use entitlement and annexation application. Therefore, please revise Mitigation Measure 3.4-2d, sub-point 3 to require "consultation", rather than "coordination." (See *California Native Plant Society v. City of Rancho Cordova* (2009) 172 Cal.App.4th 603 [discussing the distinction between "coordination" and "consultation"].)

L7-15

7. Mitigation Measure 3.7-1b requires the City to require subsequent projects to purchase carbon offsets to reduce GHG emissions to zero. Because the future land uses for the area are unknown, it is speculative to know if this kind of reduction measure will be necessary to comply with State-mandated GHG reduction targets. Measure 3.7-1a is sufficient, as the City's Climate Action Plan will be updated as necessary with new reduction strategies (possibly including carbon offset purchases) to achieve the reduction targets.

L7-16

Letter L7	City of Elk Grove Christopher Jordan, Assistant to the City Manager 2/12/2018
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- L7-1 The comment provides a summary of the proposed Bilby Ridge SOIA and its relationship with the City's existing General Plan and the proposed General Plan Update. The comment also states that the City is in the process of completing an update to its General Plan and that the DEIR should reflect the policies of the City could be updated.

This comment is noted. DEIR Section 3.9, "Land Use," specifically notes that the City is in the process of updating its General Plan (see DEIR page 3.9-10).

- L7-2 The comment asserts that the analysis in the DEIR is speculative based on a conceptual land use plan. The comment recommends that mitigation measures include flexibility so that ultimate mitigation measures for subsequent annexation allow for changes to reflect the final land use plan.

The DEIR impact analysis approach is described on DEIR pages 3-1 and 3-2. The analyses first consider the effects of implementing the project itself (i.e., the SOIA), then consider the anticipated effects of annexation and implementing the conceptual land use plan. The expansion of the City's SOI would be the first step in expanding the City's urban footprint. Although annexation and development are not proposed at this time, this additional analysis serves to inform readers and decisionmakers about the impacts that could be reasonably anticipated to result from approval of the SOIA. This approach to the evaluation of impacts is consistent with State CEQA Guidelines Section 15144 which addresses the issue of forecasting: "Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can."

The Bilby Ridge SOIA does not include land use designations or zoning as specific approval actions. Proposed land use and zoning designations for a site are provided at the time a request for annexation of the site is submitted to LAFCo. However, for LAFCo to understand and fully evaluate the direct and indirect impacts associated with consideration of the Bilby Ridge SOIA, it must also consider the reasonable development pattern and intensity that could occur at the site from subsequent land use approvals.

To provide a framework for project evaluation, the project applicant has identified a conceptual land use and development capacities for the project site (DEIR Table 2-1 and Exhibit 2-4). These proposed land uses are the applicant's representations of intended development for the site. However, it should be noted that this is not the City's official intention for development. The City's intention for development, and evaluation of a project's consistency with that development intention, would occur at the time an annexation application is submitted. Nonetheless, for purposes of evaluation of a reasonable development scenario that could occur on the project site, the land uses proposed by the applicant and identified in DEIR Table 2-1 and Exhibit 2-4 are intended to be consistent with existing adjacent City land use designations and development patterns.

It is unclear what "flexibility" the City is requesting in the DEIR mitigation measures. Most of the mitigation measures use performance standards that would apply at the time of annexation and subsequent development. This includes mitigation that requires demonstration of compliance with City standards that address environmental impacts (e.g., Mitigation Measure 3.4-2d that requires compliance with City Municipal Chapter 16.130 for Swainson's hawk foraging habitat mitigation).

- L7-3 The comment asserts that the DEIR seems to overstate impacts based on a speculative land use plan and application of mitigation measures.

Comments on specific impacts of concern are addressed in the responses below. As described in Response to Comment L7-2, the DEIR analysis serves to inform readers and decisionmakers about the impacts that can be reasonably anticipated to result from approval of the SOIA (annexation to the City and development). This approach to the evaluation of impacts is consistent with State CEQA Guidelines Section 15144 which addresses the issue of forecasting: “Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.”

- L7-4 The comment asserts that DEIR Impact 3.1-1 conclusions regarding visual character are not supported by substantial evidence. The comment also questions why the open field condition of the site would constitute a “scenic vista” that is more attractive than undefined development.

DEIR page 3.1-10 identifies that views of the site are generally considered to be of moderate visual quality based on field review of the area (see also DEIR Exhibits 3.1-1 through 3.1-5). These views may be valued by residents whose daily exposure to natural areas would be otherwise limited, as well as by motorists familiar with the agricultural aesthetic of the rural areas south of the site. However, exposure to views afforded by the site is generally limited based on land use orientation of viewers. The DEIR also acknowledges that the project area does not contain resources that exemplify the agricultural history of the area (see DEIR page 3.1-11).

The DEIR documents that future development of the Bilby Ridge SOIA would result in the conversion of 480 acres of open space and agricultural land to suburban development that would further expand the development footprint of the City. While minimized to the degree feasible through the local land use agency’s control (e.g., development design standards), effects on the visual character and quality of the site would be significant and unavoidable because of the substantial alteration of the existing visual character of the SOIA area from future development once annexation occurs. (see DEIR page 3.1-11).

The Bilby Ridge SOIA area does not include any scenic vistas that have been officially designated by either Sacramento County or the City of Elk Grove. There would be no impact to designated scenic vistas, and this impact was not evaluated in the DEIR (see DEIR page 3.1-10).

- L7-5 The comment questions why the DEIR Impact 3.1-2 identifies significant glare and “skyglow” impacts without details on future development.

DEIR Impact 3.1-2 identifies that development of the project site would introduce new sources of daytime glare (e.g., sunlight reflecting from structures and other reflective surfaces and windows) and nighttime lighting (e.g., new residential developments, street lighting, parking lot lights, and security related lighting for nonresidential uses). Daytime glare would have the greatest adverse effects adjacent undeveloped land. In existing residential areas and on adjacent roadways, the relatively small amount of glare generated by reflection off typical buildings constructed in a manner consistent with the City of Elk Grove’s standards is unlikely to substantially affect use of the area. In the agricultural area to the south, there are no existing receptors near the site and the area is unlikely to be substantially affected by any increase in glare produced by future development. However, future development would still create a new source of light and glare and would adversely affect day and nighttime views in the area that currently do not exist.

DEIR Mitigation Measure 3.1-2 would reduce potential glare and adverse effects related to lighting through compliance with the City Design Guidelines and Municipal Code standards. However, development would still require lighting for security and other purposes that would expand the footprint of suburban lighting conditions by 480 acres associated with the City. This would still contribute to skyglow. Further, compliance with City design guidelines and standards would not necessarily eliminate glare in all circumstances.

- L7-6 The comment expresses concern regarding the analysis provided under Impact 3.3-1 associated with construction air quality impacts.

The DEIR does not identify that implementation of Mitigation Measure 3.3-1 would reduce construction air quality emissions below SMAQMD thresholds. However, modifications to Mitigation Measure 3.3-1 have been made to require development to participate in an off-site mitigation fee that would ensure the impact would be reduced to a less-than-significant level. The reader is referred to Response to Comment L6-4.

- L7-7 The comment asserts that the conclusions to DEIR Impact 3.6-2 regarding energy are speculative because the future land uses are not known.

DEIR Impact 3.6-2 is not associated with energy use but rather the potentially significant environmental impacts of extending electrical and natural gas facilities to the Bilby Ridge SOIA area. Any development of the SOIA area will require extension and potential expansion of these facilities. As identified on DEIR page 3.6-19, SMUD has identified that future development of the SOIA area could require a new substation or upgrades to the existing substation and off-site extension or improvement of electrical transmission facilities. The impacts of construction or operation of off-site improvements, if required, could result in significant environmental effects that cannot be determined at this time. Neither LAFCo nor the City of Elk Grove would have control over the approval, timing, or implementation these improvements.

- L7-8 The comment questions the conclusion of the DEIR Impact 3.7-1 regarding greenhouse gas emission impacts and asserts that the impact determination is speculative.

As identified on DEIR page 3.7-16, implementation of Mitigation Measure 3.7-1a and 3.7-1b would offset project GHG emissions and, therefore, would not conflict with City of Elk Grove's climate planning efforts, ARB's 2017 Scoping Plan (now adopted), or established state GHG reduction targets. Thus, the project's contribution to cumulative GHG emission after mitigation could be mitigated through implementation of both mitigation measures. However, Sacramento LAFCo cannot guarantee the success of these mitigation measures for offsetting project emissions. Confirmation of compliance with the mitigation measures would require monitoring of the GHG reduction actions as development occurs. LAFCo would not verify or enforce these measures after annexation as it has no land use authority to do so. The City of Elk Grove is also in the process of updating its CAP and may alter the mitigation approach for the development of this project after a potential future annexation to match the updated CAP GHG reduction measures. Because of this uncertainty in achieving no net increase in GHG emissions, the DEIR appropriately concluded that the greenhouse gas emission impact would be cumulatively considerable and significant and unavoidable.

- L7-9 This comment asserts that the DEIR Impact 3.10-1 conclusions are speculative despite the mitigation measures identified.

Implementation of DEIR Mitigation Measure 3.10-1a and 3.10-1b would provide substantial reductions in daytime and nighttime construction noise levels by ensuring proper equipment use; locating equipment away from sensitive land uses; and requiring the use of enclosures, shields, and noise curtains. However, construction activities could occur immediately adjacent to existing residential uses to the north, west, and east of the project area (within 60 feet), as well as adjacent to on-site residences that are constructed and inhabited before other portions of the on-site future development are complete. Although, noise reduction would be achieved with implementation of the DEIR mitigation measures, reductions of up to 41 dBA would be required during some of the more intensive nighttime construction (e.g., during the most intense construction periods, and during roadway construction and improvement projects) to comply with the City and County nighttime standards of 45 L_{eq} and 50 L_{eq} , respectively. Reductions of this magnitude may not be achievable under all circumstances. The DEIR concluded that no other feasible mitigation is available; therefore, this impact would be significant and unavoidable. (see DEIR page 3.10-26)

- L7-10 The comment identifies that DEIR Impact 3.12-1 and 3.12-2 are addressed by identified mitigation measures. The comment disagrees with the DEIR significant and unavoidable impact conclusions because compliance with the DEIR mitigation measures would address police and fire needs.

The DEIR identifies that Mitigation Measure 3.12-1 and 3.12-2 would reduce significant impacts associated with increased fire protection and law enforcement services demand (see DEIR pages 3.12-14 through 3.12-16). However, construction of off-site facilities could result in potential significant environmental impacts. Construction of future off-site fire protection facilities and expansion of existing facilities is the responsibility of CCSD, while police facilities would be responsibility of the City. Physical environmental impacts from construction or operation of new or expansion of existing facilities could remain significant after implementation of mitigation (i.e., significant and unavoidable), or no feasible mitigation may be available to fully reduce impacts to a less-than-significant level.

- L7-11 The comment asserts that there is not substantial evidence to support a finding of significant and unavoidable for DEIR Impact 3.14-1 because the range of improvements necessary to support future development is unknown and speculative.

The water and wastewater service demands evaluated in DEIR Impact 3.14-1 are based on the project applicant's conceptual land use and development capacities for the project site (DEIR Table 2-1 and Exhibit 2-4). These proposed land uses are the applicant's representations of intended development for the site. As identified on DEIR page 3.14-13, future analysis by the developer, SCWA, and SASD would determine what off-site improvements are required to service development of the SOIA as part of an annexation request. SCWA and SASD would conduct the appropriate environmental review for these improvements and would adopt mitigation measures to address significant environmental impacts. LAFCo cannot determine what those future off-site improvements may be or require SCWA or SASD to adopt mitigation measures for improvements and impacts that have not been identified. Thus, there are no feasible mitigation measures available to LAFCo to address this impact.

- L7-12 The comment suggests that the structure and wording of the proposed mitigation measures should be modified to align the mitigation measures adopted as part of the Kammerer/99 SOIA. The comment specifically notes that DEIR Mitigation Measure 3.2-1 includes mitigation for Farmland of Local Importance while mitigation for the Kammerer/99 SOIA does not.

The Bilby Ridge SOIA is a smaller project than the Kammerer/99 SOIA (480 acres versus 1,156 acres) and is in a different location that results in variations of impact conclusions (e.g., groundwater impacts were identified less than significant for the Bilby Ridge SOIA and significant and unavoidable for the Kammerer/99 SOIA). However, the DEIR mitigation measures include similar performance standards and implementation language as the Kammerer/99 SOIA mitigation measures. DEIR Impact 3.2-1 identifies that the project would also result in the loss 113 acres of Farmland of Local Importance. While this is not considered important farmland under CEQA, Sacramento County requires mitigation for the loss of this farmland type for County projects under General Plan Policy AG-5. Thus, Mitigation Measure 3.2-1 includes mitigation for Farmland of Local Importance.

- L7-13 The comment recommends that the Bilby Ridge SOIA boundary be expanded to the south to the future centerline of the proposed Kammerer Road extension.

The Kammerer Road extension project is anticipated to be approved in May 2018. Exhibit 2-1 shows the currently proposed Kammerer Road extension alignment in relation to the Bilby Ridge SOIA. The land area between this roadway alignment and the southern boundary of the SOIA is 26.4 acres. The proposed Bilby Ridge SOIA is a landowner-initiated request that does not include this land area and is not part of the project evaluated in this EIR.

However, the following is a summary of potential environmental impacts should this land area be included in the SOIA area referred to below as the “expanded SOIA area.”

Aesthetics

Future development of the expanded SOIA area upon annexation to the City would alter the existing visual landscape characteristics from open space/agricultural uses and grasslands to suburban uses further south than evaluated in DEIR Impact 3.1-1 and 3.1-2. However, the addition of 26.4 acres would not be a substantial new contribution to the alteration of the visual character because it would be perceived as infill land between the existing SOIA boundary and the Kammerer Road extension rather than a further extension of development into the open space and agricultural landscape south of the City of Elk Grove. Impact conclusions presented in the DEIR would be unchanged.

Agricultural Resources

Future annexation and development of the expanded SOIA area would result in the additional loss of 26.4 acres of Farmland of Statewide Importance and Farmland of Local Importance beyond the 480 acres of important farmland loss identified in DEIR Impact 3.2-1 (see DEIR Exhibit 3.2-2). Like the project, this impact would remain significant and unavoidable. This expansion would not involve any Williamson Act contracted land (see DEIR Exhibit 3.2-3). Agricultural uses to the south of the expanded SOIA area would be buffered by Kammerer Road extension.

Air Quality

Construction air quality impacts from future development of the expanded SOIA area would be like the project in terms of type, level of intensity, and location and could be mitigated to a less-than-significant level through compliance with Mitigation Measure 3.3-1. Operational air quality impacts would increase from the increased development potential and associated mobile and stationary air pollutant emission sources. Like the project, the operational air quality impacts (DEIR Impact 3.3-2) would be significant and unavoidable for the expanded SOIA area.

The expanded SOIA area could also result in construction toxic air contaminant and odor impacts that were identified in DEIR Impact 3.3-4 and 3.3-5. Like the project, DEIR Mitigation Measure 3.3-4 and 3.3-5 would mitigate impacts of the expanded SOIA area to a less-than-significant level.

Biological Resources

Future annexation and development of the expanded SOIA area would result in additional loss of wetland habitats (see Exhibit 3.4-1) and agricultural lands that provide habitat to special-status plant and wildlife species identified in DEIR Impacts 3.4-1 and 3.4-2. Like the project, DEIR Mitigation Measure 3.4-1, 3.4-2a through 3.4-2g would mitigate impacts of the expanded SOIA area to special-status species to a less-than-significant level, with the exception of the loss of Swainson’s hawk habitat. DEIR Mitigation Measure 3.4-3 would mitigate impacts to wetlands similar to the project.

Cultural and Paleontological Resources

Future annexation and development of the expanded SOIA area could result in the disturbance of additional 26.4 acres that may contain significant historical, archaeological, and paleontological resources. Like the project, DEIR Mitigation Measure 3.5-1, 3.5-2, and 3.5-4 would mitigate these impacts for the expanded SOIA area to a less-than-significant level.

Energy

Future development of the expanded SOIA area upon annexation to the City would further increase the use of energy and the need for energy infrastructure. Like the project, DEIR Mitigation Measure 3.7-1a and 3.13-1 would mitigate energy use impacts for the expanded SOIA area to a less-than-significant level. Significant and unavoidable energy infrastructure impacts identified for the project in DEIR Impact 3.6-2 would be the same for the expanded SOIA area.

Greenhouse Gas Emissions

Greenhouse gas emission impacts would increase from the increased development potential and associated construction and operation. Like the project, the operational air quality impacts (DEIR Impact 3.7-1) would be significant and unavoidable for the expanded SOIA area.

Hydrology and Water Quality

Future development of the expanded SOIA area upon annexation to the City would further increase the potential for water quality, drainage, and exposure to flooding in a 200-year event beyond the project. Like the project, DEIR Mitigation Measure 3.8-1 would mitigate water quality, drainage, and flooding for the expanded SOIA area to a less-than-significant level.

While future development the expanded SOIA area upon annexation would result in additional demand for groundwater, adequate groundwater resources exist to accommodate this additional growth from the region and existing on-site groundwater use (see DEIR 3.8-19 and 3.8-20).

Land Use

The expanded SOIA would not change land use designations or zoning. Future development of the expanded SOIA area upon any future annexation to the City would extend development below the Sacramento County General Plan Urban Services Boundary that is intended to be the long-range boundary for urban development. At annexation the expanded SOIA area would under City of Elk Grove land use jurisdiction and not subject to the Sacramento County General Plan.

Noise and Vibration

Construction noise impacts (DEIR Impact 3.10-1) from future development of the expanded SOIA area would be like the project and would remain significant and unavoidable even with application of mitigation measures. Operational (traffic and stationary) noise impacts would increase from the increased development potential that could result in excessive noise levels that exceed City noise standards. Like the project, DEIR Mitigation Measure 3.10-3, 3.10-4a, and 3.10-4b would mitigate noise impacts for the expanded SOIA area to a less-than-significant level.

Population and Housing

Future development of the expanded SOIA area upon annexation to the City would further increase the extent of population growth beyond what was identified for the project. Like the project, DEIR Impact 3.11-1 would remain significant and unavoidable for the expanded SOIA area.

Public Services and Recreation

Future development of the expanded SOIA area upon annexation to the City would further increase the need for expanded public services. Significant and unavoidable environmental impacts for future public service facilities identified for the project in DEIR Impact 3.12-1 and 3.12-2 would be the same for the expanded SOIA area.

Traffic, Transportation and Circulation

Future development of the expanded SOIA area upon annexation to the City would further increase vehicle trips in the area and the need for transportation facilities. Significant and unavoidable environmental impacts for traffic operations on local roadway and freeway facilities identified for the project in DEIR Impact 3.13-1 and 3.13-2 would also occur for the expanded SOIA area.

Like the project, DEIR Mitigation Measure 3.13-1 would mitigate transit, bicycle, and pedestrian demands for the expanded SOIA area to a less-than-significant level.

Utilities

Future development of the expanded SOIA area upon annexation to the City would further increase the demand for water, wastewater, and solid waste services and the need for related infrastructure.

Like the project, the expanded SOIA area would have a less-than-significant impact to water, wastewater, and solid waste services because adequate capacity exists to serve this additional development potential (DEIR Impacts 3.14-2, 3.14-3, and 3.14-4). Significant and unavoidable infrastructure impacts identified for the project in DEIR Impact 3.14-1 would be the same for the expanded SOIA area.

Hazards and Hazardous Materials

Future development of the expanded SOIA area upon annexation to the City could further increase the potential for exposure to hazardous materials beyond the project. Like the project, DEIR Mitigation Measure 3.15-2a and 3.15-2b would mitigate potential exposure to hazardous materials for the expanded SOIA area to a less-than-significant level.

- L7-14 The comment requests changes to DEIR Mitigation Measure 3.2-3 regarding agricultural buffering given the planned Kammerer Road extension.

The comment is correct that the planned construction of the Kammerer Road extension would ultimately provide an appropriate buffer to the south of the Bilby Ridge SOIA area and flexibility in Mitigation Measure 3.2-3 is warranted.

The following text change is made to Mitigation Measure 3.2-3 on DEIR page 3.2-15. These changes do not alter the conclusions of the DEIR.

Mitigation Measure 3.2-3 Provision of agricultural buffering as part of future project design.

At the time of submittal of any application to annex territory within the Bilby Ridge SOIA area, the City shall demonstrate a requirement that future development implements ~~require the applicant to establish agricultural buffering features in the development site design. This shall include implementation of City Municipal Code, Chapter 14.05, "Agricultural Activities," in effect at the time of the annexation application that may include~~ notice to prospective buyers of the property screening, fencing, landscaping, setbacks, and other provisions to buffer agricultural uses. Prospective buyers of property adjacent to agricultural land shall be notified through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities. Further, the City shall consider appropriate design elements (as determined by the City) that provide continued agricultural operations beyond the Bilby Ridge SOIA area. Evidence of compliance with this mitigation measure shall be provided in the annexation application to LAFCo.

- L7-15 The comment requests a change to DEIR Mitigation Measure 3.4-2d. The following text change is made to the third bullet of Mitigation Measure 3.4-2d on DEIR page 3.4-29. These revisions do not result in a change to any of the impact conclusions of the DEIR.

- ▲ Impacts to nesting Swainson's hawks and other raptors shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Project activity shall not commence within the buffer areas until a qualified biologist has determined, in consultation coordination ~~with CDFW~~, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of 0.25-mile-wide buffer for Swainson's hawk and 500-feet for other raptors, but the size of the buffer may be adjusted if a qualified biologist and the project applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.

L7-16 The comment asserts that DEIR Mitigation Measure 3.7-1b is speculative given that future land uses are unknown. The comment states that Mitigation Measure 3.7-1a is sufficient.

The current City Climate Action Plan (CAP) does not demonstrate the ability to meet 2030 reduction goals (set by SB 32) and; subsequently, future target years (e.g., 2050). While it is acknowledged that the CAP is in the process of being updated, it is not currently known whether the City will be able to demonstrate consistency with State GHG targets set by legislation (i.e., SB 32) or recommendations in the 2017 Scoping Plan. Given this circumstance, no changes to the mitigation measures are recommended.



Letter
L8

Good morning Don,

Attached are the Cosumnes Community Services District comments on the Bilby Road project for your review and use. Please let me know if you need anything else.

Thank you for your time this morning and yes, please keep my email address below as the single point of contact for project information and updates.

Regards,

Maureen Zamarripa

General Manager

9355 E. Stockton Blvd, Suite 205

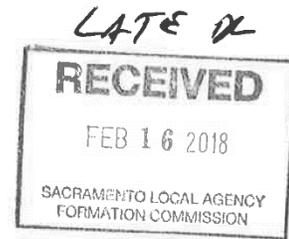
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3.12 PUBLIC SERVICES AND RECREATION

This section describes the existing public services and facilities, including fire protection, law enforcement, public schools, parks and recreation, and potential effects attributable to the project. Impacts are evaluated in relation to the actions needed to provide the services that could potentially lead to adverse physical environmental effects. Mitigation measures are recommended to address impacts determined to be significant or potentially significant.

There was one comment received during the notice of preparation (NOP) scoping process regarding school siting near agricultural resources. No potential school site or land uses would be approved for construction under this project. Future development of the potential school site would be required to meet all siting requirements (including setbacks from hazards) of the California Department of Education.

3.12.1 Environmental Setting

This section describes the existing public services near the project site (or SOIA area). Descriptions and analysis in this section are based on information provided by the City of Elk Grove General Plan and General Plan EIR, the Cosumnes Community Services District, the City of Elk Grove, the County of Sacramento General Plan and General Plan EIR, the Municipal Services Review prepared for the SOIA area, aerial photographs, and applicable state laws.

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The Cosumnes Community Services District (CCSD) Fire Department provides fire protection, fire prevention and, life safety, technical rescue, and emergency medical, rescue, and transportation services to the cities of Elk Grove and Galt, as well as unincorporated areas in the region covering over 157 square miles, in this area of the County of Sacramento, are provided by the Cosumnes Community Services District (CCSD) and the Sacramento Metropolitan Fire District (SMFD) (City of Elk Grove 2016a). The Sacramento Regional Fire/EMS Communication Center (SRFECC) dispatches all fire agencies in Sacramento County. CCSD is the primary agency having jurisdiction for fire protection and emergency medical response, service within the Bilby Ridge SOIA area.

The CCSD is one of the leading agencies in the Automatic Aid Agreement Between Sacramento County Fire Agencies for All-Hazard Emergency Response. As a result of the existing regional automatic and mutual aid agreements with the neighboring agencies, the CCSD operates with the Sacramento Metropolitan Fire District (SMFD) and the City of Sacramento Fire Department (SFD) to ensure that the closest, most appropriate unit available is dispatched to all incidents and fire district boundaries are not an issue when an incident occurs (Local Agency Formation Commission – [LAFCo] 2016). SMFD, the City of Sacramento Fire Department (SFD), and the CCSD share common jurisdictional boundaries and participate in a regional automatic/mutual aid agreement. The CCSD Fire Department also has a mutual aid agreements with the surrounding volunteer fire districts in southern Sacramento County, including Wilton, Courtland, Walnut Grove, and Herald Fire Districts. As a result of the existing automatic and mutual aid agreements, the closest unit available is dispatched to an incident and fire district boundaries are not an issue when an incident occurs (Local Agency Formation Commission – [LAFCo] 2016).

The Sacramento Regional Fire/EMS Communication Center (SRFECC) dispatches all fire agencies in Sacramento County. The SRFECC is governed by a Joint Powers Agreement (JPA) Board of Directors that is made up of representatives from the CCSD, SMFD, SFD, and the City of Folsom Fire Department (FFD).

The Bilby Ridge site is within the CCSD service boundary. The CCSD Fire Department's administrative office, state-of-the-art fire training facility, and fleet management are located is headquartered at 10573 East Stockton Boulevard, Elk Grove. The CCSD provides fire protection, fire prevention, and

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Public Services and Recreation

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emergency medical, rescue, and transportation services to the cities of Elk Grove and Galt, as well as unincorporated areas in the region covering over 167 square miles. The CCSD Fire Department operates out of eight strategically located fire stations: six in the Elk Grove area and two additional stations in the City of Galt, including a state-of-the-art fire training facility. The closest fire stations to the SOIA area are Station 72 and Station 74, at 10035 Atkins Drive, and Station 74 at 6501 Laguna Park Drive, respectively. Station 72 is located approximately 1.3 miles north, and Station 74 is located approximately 4.4 miles north of the project site.

Three additional fire stations have been designated by the CCSD and the City within the SOIA area as follows:

- ▲ Station 77 is designated to be near the intersection of Poppy Ridge Road and Big Horn Boulevard;
- ▲ Station 78 is designed to be in the Sterling Meadows subdivision, approximately one-half mile north of Kammerer Road and just east of the future Lotz Parkway alignment; and
- ▲ Station 79 is designated to be near the intersection of Bradshaw Road and Grant Line Road.

Service Response

CCSD Fire Department responds to various emergencies dispatched throughout the community, including fires, vehicle collisions, hazardous materials spills, and medical and public assistance calls. The department has over 165 sworn personnel in the Operations Division, which has units devoted to fire suppression, training, and emergency medical services. The department currently staffs eight Type 1 engine companies (designed to fight structure fires), one ladder truck company, seven ambulances, and a command vehicle each day on a 24-hour basis. The department

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Public Services and Recreation

also operates eight Type III fire engines (for fighting wildland / grass fires), and other specialty apparatus are staffed using these personnel as seasons and emergency circumstances dictate their use. Specialty apparatus includes one heavy foam unit, a heavy rescue, a mass decontamination trailer, a mass casualty incident trailer, a swift water rescue boat, and two flood boat response trailers (containing eight boats total) (LAFCo 2016).

The department provides ambulance transportation and pre-hospital care for the cities of Elk Grove and Galt and the portions of the unincorporated area of Sacramento County, including those in the Wilton, Courtland, Walnut Grove, and Herald Fire District jurisdictions, and the cities of Elk Grove and Galt. The department employs over 80 paramedics and an additional 60+47 emergency medical technicians (EMTs). The department's seven full-time ambulances are staffed and operated 24 hours per day. Three additional fire stations have been designated by the CCSD and the City within the SOIA area as follows:

- ✦ Station 77 is designated to be near the intersection of Poppy Ridge Road and Big Horn Boulevard;
- ✦ Station 78 is designed to be in the Sterling Meadows subdivision, approximately one-half mile north of Kammerer Road and just east of the future Lotz Parkway alignment; and
- ✦ Station 79 is designated to be near the intersection of Bradshaw Road and Grant Line Road.

The Fire Prevention Bureau is staffed by the Fire Marshal, five Fire Inspectors, and one Public Education Officer. The Bureau provides four primary services to the community, including plan review and construction inspection, periodic inspection of buildings and hazardous processes, fire investigation, and public education (LAFCo, 2016).

Service Standards

CCSD Fire Department is currently handling more emergency response calls than the state average, because of substantial growth, and increases in traffic volumes and traffic congestion. CCSD Fire Department has established a response time goal of arriving on scene in seven minutes or less of a 911 call, 90 percent of the time (LAFCo 2016).

The Insurance Services Office (ISO) rating is the recognized classification for a fire department or district's ability to defend against major fires. A rating of 10 generally indicates no protection, whereas an ISO rating of 1 indicates high firefighting capability. The proposed SOIA area is considered "unwatered." According to the ISO, newly developing urban areas should have a fire station opened within 1.5 miles of all commercial development and 2.5 miles from all residential development when "build-out" exceeds 20 percent of the planned area. The project site is not currently equipped with hydrants, but would be required to do so as a condition in the event of subsequent development approval (LAFCo 2016).

LAW ENFORCEMENT

Sacramento County Sheriff's Department

The Sacramento County Sheriff's Department provides specialized law enforcement services to both the incorporated and unincorporated areas and local police protection to the unincorporated area and City of Rancho Cordova. Specialized law enforcement includes: providing court security services, operating a system of jails for pre-trial and sentenced inmates, and operating a training complex. Local police protection includes: response to calls and trouble spots, investigations, surveillance, and routine patrolling. Services are generally provided through patrol units consisting of a patrol car and deputy sheriff. The Sheriff's Department operates several facilities, including a headquarters building, main jail, the Rio Cosumnes Correctional Center, five station houses, ten community service centers, a training academy, firearms training facility, marine enforcement detail, and an air support bureau (Sacramento County 2010:4-4).

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Public Services and Recreation

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City of Elk Grove Police Department

Police protection in the City of Elk Grove is provided by the Elk Grove Police Department, which operates from headquarters on 8400 Laguna Palms Way. The department is comprised of the Field Services Division, Investigative Services Division, and Support Services Division. The Field Services Division provides essential

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police services to the community and is the largest division within the department. Three Lieutenants are assigned as Watch Commanders who coordinate the organization, staffing, and operational activities for the Field Services Division. There are 140 sworn officers and 86 professional personnel in the department's workforce. The City of Elk Grove has been divided into five beats. Officers are assigned to a beat each year, enabling them to build relationships within the community, address potential crime-related problems, and engage in community-oriented policing within their beat (City of Elk Grove Police Department [EGPD] 2016a).

The City of Elk Grove experienced a decrease in most crime categories from 2015 to 2016; however, finalized crime data for the year is not available at the time of this writing. In 2015, the Department reported a total of 3,706 crimes (EGPD 2016b). Average response times to Priority 1 calls (in-progress felony, in-progress crime against person, or an incident where there is a high risk for harm against a person) was 5.3 minutes in 2016, with 57 percent of those calls receiving a response within 5 minutes (EGPD 2016a).

PUBLIC SCHOOLS

The Bilby Ridge site is located within the Elk Grove Unified School District (EGUSD), which is the fifth largest school district in California based upon student population. The district operates 40 elementary schools, nine comprehensive high schools, nine middle schools, four alternative education schools – including a virtual academy, a special education school, an adult education program, and a dependent charter school. Two additional elementary schools will be opening in the 2017-2018 school year (EGUSD 2017). Schools near the SOIA area include Franklin Elementary School, Toby Johnson Middle School, and Franklin High School. These schools are currently at or over capacity (EGUSD 2016).

EGUSD is known for the high quality of its schools, which consistently perform well in standardized tests. Growth in the district's service area in recent years has resulted in the need to add substantial new capacity, both at new schools and at existing schools. A recent *School Needs Facilities Analysis* (March 2017) released by EGUSD indicates that approximately 8,400 new residential units are projected within the district boundaries by 2021-2022 school year, which would result in approximately 3,906 new elementary school students, 1,068 new middle school students, and 1,946 new high school students. Upon adjusting for facilities capacity, approximately 3,216 elementary school students, 886 middle school students, 1,614 high school students, and 146 Severe Special Day Class students could not be accommodated by current facilities (EGUSD 2017).

Franklin Elementary School is located at 4011 Hood-Franklin Road and serves pre-kindergarten through sixth grade students. Franklin Elementary School was completed in 1995 and has 29 classrooms, a library, multipurpose room, cafeteria, playfields, and hard courts. EGUSD is projecting the construction of approximately 5,500 new homes within the school's current attendance area by 2025. As a result, the residing TK-6 general education student population is projected to increase by approximately 1,900 students and to exceed the school's traditional and multi-track year-round calendar capacities by 2025 (EGUSD 2016).

Toby Johnson Middle School is located at 10099 Franklin High Road and serves middle-school students. Toby Johnson Middle School was completed in 2002 and has 48 classrooms. Due to overcrowding, Toby Johnson Middle School was closed to intra-district transfers and open enrollment students. EGUSD does not project new housing within the school's current attendance area by 2025; however, enrollment is anticipated to increase by 120 students and continue to exceed the school's capacity (EGUSD 2016).

Franklin High School is located at 6400 Whitelock Parkway and serves high school students. Franklin High School was completed in 2002 and has 90 classrooms. Due to overcrowding at Franklin High School, it was closed to intra-district transfers and open enrollment students. EGUSD does not project new housing within the school's current attendance area by 2025; however, enrollment is anticipated to increase by 300 students and continue to exceed the school's capacity (EGUSD 2016).

Solutions presented in the *Facilities Masterplan 2010-2025* prepared by the District include constructing new schools and/or adjusting attendance boundaries. Changing to a multi-track year-round calendar or other measures may also be necessary (EGUSD 2016).

PARKS AND RECREATION

Cosumnes Community Services District

CCSD provides parks and recreation to the City of Elk Grove, as well as unincorporated areas in the region. CCSD currently operates 94 parks, two community centers, four recreation centers, 18 miles of trails, and two aquatic complexes. CCSD also provides many recreation programs and activities to residents within the district (CCSD 2017). CCSD has established a Parks Master Plan to plan for future parks and recreational facilities through 2025. The Parks and Recreation Master Plan focuses on land, facilities, and program needs, including a complete analysis of all district operational policy and funding mechanisms. CCSD is active in planning and constructing park sites and recreational facilities to meet service demands and strives to achieve the goal of 5 acres per 1,000 residents (CCSD 2009). The closest park to the SOIA area is Backer Park, which is approximately 10.5 acres located north of Bilby Road. There are six additional parks located within approximately 2 miles north and east of the project site (CCSD 2017).

The City of Elk Grove and the CCSD have entered into a memorandum of agreement for the development and operation of new parks and recreation facilities in new development areas that include the Laguna Ridge Specific Plan and the Southeast Policy Area Community Plan that are adjacent to the SOIA area. The CCSD will own these facilities and exclusively provide their programming.

City of Elk Grove

The City of Elk Grove and CCSD have an agreement for joint ownership of all future parks in the Laguna Ridge Specific Plan (LRSP) and the future Civic Center Community Park located in the LRSP planned for a grand opening in 2018 (City of Elk Grove 2004; City of Elk Grove 2016b). The Cosumnes Community Services District (CCSD) is the current authorized parks and recreation service provider in the proposed Bilby Ridge Plan Area. The CCSD also provides parks and recreation services to residents within the City of Elk Grove. The City and CCSD develop and operate parks and recreation facilities located in the Laguna Ridge Specific Plan (LRSP), SouthEast Policy Area (SEAP), Sterling Meadows and Silverado Village in accordance with Memorandum of Understanding (MOU).

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Figure 4.10-1 shows the current boundaries of the nearby parks and recreation service providers.

EXISTING LEVELS OF SERVICE AND INFRASTRUCTURE

The CCSD and City (cooperatively and individually) have existing facilities either constructed or planned immediately north of the proposed SOIA Area. This includes parks, open space, trails, community centers, specialized recreation facilities and maintenance facilities that serve the park and recreation needs of the various communities where the facilities are located. These facilities were sized to serve the population of the existing/planned community.

City of Elk Grove

The City of Elk Grove is also authorized to provide parks and recreational services within the City. As identified in the MOU the City will construct the future Civic Center Aquatic Facility and Community Park, which will be constructed with the City's future Civic Center located in the LRSP. The Aquatic Center is scheduled to be open to the public in the summer of 2018.

Cosumnes Community Services District (CCSD)

The CCSD provides parks and recreation to the City of Elk Grove and the unincorporated areas in the region. The District encompasses roughly 157 square miles and an estimated population of 183,333 people, of which 160,688 are in the Elk Grove area. CCSD currently operates 94 parks totaling an estimated 714 acres, 256 acres of landscape corridors, 18 miles of trails, a 9 hole golf course, two community centers, four recreation centers, and two aquatic complexes. CCSD also provides many recreation programs and activities to residents within the district. The closest existing facility is Henry Backer Senior Park which is a 10 acre neighborhood park and is located directly north of the Plan Area. The nearest community park is Morse Community Park which is approximately 1.5 miles North of the Plan Area.

CCSD is active in planning for and constructing park sites and recreational facilities to meet service demands and strives to achieve the goal of 5 acres per 1000 residents. CCSD follows a 10 step process to plan, design, and construct park projects. On average, it requires 2 years and 3 months to complete a small park project, 3 years and 6 months for larger projects.

CCSD updated their Parks and Recreation Master Plan in 2016 to plan for future parks and recreational facilities over the next 10- to 15-year period and determined that a need currently exists for more park acreage. No parks and recreation services are provided for or planned within the Plan Area, since there is no development and no planned development (CCSD 2016). The CCSD is working on a new Parks and Recreation Master Plan which is scheduled to be completed early 2018.

Cosumnes Community Services District (CCSD) & City of Elk Grove Memorandum of Understanding (MOU)

Parks and recreation facilities in new development areas specifically, Laguna Ridge Specific Plan (LRSP), SouthEast Policy Area (SEPA), Sterling Meadows and Silverado Village are developed and operated in accordance with the MOU between the CCSD and the City. The City is responsible for funding the development and operations of the park and recreation facilities. The CCSD will own these facilities and exclusively provide their programming. Eight new parks have already been completed within the LRSP.

3.12.2 Regulatory Framework

FEDERAL

No federal plans, policies, regulation, or laws are applicable to the proposed project.

STATE

Fire Protection Services

L8-2
cont.

Public Services and Recreation

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California Occupational Safety and Health Administration

In accordance with California Code of Regulations, Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration (Cal OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials; fire hose sizing requirements; restrictions on the use of compressed air; access roads; and the testing, maintenance, and use of all firefighting and emergency medical equipment.

California Fire Code

The California Fire Code, which is contained in Title 24, Part 9 of the California Code of Regulations, includes regulations related to construction, maintenance, and use of buildings. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist first

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responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises related to fire and life safety. The California Fire Code has been incorporated into Chapter 17.04 of the City of Elk Grove Municipal Code.

California Health and Safety Code

State fire regulations are set forth in Sections 13000, et seq. of the California Health and Safety Code, which includes regulations for building standards (as set forth in the California Building Code); fire protection and notification systems; fire protection devices such as extinguishers and smoke alarms; high-rise building and childcare facility standards; and fire suppression training.

Per the California Health and Safety Code, the Fire Code Official is both authorized to perform life safety inspection, and responsible for the enforcement of panic and life safety regulations adopted by the California State Fire Marshal in the California Building Standards. The Fire Prevention Bureau performs plan reviews and provides comments and field inspection on all construction projects within the jurisdiction. The Fire Inspectors also inspect occupancies and hazardous operations as required by the California Health and Safety Code.

State of California Emergency Medical Services regulations are set forth in Division 2.5 of the Health and Safety Code (Sections 1797-1799), which is known as the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act. The regulations include system administration, certification, medical control, facilities, and other facets of emergency medical care.

California Emergency Response/Evacuation Plans

The State of California passed legislation authorizing directing the Office of Emergency Services to prepare a Standard Emergency Management System (SEMS) program, which sets forth measures by which a jurisdiction should handle emergency disasters. Noncompliance with SEMS could result in the State withholding disaster relief from the noncomplying jurisdiction in the event of an emergency disaster.

The City of Elk Grove and the Cosumnes Community Services District both have current Emergency Operations Plans that address the Bilby Ridge SOIA.

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Schools

California Education Code

The California Education Code authorizes the California Department of Education to develop site selection standards for school districts. The California Department of Education School Facilities Planning Division has prepared a School Site Selection and Approval Guide that provides criteria for location of school sites in the State of California. Site selection is determined based on a screening and ranking procedure. The criteria, in order of importance are listed below:

- ▲ 1. Safety
- ▲ 2. Location
- ▲ 3. Environment
- ▲ 4. Soils
- ▲ 5. Topography
- ▲ 6. Size and Shape
- ▲ 7. Accessibility
- ▲ 8. Public Services
- ▲ 9. Utilities
- ▲ 10. Cost
- ▲ 11. Availability
- ▲ 12. Public Acceptance

California School Funding

California Education Code Section 17620 authorizes school districts to levy a fee, charge, dedication, or other requirement against any development project for the construction or reconstruction of school facilities, provided that the district can show justification for levying of fees. California Government Code Section 65995 limits the fee to be collected to the statutory fee unless a school district conducts a School Facility Needs Assessment (California Government Code Section 65995.6) and meets certain conditions.

Senate Bill 50 (Chapter 407, Statutes of 1998) instituted a school facility program by which school districts can apply for state construction and modernization funds. This legislation imposed limitations on the power

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of cities and counties to require mitigation of school facilities impacts as a condition of approving new development. It also provided the authority for school districts to levy fees at three different levels:

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- ▲ Level I fees are the current statutory fees allowed under Education Code Section 17620. As mentioned above, this code section authorizes school districts to levy a fee against residential and commercial construction to fund school construction or reconstruction. These fees are adjusted every two years in accordance with the statewide cost index for Class B construction as determined by the State Allocation Board.
- ▲ Level II developer fees are outlined in Government Code Section 65995.5. This code section allows a school district to impose a higher fee on residential construction if certain conditions are met. These conditions include having a substantial percentage of students on multitrack year-round scheduling, having an assumed debt equal to 15–30 percent of the district's bonding capacity (the percentage is based on revenue sources for repayment), having at least 20 percent of the district's teaching stations housed in relocatable classrooms, and having placed a local bond on the ballot in the past 4 years that received at least 50 percent plus one of the votes cast. A facility needs assessment must demonstrate that the need for new school facilities for unhoused pupils is attributable to projected enrollment growth from the construction of new residential units over the next five years. As of September 2016, EGUSD's Level II fees are \$5.01 per square foot for residential development and \$0.56 per square foot for commercial/industrial construction. The EGUSD Mello-Roos Community Facilities District (CFD) No. 1 also provides school facility funding through the issuance of bonds not exceeding \$275 million. CFD No. 1 is not intended to address school facility needs from new development.
- ▲ Level III developer fees are outlined in Government Code Section 65995.7. This code section authorizes a school district that has been approved to collect Level II fees to collect a higher fee on residential construction if State funding becomes unavailable. This fee is equal to twice the amount of Level II fees. However, if a district eventually receives State funding, this excess fee may be reimbursed to the developers or subtracted from the amount of State funding.

In addition to the funding mechanisms for new development above, California Proposition 51 which was passed in November 2016, authorized \$9 billion in general obligation bonds for new construction and modernization of K–12 public school facilities; charter schools and vocational education facilities; and California Community Colleges facilities.

Parks and Recreation

Quimby Act

The Quimby Act (California Government Code Section 66477) was established by the California legislature in 1965 to preserve open space and parkland in the rapidly urbanizing areas of the state. The Quimby Act authorizes local governments to establish ordinances requiring developers of new subdivisions to dedicate land for parks, pay an in-lieu fee, or perform a combination of the two. The Quimby Act requires a city or county to adopt standards for recreational facilities in its general plan recreation element if it is to adopt a parkland dedication/fee ordinance. The City's standards for parkland dedication under the Quimby Act are provided in the discussion of local regulations below. Both the County and the City collect Quimby Act in-lieu fees. These fees contribute to a fund that would be used to acquire properties for parkland.

LOCAL

The project site lies within the jurisdictional boundaries of Sacramento County; therefore, the County's policies, as well as the Sacramento LAFCo's policies, would apply. Furthermore, if the SOIA is approved, it may be annexed by the City of Elk Grove. Thus, applicable policies of the City of Elk Grove's General Plan are described below.

Sacramento County General Plan

The following policies from the Sacramento County General Plan would apply to the SOIA.

- ▲ Policy PF-54: Require new development to install fire hydrants and associated water supply systems which meet the fire flow requirements of the appropriate fire district.
- ▲ Policy PF-55: New development shall provide access arrangements pursuant to the requirements of the California Fire Code.
- ▲ Policy PF-56: Infill development shall be provided adequate off-site improvements to meet on-site fire flow requirements.
- ▲ Policy PF-57: New development, redevelopment or traffic signal replacement shall require the installation of emergency signal activation systems in all street improvements requiring signalization when requested by a fire district.
- ▲ Policy PF-58: Traffic calming measures should be used wherever possible in a manner that does not delay emergency vehicle responses.
- ▲ Policy PF-59: Alternative methods of fire protection and access must be instituted if access is reduced to emergency vehicles.
- ▲ Policy PF-60: Require that structures of four stories or more in height provide on-site equipment and facilities to the satisfaction of the appropriate fire district, consistent with industry norms and standards.
- ▲ Policy PF-61: Mitigation fees may be established by the Board of Supervisors or Fire Districts for the purpose of funding adequate fire protection and emergency medical response facilities provided they find that such fees are critical and necessary to meet the facility funding needs of the fire district and that existing methods of financing are inadequate.
- ▲ Policy PF-62: The Board of Supervisors shall not require the collection of mitigation fees unless it has certified that the fire district has:
 - Adopted a facility plan consistent with industry norms and standards and the time horizon of the County General Plan that will maintain Insurance Service Office (ISO) ratings of 3 for hydrant areas and 8 for non-hydrant areas, and a response time of 5 minutes for emergency medical calls, where staffing levels are adequate. In areas that do not have public water supply which are increasing in number due to urbanization, the fire district should be able to provide a sufficient flow shuttle.
 - Adopted a financing plan delineating the source and amount of funds required to fully implement the facilities plan. Such plan shall indicate personnel requirements necessary to meet the standards in the facilities plan.
 - Demonstrate a commitment to and reasonable progress towards achieving efficiency improvements, such as inter-district agreements for sharing resources or district consolidation.
 - All reasonable efforts have been made to secure additional funding from any other available sources.
- ▲ Policy PF-63: Mitigation fees established by County ordinance or Fire District shall, together with other reasonably assured sources of funding identified in the fire district's financing plan, be sufficient to implement the adopted financing plan.
- ▲ Policy PF-64: No building permit for new residential or commercial construction shall be issued when there is a Board of Supervisors certified fire district financing plan for any applicable fire district, which provides for mitigation fees, until the applicant has contributed all required mitigation fees.

- ▲ Policy SA-35: The County shall ensure that the siting of critical emergency response facilities such as hospitals, fire, sheriff's offices and substations, and other emergency service facilities and utilities have minimal exposure to flooding, seismic and geological effects, fire, and explosions.
- ▲ Policy PF-53: Design neighborhoods and buildings in a manner that prevents crime and provides security and safety for people and property; when feasible.
- ▲ Policy PF-27: Community plans shall identify all existing and planned school sites and shall include guidelines and conceptual examples for incorporating new schools into overall neighborhood design.
- ▲ Policy PF-29: Schools shall be planned as a focal point of neighborhood activity and interrelated with neighborhood retail uses, churches, neighborhood and community parks, greenways and off-street paths whenever possible.
- ▲ Policy PF-30: New elementary schools in the urban area should be planned whenever possible so that almost all residences will be within walking distance of the school (one mile or less) and all residences are within two miles of a school.
- ▲ Policy PF-31: Schools shall be planned adjacent to neighborhood parks whenever possible and designed to promote joint use of appropriate facilities. The interface between the school and park shall be planned with an open design and offer unobstructed views to promote safety.
- ▲ Policy PF-32: Elementary schools shall not be located along arterials and thoroughfares. Junior high and high schools should be located near roadways with adequate capacity and should provide adequate parking to facilitate the transport of students.
- ▲ Policy PF-33: New community college campuses and high schools within the urban service boundary shall be located along arterial or thoroughfare streets, with high priority to location adjacent to transportation corridors identified on the Transportation Plan Map.
- ▲ Policy PF-34: All school site plans shall be designed to minimize traffic speed and maximize traffic flow around the school, allowing for several access points to and from the site.
- ▲ Policy PF-35: New schools should link with planned bikeways and pedestrian paths wherever possible.
- ▲ Policy PF-37: Review district school facility plans with respect to their relationship to County-wide school facility planning objectives in conjunction with Board of Supervisors' adoption of supplemental financing programs.
- ▲ Policy PF-38: Land dedications or reservations for schools should meet state guidelines for school parcel size. Where more than one owner or development project is involved, there shall be appropriate assurances and conditions to assure that requisite acreage can and will be assembled to meet facility site requirements.
- ▲ Policy PF-39: Specific Plans shall show the location of future school sites based upon adopted school district master plans and criteria in the General Plan.
- ▲ Policy PF-120: The County will work cooperatively with the local recreation and park districts to help assure that the provision of additional parks and recreation facilities keeps pace with urban growth within the County.
- ▲ Policy PF-121: The County supports the adoption and implementation of Parks and Recreation Master Plans by local recreation and park districts to establish goals and policies for community-oriented parks and recreation facilities that are consistent with the goals and policies of this General Plan.

- ▲ Policy PF-122: To help assure that local recreation and park district Master Plan standards for levels of service may be achieved and maintained, the County may require new development to dedicate land, pay in-lieu fees, development impact fees, or otherwise contribute a fair share to the acquisition and development of parks and recreation facilities. For development in infill areas where land dedication may not be practical, the County in cooperation with the affected park district may explore creative alternatives for providing park and recreation facilities.
- ▲ Policy PF-123: At a minimum, new residential developments approved by the County shall provide sites for local parks for their prospective residents consistent with the Quimby Act and the land dedication standards for each local recreation and park district adopted by Sacramento County in Chapter 22.40 of the Sacramento County Code. These requirements may be satisfied by land dedication, payment of fees in lieu of dedication, or on-site improvements per the provisions of Chapter 22.40, which will be regularly updated to reflect changing demography. These include the baseline standard of three acres of land for parks per 1,000 residents or in cases where existing parklands within a park district exceed three acres per 1,000 population, that higher ratio shall be the standard for new developments up to a maximum of five acres of land for parks per 1,000 residents based on calculations specified in SCC Chapter 22.40.
- ▲ Policy PF-124: Consistent with its infill development standards and mixed use Commercial Corridor plans, the County in consultation with the local recreation and park districts shall encourage new infill and Corridor development projects to provide small plazas, pocket parks, civic spaces, and other gathering places that are available to the public to help encourage pedestrian activity, meet recreational needs and service standards consistent with Smart Growth principles.
- ▲ Policy PF-125: The County shall promote the provision of on-site recreational amenities and gathering places that are available to the public by large scale development projects and may consider providing incentives such as density bonuses or increases in building coverage for that purpose.
- ▲ Policy PF-126: Encourage local park districts to develop user fee supporting recreation programs for those activities that go beyond providing for basic recreation needs. Examples include sports leagues, tennis and other court complexes, leisure enrichment classes for all ages, aquatic centers and splash parks, and community centers.
- ▲ Policy PF-127: Require new residential developments to participate in park O & M financing mechanisms where established by local park districts or the County.
- ▲ Policy PF-128: Encourage park development adjacent to school sites and the formation of joint use agreements between school and park districts.
- ▲ Policy PF-129: In cooperation with local park districts and County Regional Parks, the County shall assist in establishing permanent financing systems for the purpose of supporting an adequate level of park services and maintenance.
- ▲ Policy PF-130: Encourage local park districts to collaborate and coordinate with other districts, agencies, and organizations.
- ▲ Policy PF-131: Support the cooperation of local park districts and the County Department of Regional Parks to provide the most efficient delivery of parks and recreation services.

City of Elk Grove General Plan

The following policies from the City of Elk Grove's General Plan would apply to future annexation and development of the project site.

- ▲ Policy SA-1: The City will seek to maintain acceptable levels of risk of injury, death, and property damage resulting from reasonably foreseeable safety hazards in Elk Grove.

- ▲ Policy SA-5: The City will cooperate with other local, regional, state, and federal agencies and with rail carriers in an effort to secure the safety of all residents and businesses in Elk Grove.

 - SA-5-Action 3 Participate in State mutual aid agreements with neighboring cities and counties; State and federal emergency relief agencies; and private enterprises such as the Red Cross, the Salvation Army, and local medical institutions to assist in shelter, relief, and first aid operations. Encourage cooperation among adjacent communities to provide backup fire suppression and law enforcement assistance in emergency situations.
- ▲ Policy SA-29: The City shall regularly monitor and review the level of police staffing provided in Elk Grove, and ensure that sufficient staffing and resources are available to serve local needs.
- ▲ Policy SA-32: Cooperate with the Elk Grove Community Services District (EGCSD) Fire Department [Cosumnes Community Services District] to reduce fire hazards, assist in fire suppression, and promote fire safety in Elk Grove.

 - SA-32-Action 1 Review new development for adequate water supply and pressure, fire hydrants, and access to structures by firefighting equipment and personnel.
 - SA-32-Action 2 Review projects for compliance with the Fire Code as part of the building permit process.
 - SA-32-Action 4 Require, where appropriate, on-site fire suppression systems for all new commercial and industrial development to reduce the dependence on fire department equipment and personnel
- ▲ Policy SA-34: The City shall regularly monitor and review the level of police staffing provided in Elk Grove and ensure that sufficient staffing and resources are available to serve local needs.
- ▲ Policy SA-35: Design neighborhoods and buildings in a manner that prevents crime and provides security and safety for people and property when feasible.
- ▲ Policy PF-1: Except when prohibited by state law, the City shall require that sufficient capacity in all public services and facilities will be available on time to maintain desired service levels and avoid capacity shortages, traffic congestion, or other negative effects on safety and quality of life.
- ▲ Policy PF-2: The City shall coordinate with outside service agencies—including water and sewer providers, the Elk Grove Community Services District [Cosumnes Community Services District], and the Elk Grove Unified School District—during the review of ___—plans and development projects.
- ▲ Policy PF-7: The City shall require that water flow and pressure be provided at sufficient levels to meet domestic, commercial, and firefighting needs.
- ▲ Policy PF-15: The City shall cooperate with the County of Sacramento in the planning and implementation of future library facilities and facility expansions in Elk Grove.
- ▲ Policy PF-16: Specific Plans shall identify all existing and planned school sites and should include guidelines and conceptual examples for incorporating new schools into overall neighborhood design.
- ▲ Policy PF-17: While recognizing that school siting and development are not within the jurisdiction of the City to control, the City strongly encourages the School District to consider the following criteria:

 - Traffic impacts on nearby roadways are addressed and mitigated to meet City standards for level of service.

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- Schools should serve as a focal point of neighborhood activity and be interrelated with churches, parks, greenways and off-street paths whenever possible.
- Almost all residences will be within walking distance of a school (one mile or less) and all residences are within two miles of a school whenever possible.
- New schools are adjacent to neighborhood and community parks whenever possible and designed to promote joint use of appropriate facilities.
- New schools should link with trails, bikeways, and pedestrian paths wherever possible.
- ▲ Policy PF-18: The City supports state legislative efforts to secure additional state funding for school construction and ensure maintenance of local district priorities for funds in the state school bond program.
- ▲ Policy PF-19: Public facilities should be phased in a logical manner which avoids "leapfrog" development and encourages the orderly development of roadways, water and sewer, and other public facilities. The City shall not provide public financing or assistance for projects that do not comply with the planned phasing of public facilities. Interim facilities may be used only if specifically approved by the City Council.
- ▲ Policy PF-21: New development shall fund its fair share portion of its impacts to all public facilities and infrastructure as provided for in state law.
- ▲ Policy PTO-1: The City of Elk Grove supports the development, maintenance, and enhancement of parks and trails serving a variety of needs at the neighborhood, area, and citywide level. The City may seek to accomplish the provision of parks and trails in cooperation with the Cosumnes Community Services District (CCSD).
 - PTO-1-Action 1 As part of the review of development projects, ensure that public parks and trails are provided which meet the City's and CCSD's criteria and which implement the CCSD/City Parks Master Plan and City Bicycle, Pedestrian, and Trail Master Plan.
- ▲ Policy PTO-3: Funding for maintenance of parks and/or trails shall be assured to the City's satisfaction prior to the approval of any Final Subdivision Map which contains or contributes to the need for a public parks and facilities.
- ▲ Policy PTO-4: New residential developments may be required to, at a minimum, provide parks consistent with the Quimby Act (CA Govt. Code Section 66477), through land dedication, fees in lieu, or on-site improvements at a standard of five (5) acres of land for parks per 1,000 residents. Land dedication and/or payment of in-lieu fees shall be required consistent with state law. Land dedication and/or fees may be required pursuant to other policies in this Element with or without the use of the authority provided in the Quimby Act, or in combination with the Quimby Act and other legal authority.

City of Elk Grove Municipal Code Chapter 22.40 "Park and Recreation Dedication and Fees"

Elk Grove Municipal Code Chapter 22.40 "Park and Recreation Dedication and Fees" provides standards and formulas for the dedication of parkland and in-lieu fees. These policies help the City acquire new parkland. The General Plan establishes the goal of providing 5 acres of parkland for each 1,000 residents of the City. The amount of land to be provided is determined based on the appropriate standards and formula contained in Chapter 22.40.

City of Elk Grove Municipal Code Chapter 16.95 "Development Impact Fees"

The Elk Grove City Code imposes six citywide development impact fees. Fees are assessed on landowners who develop property to provide funds for facilities required to meet the needs of, and address impacts caused by, the additional persons residing in or employed on the property as a result of the development. The fees are:

1. **Capital Facilities Fee**, which funds the following facilities: Civic Center; Police Facilities; Corporation Yard; Library Facilities; and Transit.
2. **Affordable Housing Fee**, which funds the construction, acquisition or financing of new or existing multi or single family affordable housing projects within the City for low- or very-low income residents.
3. **Roadway Fee**, which is a multi-zonal fee program that funds the center lanes and medians of major roadways, and funds major intersections, freeway interchanges, and bridges.
4. **Fire Fee**, which is a multi-zonal fee program that funds fire capital facilities and equipment.
5. **Measure A Transportation Mitigation Fee**, which funds regional transportation facilities. The City collects this fee on behalf of the Sacramento Transportation Authority (STA).

Cosumnes Community Services District Parks Master Plan

The Cosumnes Community Services District Parks Master Plan was initially approved by the CCSD in 2008, and the City gave its approval in 2010. The Park Master Plan takes a system-wide approach to address recreation needs in Elk Grove and provides infrastructure direction for all areas in the CCSD/City service area. If the project site were annexed into the City, the CCSD would be the responsible planning agency. A new Parks Master Plan is currently being prepared by the CCSD.

3.12.3 Environmental Impacts and Mitigation Measures

ANALYSIS METHODOLOGY

This analysis is based on the assumption that the SOIA would remove an obstacle to the eventual annexation and development of the project site in a manner generally consistent with the conceptual land use scenario. As such, the calculations of public services demand are based on the development potential identified in Chapter 2, "Project Description."

THRESHOLDS OF SIGNIFICANCE

The evaluation of impacts related to public services utilizes the following Appendix G thresholds of significance. The project would have a significant impact related to public services and recreation if it would:

- ▲ result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, or parks;
- ▲ increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- ▲ include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

IMPACT ANALYSIS

Impact 3.12-1: Increased demand for fire protection and emergency medical services.

Future development within the Bilby Ridge SOIA area could result in an increase in demand for fire protection and emergency services, which could require construction of new facilities that would result in environmental impacts. This impact would be a potentially significant.

The project consists of an expansion of the City of Elk Grove's Sphere of Influence to include the Bilby Ridge SOIA area. Although the SOIA does not propose any land use changes or development, future development could occur if the property is annexed. A preliminary land use scenario map includes commercial elements, a residential component, a business professional area, and parks. The future development could increase demand for fire protection and emergency medical services in the SOIA area. As the recognized primary service provider for fire protection and emergency medical and rescue services, the CCSD and the City would be encouraged to work together closely to identify fire station locations, equipment and personnel need to support any increased demands on the CCSD. ~~The development review process should minimize service impacts to joint responder agencies, such as SMFD and SFD (LAFCo 2016).~~

L8-6

Any future development in the SOIA area would undergo discretionary review by the City of Elk Grove, which would require General Plan consistency findings. Additionally, future project proponents would be required to incorporate California Fire Code, California Health and Safety Code, and Cal OSHA requirements into project design to address access and finished surfaces for firefighting equipment; fire hydrant placement and sufficiency of fire hydrants; and fire flow availability. These topics are addressed by the City's General Plan Policy PF-7, Action SA-37-Action 1, Action SA-37-Action 2, and Action SA-27-Action 4. Physical impacts associated with construction and operations of on-site public facilities are evaluated throughout this EIR. The placement of any new on-site fire protection facilities have been considered in other sections of this EIR, such as Section 3.3, "Air Quality," and Section 3.4, "Biological Resources," which specifically analyze the potential for project construction and implementation. The timing and specifics necessary to fully evaluate off-site projects are unknown and speculative for fire protection activities outside the SOIA area.

CCSD currently provides fire protection and emergency medical services to the area and would remain the provider if the SOIA is approved. The CCSD Fire Department receives its funding through property taxes, fees for services, and occasional grant funding. New development projects are required to pay fire protection development fees to fund additional facilities and equipment. These funds would help pay for all costs associated with the development of a new fire station, if needed. A Community Facilities District (CFD) has also been established to assist in the long-term mitigation of growth impacts. Annexation into the CFD or lump sum payment to offset growth impacts are required of property owners of new growth development through a balloting process. Due to the substantial number of residents (an estimated 5,540 persons) and employees (an estimated 4,359 persons) that could be accommodated within the SOIA area, the CCSD anticipates the need to construct additional facilities and hire additional firefighters and emergency medical personnel to accommodate the increased demand for services. ~~The construction and operation of new off-site facilities and expansion of existing off-site facilities by CCSD could result in significant environmental impacts. Therefore, this impact would be potentially significant.~~

L8-7

Mitigation Measure 3.12-1: Demonstrate adequate fire protection facilities are available before annexation of territory within the SOIA area.

At the time of submittal of any application to annex territory within the SOIA area, ~~the City of Elk Grove shall demonstrate that CCSD fire protection and life safety facilities will meet the service demands of development identified for the annexation territory, or that fair-share funding will be provided for the construction of new or expansion of existing fire protection facilities, as needed, to accommodate the increase in demand resulting from development of the annexation territory. The City of Elk Grove shall demonstrate future development has incorporated adequate water supply and fire flow pressure, fire hydrants, and access to structures by firefighting equipment and personnel and where appropriate, identified on-site fire suppression systems for all~~

Comment [MM1]: How would 1-2 fire stations pose a "significant" impact?

L8-8

Comment [MM2]: The City does not demonstrate; CCSD is an autonomous special district

L8-9

new commercial and industrial development into design plans consistent with General Plan polices PF-7, PF-21, and SA 32 and Action SA-37-Action 1, SA-37-Action 2, and SA-37-Action 4. Any expansion of service shall not adversely affect current service levels. Evidence of compliance with this mitigation measure shall be provided in the annexation application to LAFCo.

Significance after Mitigation

Implementation of Mitigation Measure 3.12-1 would reduce significant impacts associated with increased fire protection services demand because the City of Elk Grove would reduce the dependence on fire department equipment and personnel by reducing fire hazards, assisting in fire suppression, and promoting fire safety in Elk Grove. Mitigation presented in this EIR for other environmental topic areas addresses potentially significant environmental impacts associated with overall development within the SOIA area. This mitigation could apply to the on-site public facilities elements of potential future development, in addition to the private development components.

Construction of future off-site fire protection facilities and expansion of existing facilities is the responsibility of CCSD. Implementation of mitigation measures would be the responsibility of the CCSD. However, physical environmental impacts from construction or operation of new or expansion of existing facilities could remain significant after implementation of mitigation (i.e., significant and unavoidable), or no feasible mitigation may be available to fully reduce impacts to a less-than-significant level. Potential significant environmental impacts from construction of off-site facilities could include, but not limited to, the following:

- ▲ Aesthetics: temporary and/or permanent alteration of public views from construction of infrastructure improvements
- ▲ Air Quality: air pollutant and toxic air contaminant emissions from construction activities that exceed thresholds recommended by the Sacramento Metropolitan Air Quality Management District
- ▲ Archaeological, Historical, and Tribal Cultural Resources: damage or loss of significant cultural resources from construction activities
- ▲ Biological Resources: loss of habitat and direct impacts to special status plant and animal species
- ▲ Greenhouse Gases: temporary emission of greenhouse gases during construction
- ▲ Hazards and Hazardous Materials: potential exposure or release of hazardous materials or contamination during construction
- ▲ Hydrology and Water Quality: construction-related stormwater quality impacts
- ▲ Noise: temporary excessive noise levels during construction on sensitive noise receptors
- ▲ Transportation: temporary disruption of roadways and congestion from construction activities and equipment.

Neither LAFCo nor the City of Elk Grove would have control over CCSD's future fire protection facilities planning, determination of siting (which could include improvements outside of the SOIA area) or the approval, timing, or construction. It cannot be determined at this time the extent of these impacts, and there is no additional feasible mitigation available to the City or LAFCo to ensure that impacts would be avoided. Therefore, the impact would remain significant and unavoidable.

Impact 3.12-2: Increased demand for law enforcement services.

Future development within the Bilby Ridge SOIA area could result in an increase in demand for law enforcement services, which could require construction of new facilities that would result in environmental impacts. This would be a potentially significant impact.

As discussed in Impact 3.12-1, the project consists of an expansion of the City of Elk Grove's Sphere of Influence, and future development could occur if the property is annexed. A preliminary land use scenario map includes commercial elements, a residential component, a business professional area, and parks. The future development could increase demand for law enforcement services in the SOIA area.

After annexation, the EPGD would provide law enforcement services to the SOIA. The EPGD operates out of one police station, located at 8400 Laguna Palms Way, approximately 3 miles from the SOIA area. If there is development in the future in the SOIA area, this could increase demand for law enforcement services. EPGD currently has a staffing ratio of 0.82 officers per 1,000 residents. With the addition of 5,540 residents identified in the development scenario, an estimated 5 officers could be needed.

The EPGD could need to hire additional officers and administrative staff or construct new on-site facilities to accommodate the increased demand for services. Physical impacts associated with construction and operation of future public facilities within the SOIA area are evaluated in the other sections of the EIR, such as Section 3.3, "Air Quality," and Section 3.4, "Biological Resources," and other sections, which provide analysis and mitigation of buildout of the SOIA area, including public facilities.

New staff, equipment, and facilities that would be necessary to provide additional law enforcement services would be funded by property taxes, development impact fees, and potentially other mechanisms. The EPGD collects development impact fees for police facilities. These funds would help pay for all costs associated with the development of a new police station, if needed. It is not currently known if the EPGD's existing law enforcement facilities would be adequate to meet the demands of future development. Due to the substantial number of residents (an estimated 5,540 persons) and employees (an estimated 4,359 persons) that could be accommodated within the SOIA area if it is developed in the future, the EPGD could need to construct additional off-site facilities to maintain adequate service, the construction of which could result in significant environmental impacts. Therefore, this impact would be potentially significant.

Mitigation Measure 3.12-2: Prepare a plan for service that demonstrates adequate police protection facilities are available before the annexation of territory within the SOIA area.

At the time of submittal of any application to annex territory within the SOIA area, the City of Elk Grove shall demonstrate that EPGD police protection and public safety facilities will meet the service demands of development identified for the annexation territory, or that fair-share funding will be provided for the construction of new on-site or off-site police protection facilities or expansion of existing police protection facilities, as needed, to accommodate the increase in demand resulting from development of the annexation territory. For any new off-site facility improvements, the City will demonstrate to LAFCo that the environmental review for the improvement has been completed and mitigation measures have been adopted to address identified significant environmental impacts. Any expansion of service shall not adversely affect current service levels. Evidence of compliance with this mitigation measure shall be provided in the annexation application to LAFCo.

Significance after Mitigation

Mitigation Measure 3.12-2 would reduce potential significant service impacts associated with increased demand for law enforcement services because the City of Elk Grove would demonstrate EPGD police protection facilities will meet the service demands of development identified for the annexation territory, or that fair-share funding will be provided. This mitigation could apply to the public facilities elements of potential future development, in addition to the private development components. Mitigation measures

presented in this EIR for other environmental topic areas would address environmental impacts (though not fully mitigate in all cases) would apply to on-site improvements.

Construction of future off-site law enforcement facilities and expansion of existing facilities is the responsibility of the EGPD. Implementation of mitigation measures would be the responsibility of the EGPD. However, physical environmental impacts from construction or operation of new or expansion of existing facilities could remain significant after implementation of mitigation (i.e., significant and unavoidable), or no feasible mitigation may be available to fully reduce impacts to a less-than-significant level. Potential significant environmental impacts from construction of off-site facilities could include, but not limited to, the following:

- ▲ Aesthetics: temporary and/or permanent alteration of public views from construction of infrastructure improvements.
- ▲ Air Quality: air pollutant and toxic air contaminant emissions from construction activities that exceed thresholds recommended by the Sacramento Metropolitan Air Quality Management District.
- ▲ Archaeological, Historical, and Tribal Cultural Resources: damage or loss of significant cultural resources from construction activities.
- ▲ Biological Resources: loss of habitat and direct impacts to special status plant and animal species.
- ▲ Greenhouse Gases: temporary emission of greenhouse gases during construction.
- ▲ Hazards and Hazardous Materials: potential exposure or release of hazardous materials or contamination during construction.
- ▲ Hydrology and Water Quality: construction-related stormwater quality impacts.
- ▲ Noise: temporary excessive noise levels during construction on sensitive noise receptors.
- ▲ Transportation: temporary disruption of roadways and congestion from construction activities and equipment.

It cannot be determined at this time the extent of these impacts, and there is no additional feasible mitigation available to the City or LAFCo to ensure that impacts would be avoided. Therefore, the impact would remain significant and unavoidable.

Impact 3.12-3: Increased demand for schools.

Future development within the Bilby Ridge SOIA area could result in an increase in demand for schools, which could also require construction of new facilities that would result in environmental impacts. Payment of a school impact fee would reduce school demand impacts to less than significant.

As discussed in Impact 3.12-1, the project consists of an expansion of the City of Elk Grove's Sphere of Influence, and future development could occur if the property is annexed. A preliminary land use scenario map includes 10 acres of land designated for public school use. Physical impacts associated with construction and operation of future public facilities within the SOIA area are evaluated in the other sections of the EIR, which provide analysis and mitigation of buildout of the SOIA area.

The land use scenario contemplates a maximum of approximately 5,540 residents and 3,692 new students who would attend Franklin Elementary and Toby Johnson Middle Schools (approximately 1 mile northeast), and Franklin High School (approximately 1.3 miles northeast) (EGUSD 2017). However, EGUSD periodically changes its school boundaries if a new school is built or the population in an area changes significantly. The SOIA area is currently in the EGUSD but it should be noted that school attendance boundaries may change, so other schools may eventually provide school services. As described above, Franklin Elementary School is

at capacity, and enrollment is closed at Toby Johnson Middle School and Franklin High School. Due to the population increase possible in the SOIA Area, the additional students would exceed the capacity of these schools. However, the project would not trigger the need for additional school facilities because it does not propose development. Additionally, exceeding school capacity is not considered a physical impact under CEQA. Pursuant to SB 50, at the time of subsequent annexation and development of the site, the project applicant would be required to pay all applicable State-mandated school impact fees to EGUSD. The City would determine the assessable square footage that would be subject to the fee at the time of development. EGUSD would determine the capacity of existing schools at the time of build-out of the SOIA area, would determine the need for new school facilities, and would perform the environmental review of and development of new facilities as needed. In the event that school impact fees are not adequate to cover the need for new school facilities, EGUSD has the ability to raise fees as necessary. The California Legislature has declared that payment of the applicable school impact fee is deemed to be full and adequate mitigation under CEQA for impacts on school facilities (California Government Code Section 65996). The impact related to increased demand for schools would be less than significant.

Depending upon the location and timing of new school facilities (including the potential for an on-site school), relative to possible future residential development within the SOIA area, future students could potentially be bused or driven to off-site schools within the EGUSD boundaries resulting in indirect impacts related to transportation, such as air pollutant emissions, greenhouse gas emissions, and transportation noise. It is possible that future residential development within the SOIA area would generate demand for school facilities that are not met within the SOIA area or are not for some period of time within the SOIA area as it builds out. The timing and specifics necessary to fully evaluate these impacts are unknown and speculative for schools outside the SOIA area and would be determined by the EGUSD. No further analysis can be provided in this document.

Mitigation Measures

No mitigation would be required.

Impact 3.12-4: Increased demand for park and recreation facilities.

Future development within the Bilby Ridge SOIA area could result in an increase in demand for park and recreation facilities, which would require construction of new facilities that would result in environmental impacts. New residential development within the SOIA Area would be required to comply with the Elk Grove Municipal Code Chapter 22.40, General Plan policies listed above, and Elk Grove Trails Master Plan requiring the dedication of park, recreation and trails facilities and/or the payment of an in-lieu fees. These impact fees could fund the development of new recreational facilities, or the maintenance of existing recreational facilities. Impacts would be less than significant.

The project consists of an expansion of the City of Elk Grove's Sphere of Influence, and future development could occur if the property is annexed. A preliminary land use scenario map includes up to 24.6 acres of land designated for public park use. Physical impacts associated with construction and operation of future public facilities within the SOIA area are evaluated in the other sections of the EIR, such as Section 3.3, "Air Quality," and Section 3.4, "Biological Resources," and other sections, which provide analysis and mitigation of buildout of the SOIA area, including public facilities.

The increase in population would increase demand on parks in the area. City and CCSD parkland standards require a minimum of 5 acres of developed parkland per 1,000 residents. Currently, CCSD serves an estimated population of 190,680 and approximately 1,000 acres of parks, corridors, and trails, at 5.2 acres per 1,000 residents. Future development within the SOIA area could add an estimated maximum of 5,540 residents to the CCSD service area and up to 24.6 acres of parkland. New residential development within the SOIA Area would be required to comply with the Elk Grove Municipal Code Chapter 22.40, General Plan policies listed above, and Elk Grove Trails Master Plan requiring the dedication of park, recreation and trails facilities and/or the payment of an in-lieu fees. These impact fees could fund the development of new recreational facilities, or the maintenance of existing recreational facilities. This impact would be less than significant.

Public Services and Recreation

Ascent Environmental

Mitigation Measures

No mitigation would be required.

3.12-18

Sacramento LAFCo
Bilby Ridge Sphere of Influence Amendment Draft EIR

Letter L8	Cosumnes Community Services District Maureen Zamarripa, General Manager 2/16/2018
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- L8-1 The comment provides edits to the text of Section 3.12, “Public Services and Recreation,” in the DEIR. The text describing fire protection and emergency medical services on DEIR pages 3.12-1 and 3.12-2 has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The CCSD Fire Department provides fire protection, and fire prevention, as well as life safety, technical rescue, and emergency medical and transportation services to the cities of Elk Grove and Galt, as well as unincorporated areas in the region covering over 157 square miles, of the County of Sacramento are provided by the Cosumnes Community Services District (CCSD) and the Sacramento Metropolitan Fire District (SMFD) (City of Elk Grove 2016a). The Sacramento Fire EMS Communication Center dispatches all fire agencies in Sacramento County. CCSD is the agency with jurisdiction over primary fire protection and emergency medical response service within the SOIA area.

The CCSD is one of the leading agencies in the *Automatic Aid Agreement Between Sacramento County Fire Agencies for All Hazard Response*. As a result, the CCSD operates with the Sacramento Metropolitan Fire District (SMFD) and the City of Sacramento Fire Department (SFD) to ensure that the closest, most appropriate unit available is dispatched to all incidents and fire district boundaries are not a factor when an incident occurs (Local Agency Formation Commission [LAFCo] 2016), and the CCSD share common jurisdictional boundaries and participate in a regional automatic/mutual aid agreement. The CCSD Fire Department also has mutual aid agreements with the surrounding volunteer fire districts in southern Sacramento County, including Wilton, Courtland, Walnut Grove, and Herald Fire Districts. As a result of the existing automatic and mutual aid agreements, the closest unit available is dispatched to an incident and fire district boundaries are not an issue when an incident occurs (Local Agency Formation Commission [LAFCo] 2016).

The Bilby Ridge site is within the CCSD service boundary. The CCSD Fire Department’s administrative office, training facility, and fleet management are located is headquartered at 10573 East Stockton Boulevard, Elk Grove. The CCSD provides fire protection, fire prevention, and emergency medical, rescue and transportation services to the cities of Elk Grove and Galt, as well as unincorporated areas in the region covering over 157 square miles. The CCSD Fire Department operates out of eight strategically located fire stations: six in the Elk Grove area and two additional stations in the City of Galt, including a state-of-the-art fire training facility. The closest fire stations to the SOIA area are Station 72 or Station 74, at 10035 Atkins Drive and 6501 Laguna Park Drive, respectively. Station 72 is located approximately 1.3 miles north and Station 74 is located approximately 4.4 miles north of the project site. The Sacramento Regional Fire/EMS Communication Center (SRFWCC) dispatches all fire agencies in Sacramento County. The SRFECC is governed by a Joint Powers Agreement (JPA) Board of Directors that is made up of representatives from CCSD, SMFD, SFD, and the City of Folsom Fire Department.

In addition, the following fire stations have been designed by the CCSD and the City within the SOIA area:

- ▲ Station 77, near the intersection of Poppy Ridge Road and Big Horn Boulevard;

- ▲ Station 78, in the Sterling Meadows subdivision approximately 0.5-mile north of Kammerer Road and just east of the future Lotz Parkway alignment; and
- ▲ Station 79 near the intersection of Bradshaw Road and Grant Line Road.

Service Response

CCSD Fire Department responds to various emergencies dispatched throughout the community, including fires, vehicle collisions, hazardous materials spills, and medical and public assistance calls. The department has over ~~150~~ 165 sworn personnel in the Operations Division, which has units devoted to fire suppression, training, and emergency medical services. The department currently staffs eight Type 1 engine companies (designed to fight structure fires), one ladder truck company, seven ambulances, and a command vehicle each day on a 24-hour basis. The department also operates eight Type III fire engines (for fighting wildland or grass fires), and ~~other~~ specialty apparatus are staffed using these personnel as seasons and emergency circumstances dictate their use. Specialty apparatus includes one heavy foam unit, a heavy rescue, a mass decontamination trailer, a mass casualty incident trailer, a swift water rescue boat, and two flood boat response trailers (containing eight boats total) (LAFCo 2016).

The department provides ambulance transportation and pre-hospital care for the portions of the unincorporated area of Sacramento County, including those in the Wilton, Courtland, Walnut Grove, and Herald Fire District jurisdictions; and the cities of Elk Grove and Galt. The department employs over 80 paramedics and 47 over 60 emergency medical technicians. The department's seven full-time ambulances are staffed and operate 24 hours per day. ~~Three additional fire stations have been designated by the CCSD and the City within the SOIA area as follows:~~

- ~~▲ Station 77 is designated to be near the intersection of Poppy Ridge Road and Big Horn Boulevard;~~
- ~~▲ Station 78 is designed to be in the Sterling Meadows subdivision, approximately one half mile north of Kammerer Road and just east of the future Lotz Parkway alignment; and~~
- ~~▲ Station 79 is designated to be near the intersection of Bradshaw Road and Grant Line Road.~~

The Fire Prevention Bureau is staffed by the Fire Marshal, five Fire Inspectors, and one Public Education Officer. The Bureau provides four primary services to the community including plan review and construction inspection, periodic inspection of buildings and hazardous processes, fire investigation, and public education (LAFCo, 2016).

Service Standards

CCSD Fire Department is currently handling more emergency response calls than the state average, because of substantial growth, and increases in traffic volumes and traffic congestion. CCSD Fire Department has established a response time goal of arriving on scene in seven minutes or less of a 911 call, 90 percent of the time (LAFCo 2016).

These edits provide clarification to the information presented in the DEIR and do not constitute substantial new information. The revisions do not change the significance of the impact related to fire protection and emergency medical services.

- L8-2 The comment provides edits to the text of Section 3.12, "Public Services and Recreation," in the DEIR. The text describing parks and recreation on DEIR page 3.12-4 has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

PARKS AND RECREATION

CCSD and the City of Elk Grove (cooperatively and individually) have existing facilities either constructed or planned immediately north of the SOIA area. This includes parks, open space, trails, community centers, specialized recreation facilities, and maintenance facilities that serve the park and recreation needs of the various communities where the facilities are located. These facilities were sized to serve the population of the existing and planned community.

The City of Elk Grove and CCSD develop and operate parks and recreation facilities located in the Laguna Ridge Specific Plan, Southeast Policy Area, Sterling Meadows, and Silverado Village in accordance with a Memorandum of Understanding (MOU). The City is responsible for funding the development and operations of the parks and recreation facilities. The CCSD will own these facilities and exclusively provide their programming. Eight new parks have been completed in the Laguna Ridge Specific Plan Area.

Cosumnes Community Services District

CCSD provides parks and recreation to the City of Elk Grove, as well as unincorporated areas in the region. CCSD encompasses roughly 1577 square miles and an estimated population of 183,333 people, of which 160,688 are in the Elk Grove area. CCSD currently operates 94 parks, totaling an estimated 714 acres, 256 acres of landscape corridors, 18 miles of trails, a nine-hole golf course, two community centers, four recreation centers, 18 miles of trails, and two aquatic complexes. CCSD also provides many recreation programs and activities to residents within the district (CCSD 2017). CCSD has established a Parks Master Plan to plan for future parks and recreational facilities through 2025. The Parks and Recreation Master Plan focuses on land, facilities, and program needs, including a complete analysis of all district operational policy and funding mechanisms. The 2016 plan determined that a need currently exists for more park acreage. No parks and recreation services are currently provided or planned within the SOIA area. CCSD is working on a new Parks and Recreation Master Plan that is scheduled for completion in early 2018.

CCSD is active in planning and constructing park sites and recreational facilities to meet service demands and strives to achieve the goal of 5 acres per 1,000 residents (CCSD 2009). CCSD follows a 10-step process to plan, design, and construct park projects. On average, it requires 2 years and 3 months to complete a small park project, and 3 years and 6 months for larger projects. The closest park to the SOIA area is Backer Park, which is approximately 10.5 acres located north of Bilby Road. The nearest community park is Morse Community Park, which is located approximately 1.5 miles north of the SOIA area. There are six additional parks located within approximately 2 miles north and east of the project site (CCSD 2017).

~~The City of Elk Grove and the CCSD have entered into a memorandum of agreement for the development and operation of new parks and recreation facilities in new development areas that include the Laguna Ridge Specific Plan and the Southeast Policy Area Community Plan that are adjacent to the SOIA area. The CCSD will own these facilities and exclusively provide their programming.~~

City of Elk Grove

The City of Elk Grove is authorized to provide parks and recreational services within the city. As identified in the MOU, the City will construct the future Civic Center Aquatic Facility and Community Park with the City's future Civic Center. The Aquatic Center is scheduled to be open to the public in the summer of 2018, and CCSD have an agreement for joint ownership of all future parks in the Laguna Ridge Specific Plan (LRSP) and the future Civic Center

~~Community Park located in the LRSP planned for a grand opening in 2018 (City of Elk Grove 2004; City of Elk Grove 2016b).~~

These edits provide clarification to the information presented in the DEIR and do not constitute substantial new information. The revisions do not change the significance of the impact related to parks and recreation services. These revisions do not result in a change to any of the impact conclusions of the DEIR.

- L8-3 The comment provides suggested edits to the text of Section 3.12, “Public Services and Recreation,” in the DEIR. Because the term “including” is used to introduce an incomplete list, the phrase “not limited to” is redundant; therefore, the suggested edit has not been made.
- L8-4 The text describing state regulations on page 3.12-5 of Section 3.12, “Public Services and Recreation,” in the DEIR has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

California Emergency Response/Evacuation Plans

The State of California passed legislation ~~authorizing~~ directing the Office of Emergency Services to prepare a Standard Emergency Management System (SEMS) program, which sets forth measures by which a jurisdiction should handle emergency disasters. Noncompliance with SEMS could result in the State withholding disaster relief from the noncomplying jurisdiction in the event of an emergency disaster.

The City of Elk Grove and CCSD both have current emergency operations plans that address the Bilby Ridge SOIA.

- L8-5 The text describing the City of Elk Grove General Plan on page 3.12-10 of Section 3.12, “Public Services and Recreation,” in the DEIR has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.
- ▲ **Policy PF-2:** The City shall coordinate with outside service agencies—including water and sewer providers, the Elk Grove Community Services District [now known as the Cosumnes Community Services District], and the Elk Grove Unified School District—during the review of plans and development projects

- L8-6 The text in “Impact 3.12-1: Increased demand for fire protection and emergency medical services” on page 3.12-13 of Section 3.12, “Public Services and Recreation,” in the DEIR has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

The project consists of an expansion of the City of Elk Grove’s Sphere of Influence to include the Bilby Ridge SOIA area. Although the SOIA does not propose any land use changes or development, future development could occur if the property is annexed. A preliminary land use scenario map includes commercial elements, a residential component, a business professional area, and parks. The future development could increase demand for fire protection and emergency medical services in the SOIA area. As the recognized primary service provider for fire protection and emergency medical and rescue services, the CCSD and the City would be encouraged to work together closely to identify fire station locations, equipment and personnel need to support any increased demands on the CCSD. ~~The development review process should minimize service impacts to joint responder agencies, such as SMFD and SFD (LAFCo 2016).~~

- L8-7 The text in “Impact 3.12-1: Increased demand for fire protection and emergency medical services” on page 3.12-13 of Section 3.12, “Public Services and Recreation,” in the DEIR has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

CCSD currently provides fire protection and emergency medical services to the area and would remain the provider if the SOIA is approved. The CCSD Fire Department receives its funding through property taxes, fees for services, and occasional grant funding. New development projects are required to pay fire protection development fees to fund additional facilities and equipment. These funds would help pay for all costs associated with the development of a new fire station, if needed. A Community Facilities District (CFD) has also been established to assist in the long-term mitigation of growth impacts. Annexation into the CFD or lump sum payment to offset growth impacts are required of property owners of new growth development through a balloting process. Due to the substantial number of residents (an estimated 5,540 persons) and employees (an estimated 4,359 persons) that could be accommodated within the SOIA area, the CCSD anticipates the need to construct additional facilities and hire additional firefighters and emergency medical personnel to accommodate the increased demand for services. The construction and operation of new off-site facilities and expansion of existing off-site facilities by CCSD could result in significant environmental impacts. Therefore, this impact would be **potentially significant**.

- L8-8 The comment questions how new fire stations that may be required by development in future annexation areas could pose a significant environmental impact, as identified in “Impact 3.12-1: Increased demand for fire protection and emergency medical services” on DEIR page 3.12-13.

DEIR page 3.12-14 identifies that construction of future off-site fire protection facilities and expansion of existing facilities is the responsibility of CCSD. Implementation of mitigation measures for fire facilities would be the responsibility of the CCSD. However, physical environmental impacts from construction or operation of new or expansion of existing facilities could remain significant after implementation of mitigation (i.e., significant and unavoidable), or no feasible mitigation may be available to fully reduce impacts to a less-than-significant level. Neither LAFCo nor the City of Elk Grove would have control over CCSD’s future fire protection facilities planning, determination of siting or the approval, timing, or construction. Therefore, neither can provide assurance that no significant impacts would occur. For this reason, the impact remains significant and unavoidable.

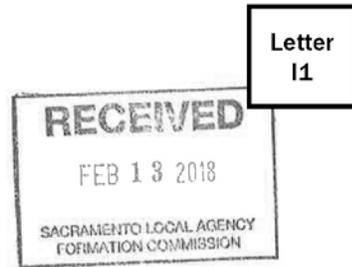
- L8-9 The comment provides clarifying remarks to the text of DEIR Mitigation Measure 3.12-1. The comment correctly notes that CCSD is an autonomous district and the City of Elk Grove would not have the authority to plan, construct, or operate the fire protection and life safety facilities to meet the service demands of development. The intent of the mitigation is to require the City of Elk Grove to demonstrate to LAFCo that appropriate coordination has occurred with CCSD, and CCSD has determined that the provided services or fair-share funding will meet the demands of development identified in the annexation territory. The text of Mitigation Measure 3.12-1 on DEIR page 3.12-13 has been revised, as follows, for clarity. These revisions do not result in a change to any of the impact conclusions of the DEIR.

Mitigation Measure 3.12-1: Demonstrate adequate fire protection facilities are available before annexation of territory within the SOIA area.

At the time of submittal of any application to annex territory within the SOIA area, the City of Elk Grove shall provide documentation demonstrating ~~demonstrate that~~ CCSD’s determination that fire protection and life safety facilities will meet the service demands of development identified for the annexation territory, or that fair-share funding will be provided for the construction of new or expansion of existing fire protection facilities, as needed, to accommodate the increase in demand resulting from development of the annexation territory. The City of Elk Grove shall demonstrate future development has incorporated adequate water supply and fire flow pressure, fire hydrants, and access to structures by firefighting equipment

and personnel and where appropriate, identified on-site fire suppression systems for all new commercial and industrial development into design plans consistent with General Plan polices PF-7, PF-21, and SA-32 and Action SA-37-Action 1, SA-37-Action 2, and SA-37-Action 4. Any expansion of service shall not adversely affect current service levels. Evidence of compliance with this mitigation measure shall be provided in the annexation application to LAFCo.

2.6 INDIVIDUALS



February 9, 2018
 Don Lockhart
 Assistant Executive Officer
 Sacramento Local Agency Formation Commission
 1112 I Street, #100
 Sacramento, CA 95814
 Email: don.lockhart@sacLAFCo.org

Re: Draft Environmental Impact Report for the Proposed Bilby Ridge Sphere of Influence Amendment Application to the City of Elk Grove

Dear Mr. Lockhart,

I appreciate the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Bilby Ridge Sphere of Influence Amendment (SOIA) Application. While the DEIR is largely sufficient in its assessment of potential environmental impacts of a conceptual scenario provided by the Applicant, no land uses are currently presumed for possible future development. My Clients, owners of APN 132-0132-007, understand that should this SOIA be approved by LAFCo the land uses will be subject to future pre-annexation land use planning and project specific environmental analysis by the City of Elk Grove. This comment letter with respect to the DEIR largely is focused on consistency with other projects in process.

I1-1

The City is currently in the process of updating its General Plan. The City conducted extensive public outreach and a series of workshops before joint sessions of the City Council and Planning Commission. During those workshops staff received direction relative to study areas beyond the existing City Limits inclusive of the proposed SOIA. The proposed policy relative to the study areas envision longer term land use planning with ultimate urbanization boundaries beyond the currently proposed SOIA. Additionally, the current Elk Grove General Plan includes study areas that are even more extensive than those proposed in the update. Therefore; it appears that proposed mitigation measure 3.2-3 is in conflict with both the existing and draft General Plan. Further, a requirement to impose buffering land uses prior to the ultimate terminus of urbanization would serve to promote rather than prevent sprawl. The buffering land uses are generally of a lower intensity that results in underutilization of land within the urbanized area creating additional outward pressure.

I1-2

The Kammerer Road extension is currently being studied for environmental clearance by the Connector JPA. The location of the extension has been presented to the JPA Board and accepted for the final study. The alignment is slightly south of the proposed SOIA's southern boundary. Should both projects be approved as presented there would be a small gap between the SOI of the City of Elk Grove and the Kammerer Road Extension. In the event that the SOIA was ultimately urbanized under the jurisdiction of the City This strip

I1-3

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Draft EIR Comment Letter
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of unincorporated land would not be useful for agriculture and would sit fallow. The land is not a significant addition to the overall SOIA acreage, based upon a rough scaling of the exhibit that was presented the board, the additional area of study would be approximately 40 acres if the study used the centerline of the proposed roadway as the southern boundary of the SOIA area.

|
11-3
cont.
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Thank you for the opportunity to comment on this DEIR, should you have any questions about the comments contained herein, please contact me.

Regards,

Jim Gillum

Letter I1	Jim Gillum, Gillum Consulting 2/9/2018
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- I1-1 The comment introduces the letter and notes that its comments are related to consistency with other projects in the process. This comment is noted and responses to specific comments are provided below.
- I1-2 The comment describes the City of Elk Grove’s General Plan update process and the establishment of study areas outside of the City boundaries that includes the project. The comment asserts that the buffering provisions of DEIR Mitigation Measure 3.2-3 would conflict with the existing and proposed General Plan update’s anticipated termination of urbanization.
- The reader is referred to Response to Comment L7-14 for changes to this mitigation measure.
- I1-3 The comment notes the proposed Kammerer Road extension project south of the Bilby Ridge SOIA and requests that the southern boundary of the SOIA area be extended to the Kammerer Road extension.
- The reader is referred to Response to Comment L7-13 for an evaluation of this boundary extension.

2.7 TESTIMONY AT THE SACRAMENTO LAFCO HEARING

H1	Sacramento LAFCo Hearing 2/7/2018
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H1-1 The Sacramento LAFCo Commission received verbal comments from Mr. Rothenberg that expressed concerns regarding the implementation of the mitigation measures. These concerns were focused on whether the mitigation measures would have performance standards and who would be responsible for their implementation.

Chapter 4, "Mitigation Monitoring and Reporting Program," of this document provides a listing of the mitigation measures that identify the agencies responsible for compliance (City of Elk Grove) and verification (Sacramento LAFCo). The mitigation measures identify specific performance standards that must be met consistent with State CEQA Guidelines 15126(a)(1)(B).