

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
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March 3, 2010

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

CONTACT: Don Lockhart, Assistant Executive Officer (916) 874-2937
[Don.Lockhart@SacLAFCo.org]

RE: **CAPITAL SIKH CENTER (TEMPLE) REORGANIZATION-
ANNEXATION TO SACRAMENTO AREA SEWER DISTRICT AND
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT (09-09)**
[CEQA: Addendum to Previously Certified Negative Declaration]

RECOMMENDATION

1. Certify the Addendum, together with the Negative Declaration previously certified by the County of Sacramento as the CEQA lead agency, as adequate and complete for the project cited above; and direct the Executive Officer to file the Notice of Determination with the County Clerk Recorder.
2. Approve the **Capital Sikh Center (Temple) Reorganization - Annexation to the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD)**; and
3. Waive the Conducting Authority proceedings, due to one-hundred percent consent of affected landowners and affected agencies.

FPPC DISCLOSURE

There are no disclosures to report.

Project Proponent/ Chief Petitioner

Mr. Gurtej Cheema
3000 U Street
Antelope, CA 95843

Project Description

The project consists of annexing the project site into the SASD for wastewater collection, and the SRCSD for the conveyance and treatment of wastewater. The annexation will satisfy a previously issued condition of project approval.

The County of Sacramento previously conditionally approved a Use Permit to allow the conversion of a portion (1,600 sq. ft.) of an existing 3,200 square foot barn into a maximum 140 occupancy temple. The temple will operate during daytime hours (12:00 p.m. to 3:00 p.m.) on a daily basis and will be predominantly be used for worship and marriage ceremonies. The proposed project is on a 6.3± acre parcel which is currently developed with a single family dwelling that is situated on the northwest corner of the site. The barn is located on the southeast portion of the property. The County also approved a Use Permit to legalize an existing 800± square-foot residential accessory dwelling that is located within the existing barn.

Project Location

The affected territory is located within the North Highlands/ Foothill Farms Community in the unincorporated portion of Sacramento County. It is located at 3000 U St., at the southeast corner of 30th St. and U St.

Surrounding Land Uses

The surrounding area consists of predominantly agricultural-residential properties with single family housing with small scale hobby farming and animal husbandry operations.

LAFCo Policy, County General Plan, and Zoning Consistency:

The proposal is consistent with your LAFCo Policies, Standards and Procedures. The temple and related land uses have been approved by the County through the discretionary Use Permit entitlement process. These land uses are consistent with both the County of Sacramento General Plan and zoning.

This project is also consistent with the SRCSD and SASD policies that sanitary sewer service will only be provided to parcels that are zoned for urban development in accordance with the terms and conditions of the Districts.

Project Characteristics

APNs: 208-0072-001

Sphere of Influence: The entire project is within the Sphere of Influence of both SRCSD and SASD.

Registered Voters: None/Uninhabited

Property Owner Consent: 100 percent

General Plan Designation: Agricultural-Residential

Community Plan: Agricultural-Residential 5

Zoning:

	Existing Land Use	Zoning and Community Plan Designations
Subject Property	Single Family	AR-5
North	Single Family	AR-5/RD-5
South	Single Family	AR-5
East	Single Family	AR-2
West	Single Family	AR-5

100 Percent Consent

Staff recommends that the Conducting Authority protest proceedings be waived. The affected territory is owned solely by the project proponent. The adjacent neighborhood associations, affected property owners, and landowners within a 500 foot radius of the project site, have been notified of the date, time and place of the hearing on this proposal. The affected territory is deemed to be uninhabited, as there are fewer than 12 registered voters. No public or agency protest has been received.

Affected Agencies:

SASD has analyzed the expected demands and impact on the District. SASD has the means and capacity to provide sanitary sewer service with no adverse impacts to existing SASD customers. There are no other sanitary sewer service providers in the area.

Both SRCSD and SASD Master Plans have provisions for providing sanitary sewer service to these parcels.

The proponent shall construct infrastructure to meet Sacramento County Improvement Standards.

The project proponent shall pay the appropriate sewer impact and connection fees as established by the Districts.

Infrastructure/ Fees and Charges

Development within the affected territory will be subject to the standards, ordinances, and mitigation fees established by the Districts, reducing any potential impacts to existing ratepayers to less than significant.

Property Tax Exchange Agreement

No Property Tax Exchange Agreement is required for this annexation.

LAFCo CEQA Findings

Staff has concluded that the preparation of an Addendum is the appropriate document because the inclusion of minor additional technical information, such as an evaluation of project-related impacts associated with the construction of connections to off-site infrastructure that are near or adjoin the project property and project-specific Greenhouse Gas (GHG) emissions, does not result in any of the conditions identified in the State CEQA Guidelines¹ §15162 that would require preparation of a subsequent environmental document. As such, the Addendum demonstrates that the environmental analysis and impacts identified in the Sikh Temple Use Permit IS/ND remain unchanged and the addition of the off-site infrastructure construction and connections impact analysis and the GHG analysis, described herein, supports the finding that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the IS/ND.

Based on the foregoing, it is recommended that your Commission direct staff to file a Notice of Determination with the County Clerk Recorder.

Other Affected Agencies

The proposal was reviewed by the Sacramento Metropolitan Fire District and the Rio Linda Community Water District. No objections were raised.

EXECUTIVE OFFICER COMMENTS:

The proposal is consistent with the Sacramento County General Plan, the Master Services Elements of the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD) and your Commission's Local Policies, Standards, and Procedures. I respectfully recommend that your Commission:

1. Find the Addendum, together with the Negative Declaration previously certified by the County of Sacramento as the CEQA lead agency, as adequate and complete for the project cited above; and direct the Executive Officer to file the Notice of Determination with the County Clerk Recorder.
2. Approve the **Capital Sikh Center (Temple) Reorganization - Annexation to the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD)**; and
3. Waive the Conducting Authority proceedings, due to one-hundred percent consent of affected landowners and affected agencies.

¹ Title 14 California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act.

Respectfully submitted,

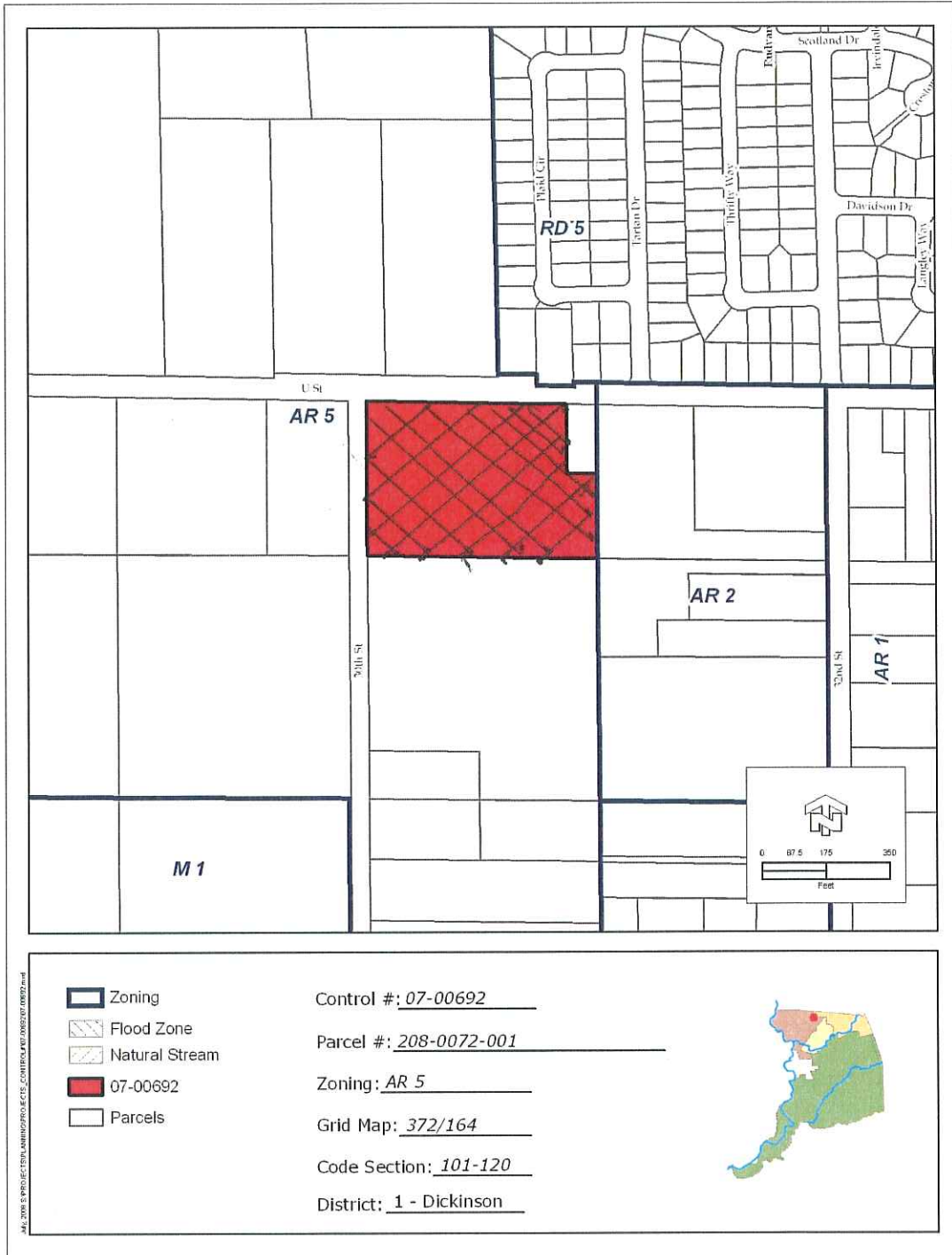
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION



**Peter Brundage
Executive Officer**

DL
Attachments
North Highlands Sikh Temple

LOCATION MAP



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**SACRAMENTO
LOCAL AGENCY FORMATION COMMISSION (LAFCO) –
NORTH HIGHLANDS SIKH TEMPLE ANNEXATION TO
SACRAMENTO AREA SEWER DISTRICT (SASD), AND SACRAMENTO
REGIONAL COUNTY SANITATION DISTRICT (SRCSD)**

(LAFCO# 09-09)

**ADDENDUM TO
THE CERTIFIED NEGATIVE DECLARATION
PREPARED BY THE LEAD AGENCY –
COUNTY OF SACRAMENTO**

FEBRUARY 19, 2010

I. INTRODUCTION

This document is prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code 21000 *et seq.*) as an Addendum to the October 1, 2008 Initial Study / Negative Declaration (IS/ND) certified by the County of Sacramento, as lead agency, on December 3, 2008 (Control Number: PLNP2007-UPZ-VAZ-0692). The related County entitlement was for a Use Permit to allow a 140-occupant new church facility (Cheema Capital Sikh Center Temple) as part of the conversion of an existing 3,200 square foot barn on a 6.3-acre property. As a Responsible Agency for the project, the Sacramento Local Agency Formation Commission (LAFCo) is preparing this Addendum as the appropriate CEQA document to address the capability and capacity of the Sacramento Area Sewer District (SASD) and the Sacramento Regional County Sanitation District (SRCSD) to serve the project, the project's off-site infrastructure improvement impacts associated with utility connections to sewer lines, and the project's contribution to Greenhouse Gas (GHG) emissions.

REGULATORY BACKGROUND

CEQA Guidelines (§15164(a) and §15162) allow a responsible agency to prepare an Addendum to a previously certified Negative Declaration if all of the following conditions are met:

1. Changes to the project do not require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (Criterion 1);
2. Changes with respect to the circumstances under which the project is undertaken do not require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (Criterion 2); and
3. No new information of substantial importance is available which shows: (a) new significant effects; (b) significant effects substantially more severe than previously discussed; (c) mitigation measures or alternatives previously found not to be feasible would in fact be

feasible; or (d) mitigation measures or alternatives which are considerably different from those analyzed in the Negative Declaration would reduce significant effects on the environment (Criterion 3).

The Addendum does not need to be circulated for public review (CEQA Guidelines §15164[c]); however, an Addendum is to be considered by the decision-making body prior to making a decision on the project (CEQA Guidelines §15164[d]).

PROJECT BACKGROUND

As set forth in the IS/ND prepared for the Cheema Capital Sikh Temple Center, the environmental evaluation addressed the potential environmental effects associated with the conversion of an existing 3,200 square foot barn to a 140-occupant worship facility within a property zoned for Agricultural-Residential uses. The project area is bounded by U Street on the north and 30th Street on the west and is located in the unincorporated area of Sacramento County in the Antelope/North Highlands community. Figure 1-1 illustrates the project location. The IS/ND evaluated a 6.3-acre project area accessed by two existing driveway entrances along 30th Street and one entrance on U Street. At the time of the circulation of the IS/ND, the site included one single family dwelling unit, the barn structure, and surrounding partially developed rural residential and open space areas with an unnamed tributary to Dry Creek that bisects the property from east to west.

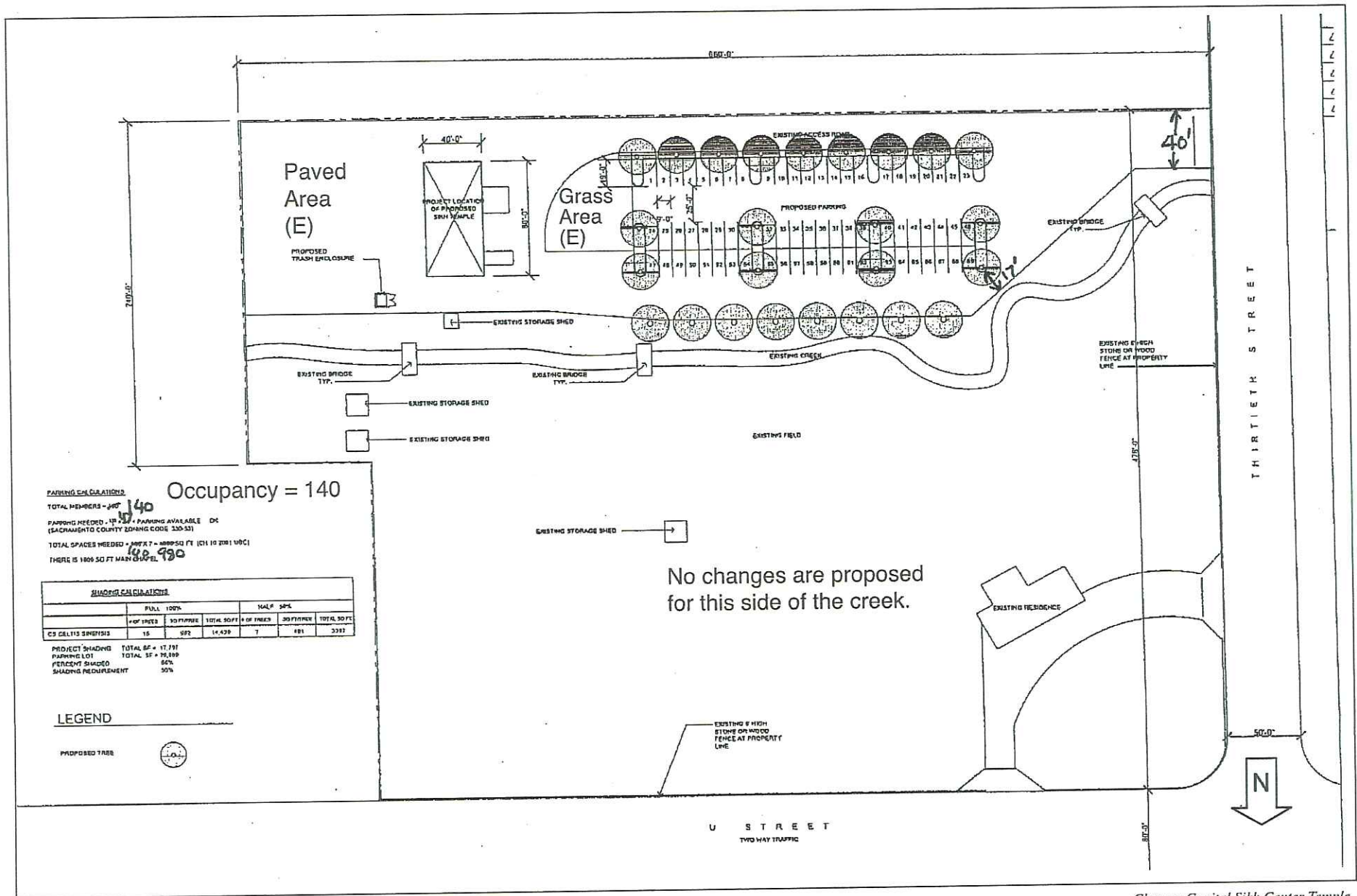
The IS/ND included a general summary of the provision of public services necessary serve the project and addressed the proposed project's physical improvements and construction activities, including the conversion of the barn and the construction of a parking lot with 69 parking spaces. Figure 1-2 shows the proposed project site improvements. The project IS/ND was circulated for a 21-day public review period from October 1, 2008 to October 21, 2008. Based on the environmental evaluation, no adverse effects due to conversion of the 3,200 square foot barn to a temple facility and the construction of a parking lot were identified. The IS/ND did identify potential impacts to biological and cultural resources; however, proposed mitigation measures for oak tree protection and unearthed cultural resources would reduce these potential impacts to a less than significant level.



Cheema Capital Sikh Center Temple

Figure 1-1
Project Area

SOURCE: Sacramento County DERA, 2008



PARKING CALCULATIONS
 TOTAL MEMBERS = 140
 PARKING NEEDED = 140 + PARKING AVAILABLE OR (SACRAMENTO COUNTY ZONING CODE 330-53)
 TOTAL SPACES NEEDED = 140 + 7 = 147 (141 IS 201 USC)
 THERE IS 1806 SQ FT MAXIMUM LEVEL

Occupancy = 140

SHADING CALCULATIONS

	FULL 100%	HALF 50%	
	NO OF TREES	TOTAL SQ FT	TOTAL SQ FT
CS CELTIS SINENSIS	15	992	14,439
PROJECT SHADING		TOTAL SF = 17,197	
PARKING LOT		TOTAL SF = 16,000	
PERCENT SHADED		64%	
SHADING REQUIREMENT		50%	

LEGEND

PROPOSED TREE

EXISTING STORAGE SHED

No changes are proposed for this side of the creek.

Cheema Capital Sikh Center Temple
Figure 1-2
 Project Site Plan

SOURCE: Sacramento County DERA, 2008

PURPOSE OF THE ADDENDUM

The purpose of this Addendum is to address changes to the project description since adoption of the IS/ND, and to address GHG emissions and the impacts of the construction of offsite infrastructure not previously addressed in the IS/ND.

No physical modifications of the project have occurred since the adoption of the IS/ND. , however; as assessed by the IS/ND, annexation of the project area to the Sacramento Area Sewer District (SASD) and the Sacramento Regional County Sanitation District (SRCSD) among the list of entitlements or actions necessary to approve the project. Because the project requires annexation to adjoining wastewater service Districts through a connection to nearby wastewater transmission and treatment services, additional analysis of off-site infrastructure and service capacity impacts is required.

The connections to the sewer and sanitary are likely to occur outside the project area near the 30th Street/U Street intersection along the project boundary and at the U Street/Tartan Street intersection, approximately 100 feet northeast of the project boundary. Therefore, this Addendum evaluates the environmental effects associated with the construction of physical facilities necessary to provide utility connections to the project, whether each District has the capacity to serve the project, and whether the Districts can provide services to the project without adversely affecting existing service levels.

Also, though not within LAFCo's statutory purview, additional analysis on the project's contribution and it's effects with respect to the emissions of greenhouse gases is evaluated to demonstrate compliance with recent state legislation, such as AB 32 and SB 97 that require CEQA documents to evaluate the extent to which a project may increase greenhouse gas (GHG) emissions or contribute to global climate change when compared to existing conditions. Senate Bill 97 amended the CEQA statue to establish that GHG emissions and the effects of such emissions are appropriate subjects for CEQA analysis. Although SB 97 was passed prior to the certification of the IS/ND in December 2008, the IS/ND did not include an assessment of the project's impact on global climate change and greenhouse gas emissions that may occur as a result of land use intensification with the addition of up to 140 persons occupying the converted temple facility and associated vehicle trips compared to existing conditions. Nor did the IS/ND discuss a GHG threshold of significance, cumulative GHG effects, nor the extent to which the project complies with regulations, such as AB 32, adopted to implement a statewide, regional, or local plan for the reduction of GHG emissions. LAFCo is unable to approve the annexation without consideration of an environmental document prepared in compliance with CEQA.

Therefore, LAFCo is augmenting the IS/ND via this Addendum as set forth below to add the proposed LAFCo actions and entitlements, an evaluation of the public service capability and capacity to serve the project area, the off-site infrastructure impact analysis associated with the connection to sewer and sanitary sewer lines, and to add a GHG analysis. LAFCo is unable to approve the annexation to the SASD and SRCSD without consideration of an environmental document prepared in compliance with CEQA.

II. ENVIRONMENTAL EVALUATION

Following is LAFCo's assessment of the Cheema Sikh Capital Temple IS/ND pursuant to §§15162 and 15164 of the CEQA Guidelines.

1. PROJECT DESCRIPTION

LAFCo Entitlements

Sacramento LAFCo ensures the orderly formation of government agencies, including governing boundary changes (i.e. annexations) of special districts, such as the Sacramento Regional County Sanitation District (SRCSD) and the Sacramento Area Sewer District (SASD). As a condition of approval by the County of Sacramento, the proposed project is required to request annexation from the SASD for wastewater collection, and the SRCSD for the conveyance and treatment of wastewater. The following summarizes each LAFCo entitlement and action required to approve the project, which are hereby incorporated into the description of the project evaluated in the IS/ND:

Annexation to Sacramento Area Sewer District (SASD) – Annexation to the SASD is necessary to provide trunk line wastewater transmission service to the site. Public service impacts associated with the project area proposed to be annexed were evaluated in the Sacramento County DERA's IS/ND. An evaluation on the SASD's capacity for wastewater conveyance and ability to serve the project area and the project's off-site infrastructure impacts is provided in Section 2 below.

Annexation to the Sacramento Regional County Sanitation District (SRCSD) – Annexation to the SRCSD is necessary to provide wastewater treatment and disposal service to the site. Public service impacts associated with the project area proposed to be annexed was evaluated in the Sacramento County DERA's IS/ND. An evaluation on the SRCSD's capacity for wastewater transmission and treatment services and ability to serve the project area and the project's off-site infrastructure impacts is provided in Section 2 below.

2. PUBLIC SERVICES & UTILITIES

Project Setting

The IS/ND states the project area is within the County General Plan Urban Services Boundary (USB), an area planned by Sacramento County for urban uses served with urban levels of public infrastructure and services from a variety of public utility and service districts. The project applicant has requested annexation to two public utility and service Districts in the project area, as a project condition of approval by the Sacramento County DERA. The two service Districts include the Sacramento Area Sewer District (SASD) responsible for the conveyance and collection of wastewater and the construction and maintenance of trunk lines and the Sacramento Regional County Sanitation District (SRCSD) responsible for the conveyance of and treatment of wastewater, the construction and operation of interceptor lines, and the operation of the regional Wastewater Treatment Plant (WTP).

The IS/ND was circulated for 21 days for service providers and the public to review and comment on the proposed project. During this time comments were received from SASD and the County of Sacramento Environmental Management Division (EMD). No comments were received from SRCSD. While the IS/ND evaluated the potential environmental impacts associated with whether or not the service providers could accommodate the project once it was annexed into their jurisdiction, the analysis did not evaluate the off-site infrastructure improvements necessary to make utility connections or whether or not the service providers currently have capacity available to provide additional service. Therefore, the following evaluation summarizes whether or not the two public service providers can adequately meet the sanitary sewer and wastewater treatment demands generated by the proposed project, and whether or not the infrastructure necessary to provide the utility service connections will result in any off-site impacts.

Sewer

The project site consists of an existing dwelling unit and barn structure. The dwelling unit is served by a private septic system, but the existing barn proposed for conversion to a temple facility is not connected to any sewage disposal system, nor is it feasible or allowed to connect the proposed facility to the existing private septic system. The project area is currently outside the boundary of the SASD and SRCSD. However, because the site is within the USB and the project is within 100 feet of an existing public sewer line located at U Street near the northeast corner of the site, the County required that the project connect to the public sewer system (Hawkins 2009).

The SRCSD and SASD provide public wastewater conveyance and treatment service in the urbanized portion of Sacramento County. SRCSD is responsible for the regional interceptor collection system (sanitary wastewater facilities that are designed to carry flows in excess of 10 million gallons per day [mgd]), and treatment of wastewater. SASD is responsible for the local collection system, including trunks (wastewater facilities that carry flows of 1 to 10 mgd) and laterals (wastewater facilities that carry flows of less than 1 mgd). SASD also provides local wastewater collection and transport from its facilities to the regional wastewater transmission, treatment and disposal facilities operated by SRCSD. The administration of both agencies is overseen by the Sacramento County Water Quality Division, which provides engineering and planning services and operates and maintains District facilities.

Wastewater Treatment Capacity

Effluent from the Sacramento urban area is treated at SRCSD’s Regional Wastewater Treatment Plant (WTP), located approximately 24 miles southwest of the project area site near the unincorporated town of Freeport and ultimately discharged to the Sacramento River after treatment. The WTP has an average dry weather flow design of 181 mgd, and treats an average of 150 mgd, although daily averages have been reduced to 140 mgd due to water conservation efforts (Sacramento County General Plan 2009). During winter months, the plant can operate at a greater capacity for peak flows due to increases in groundwater and stormwater infiltration (Costan 2009). SRCSD constructs all interceptor wastewater facilities, and all costs associated with new facilities are reimbursed or credited toward wastewater fees, lateral wastewater facilities, and interim facilities, which are the financial responsibility of the project applicants.

Total wastewater flow and demand expected from the project site was calculated using average daily flow values based on an equivalent single-family dwelling unit (ESD) per acre factor (i.e. one ESD represents the effluent generated by one single-family residence). The calculation used land use designations provided in the Sacramento County General Plan and by the Sacramento County Water Quality Division. The ESD projection is used to determine whether or not there is capacity within the existing wastewater conveyance facilities. Based on the values as listed in Table 1-1 below, when in operation, which is expected only one to two times per week, the project would generate approximately 11,718 gallons per day (gpd) and increase the average daily dry weather flows at the WTP by 0.117 million gallons per day (mgd) to approximately a total of 140.011 mgd. This estimate is below the plants permitted design capacity of 181 mgd (SRCSD 2009).

Table 2-1 Project Average Daily Wastewater Flows

Land Use Code	Land Use Designation	Equivalent Single-Family Dwellings (ESD)	Gallons per Day (gpd) per Acre	Acres	Estimated Flows (gpd)
PQP	Public/Quasi-Public Use	6	1,860	6.3	11,718
Total					11,718

Source: SRCSD Sewage Facilities Expansion Master Plan, 2006 and Sacramento County General Plan Update, 2009

Wastewater Conveyance Capacity

The SRCSD 2000 Facilities Expansion Master Plan contains plans to expand the conveyance system and install an additional interceptor alignment (i.e. Dry Creek Relief Interceptor) along 24th Street and U Street near an existing interceptor (also called Dry Creek Interceptor) that runs in a northeast direction from Rio Linda Boulevard towards U Street. SRCSD and SASD were consulted to confirm whether the existing conveyance system had adequate capacity available within the public sewer lateral along U Street to accommodate the proposed project. Based on consultation with each District, the SRCSD has stated that plans to implement a second Dry Creek Relief interceptor have been delayed due to a lowering of the rate of increase in demand because of delays in the construction of pending development projects in the North Highlands community (Costan 2009). However, SRCSD has indicated, that while the nearby sewer system that serves the project area needs future relief, adding a small additional lateral line at the U Street/30th Street intersection, which is 100 feet from the project boundary to serve the project would not have an impact on existing service levels in the area (Costan 2009). Also, each District verbally confirmed that once the project area is within their jurisdiction, it is their responsibility to provide service.

Pending large development projects are proposed for the North Highlands area that would generate wastewater flows that would exceed the capacity of the existing transmission network in the area, however, SRCSD indicated that major District wastewater improvements are expected to occur prior to and consistent with projected future demand and need. Similarly, because early consultation was initiated with the SASD and SRCSD regarding the ability of the project to connect to the adjacent sewer lateral and with the Sacramento County Building Department to recommend that the project applicant incorporate wastewater conservation measures as part of the conversion of the barn, no significant impact to water treatment facilities would occur and no impacts to water conveyance systems would occur as a result of project implementation.

Off-Site Infrastructure Impacts

Impacts related to the construction and installation of off-site infrastructure for the connection line at the U Street/30th Street intersection would involve approximately 100 feet of improvements adjacent to the site and within the public right-of-way along U Street (Kahn 2009). Although the installation of the connection line could result in minor traffic congestion along U Street, noise impacts due to construction equipment, air quality impacts from soil disturbance and emissions, and water quality impacts due to sedimentation and stormwater runoff, because these improvements are temporary and would occur within a small area adjacent to the project area, impacts related to off-site construction are expected to be less than significant. Therefore, due to minimal wastewater demands and the need for only minor off-site infrastructure, and because funding mechanisms for future wastewater infrastructure would be in place before larger development projects are constructed, impacts to the Districts' ability to provide services to the project area without adversely affecting existing service levels, the capacity of the District's wastewater conveyance system, or treatment plant would be less than significant.

3. GREENHOUSE GAS & GLOBAL CLIMATE CHANGE

Regulatory Setting

In September 2006, Governor Arnold Schwarzenegger signed AB 32, the California Climate Solutions Act of 2006 (See Stats. 2006, Ch. 488, enacting Health & Safety Code, §§38500–38599). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions, and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs the California Air Resources Board (CARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources.

As required under AB 32, CARB approved the statewide 1990 greenhouse gas emissions inventory on December 6, 2007, thereby establishing the emissions limit for 2020. The 2020 emissions limit was set at 427 million metric tonnes carbon dioxide equivalent (MMT CO₂E).¹ The inventory revealed that in 1990, transportation, with 35 percent of the state's total emissions, was the largest

¹ MMT or millions of tonnes are the units used to estimate CO₂ because they are scaled to represent emissions from an entire state or sector and reflect emissions over a period of time. CO₂ equivalents (CO₂-e) are a universal standard measurement that allows the comparison of different greenhouse gasses based on their ability to trap heat in the atmosphere.

single sector, followed by industrial emissions (24 percent); imported electricity (14 percent); in-state electricity generation (11 percent); residential use (7 percent); agriculture (5 percent); and commercial uses (3 percent).

Senate Bill 97 (Chapter 185, 2007) requires the Governor's Office of Planning and Research (OPR) to develop draft CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions." OPR is required to "prepare, develop, and transmit" the guidelines to the Natural Resources Agency on or before July 1, 2009. The Natural Resources Agency must certify and adopt the guidelines on or before January 1, 2010.

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97. These proposed CEQA Guideline amendments would provide guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. The Natural Resources Agency will conduct formal rulemaking in 2009, prior to certifying and adopting the amendments, as required by Senate Bill 97.

The following includes those portions of the proposed amendments that could be relevant to the proposed project:

15064.4. Determining the Significance of Impacts from Greenhouse Gas Emissions

- (a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in §15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:
- (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or
 - (2) Rely on a qualitative analysis or performance based standards.
- (b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:
- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
 - (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or
 - (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

15064.7. Thresholds of Significance.

- (a) Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.
- (b) Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence.
- (c) When adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.

15150. Incorporation by Reference.

- (e) Examples of materials that may be incorporated by reference include but are not limited to:
 - (1) A description of the environmental setting from another EIR.
 - (2) A description of the air pollution problems prepared by an air pollution control agency concerning a process involved in the project.
 - (3) A description of the city or county general plan that applies to the location of the project.
 - (4) A description of the effects of greenhouse gas emissions on the environment.

15183.5. Tiering and Streamlining the Analysis of Greenhouse Gas Emissions.

- (a) Lead agencies may analyze and mitigate the effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier and/or incorporate by reference that existing programmatic review. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).
- (b) Greenhouse Gas Reduction Plans. Public agencies may choose to analyze and mitigate greenhouse gas emissions in a greenhouse gas reduction plan or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.
 - (1) Plan Elements. A greenhouse gas emissions reduction plan may:
 - (A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
 - (B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
 - (C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
 - (D) Specify measures or a group of measures, including performance standards, that

- substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- (E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;
- (F) Be adopted in a public process following environmental review.
- (2) Use with Later Activities. A greenhouse gas reduction plan, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the greenhouse gas reduction plan, an EIR must be prepared for the project.
- (c) Special Situations. Consistent with Public Resources Code sections 21155.2 and 21159.28, certain residential and mixed use projects, and transit priority projects, as defined in section 21155, that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an applicable sustainable communities strategy or alternative planning strategy accepted by the California Air Resources Board need not analyze global warming impacts resulting from cars and light duty trucks. A lead agency should consider whether such projects may result in greenhouse gas emissions resulting from other sources, however, consistent with these Guidelines.

15364.5. Greenhouse Gas

"Greenhouse gas" or "greenhouse gases" includes but is not limited to: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

The regulatory setting for global climate change and GHG emissions is rapidly evolving and new legislation is continuously being updated. The following provides a summary of recent legislation:

On May 21, 2009, the Energy and Commerce Committee approved H.R. 2454, "The American Clean Energy and Security Act." Also known as the Waxman-Markley comprehensive energy bill, this legislation amends the Public Utility Regulatory Policies Act of 1978 (PURPA) to establish a combined efficiency and renewable electricity standard that requires utilities to supply an increasing percentage of their demand from a combination of energy efficiency savings and renewable energy (6 percent in 2012, 9.5 percent in 2014, 13 percent in 2016, 16.5 percent in 2018, and 20 percent in 2021-2039). H.R. 2425 includes a cap-and-trade global warming reduction plan designed to reduce economy-wide GHG emissions 17 percent by 2020.

On April 24, 2009, the EPA released a Proposed “Endangerment Finding”: current concentrations of GHG emissions in the atmosphere endanger public health and welfare and that new motor vehicles (and engines) contribute to this endangerment (Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act; Proposed Rule (Federal Register Vol. 74, No 78, Part III, Environmental Protection Agency, 40 CFR Chapter 1)). As an endangerment to public health, GHGs would be subject to regulation by EPA under Section 202(a) of the Clean Air Act.

On August 31, 2009, the EPA released draft “Prevention of Significant Deterioration/Title V Greenhouse Gas Tailoring Rule.” This proposed rule would limit federal permitting requirements to industrial sources that emit 25,000 tonnes of CO₂ equivalent (CO₂e) per year.

On September 22, 2009, the EPA administrator signed the Final Mandatory Reporting of Greenhouse Gas Rule to require large emitters and suppliers of GHGs to begin collecting data starting January 1, 2010 under a new reporting system. Under this new rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles or engines, and facilities that emit 25,000 tonnes or more per year of GHGs are now required to submit annual reports to EPA.

Regional Setting

The project area’s contribution to GHG emissions was recently accounted for in a regional GHG emissions inventory for the Sacramento County Department of Environmental Review, titled *Greenhouse Gas Emissions Inventory for Incorporated and Unincorporated Sacramento County* (DERA 2009). While specific GHG emission data was not quantified for the proposed project site, it is assumed that the general project area was accounted for in the regional inventory and land use intensification was expected to occur within the County in the future. The summary of greenhouse gas (GHG) emissions for the unincorporated portion of the County, which includes the community of North Highlands is presented below in Table 3-1.

Table 3-1 GHG Emissions for Unincorporated Sacramento County		
Sector	Unincorporated Sacramento County - CO₂ e - (tonnes)	Unincorporated Sacramento County - Percent
Residential	1,033,142	15.8
Commercial and Industrial	770,025	11.7
Industrial Specific	2,104	0.0
On-Road Transportation	3,610,937	55.1
Off-Road Transportation	236,466	3.6
Waste	201,350	3.1
Wastewater Treatment	54,391	0.8
Agriculture	197,132	3.0
High Global Warming Potential GHGs	228,768	3.5
Water-related	22,156	0.3
Sacramento Airport	200,404	3.1
Total	6,556,875	100.0

Source: DERA 2009

Proposed Project Estimated GHG Emissions

A project's contribution to GHG emissions would be considered significant if the project would impede the emissions reduction targets developed by the state pursuant to AB 32, and therefore make a cumulatively considerable GHG emission net increase and fail to fully apply all feasible GHG reduction strategies. "Cumulatively considerable" means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of current projects, and the effects of probable future projects" (CEQA Guidelines §15065(a)(3)).

The GHG emissions associated with the proposed Cheema Capital Sikh Center Temple project activities would include construction-related vehicle trip emissions due to temporary equipment use related to the barn conversion and off-site utility installations and operation-related vehicle emissions (IS/ND, page IS-14 through IS-15). The project operation would also involve natural gas (for space and water heating) and electricity use, also a contributor to GHG emissions. Although the project GHG emissions were not quantified, individually, the project would be expected to result in a very small volume of GHG emissions and as a result would contribute to a small percentage of the regional and statewide GHG emissions. Also, approximately 60 to 80 people are associated with existing Cheema Capital Sikh Center Temple vehicle trips that currently occur to and from private residences within the North Highlands community (Bagha 2009). Because these project emission impacts would result in very low volumes of GHG emissions, would contribute only a small percentage to the County's GHG emission inventory, and a portion of the emissions associated with existing vehicle trips to private residences are expected to already be occurring within the community, project-related emissions, by itself, would have minimal and nominal effects to AB 32 GHG emission reduction goals. Therefore, a less than significant impact would occur.

The GHG emission levels expected from the proposed project were found to be nominal because the operation of the temple facility would result in a very minor increase in the regional GHG inventory, which is expected to have accounted for some land intensification and future growth. The project-level GHG emission were also found to be nominal given that the proposed project would only result in a very small percentage of the regional GHG emission inventory and would not impede emissions reduction targets developed by the state pursuant to AB 32. Because the project GHG emissions would not impede the emissions reduction targets developed by the state pursuant to AB 32, the proposed project would not result in a cumulatively considerable net increase of greenhouse gas emissions. Thus, the potential GHG emission effects from operations of the new temple facility and related vehicle trips would be less than significant.

III. SUMMARY OF FINDINGS

Based on the foregoing analysis, the Sacramento LAFCo has concluded that the preparation of an Addendum is the appropriate document because the inclusion of minor additional technical information, such as an evaluation of project-related impacts associated with the construction of connections to off-site infrastructure that are near or adjoin the project property and project-specific GHG emissions, does not result in any of the conditions identified in the State CEQA Guidelines² §15162 that would require preparation of a subsequent environmental document. As such, the Addendum demonstrates that the environmental analysis and impacts identified in the Cheema Sikh Temple Use Permit IS/ND remain unchanged and the addition of the off-site infrastructure construction and connections impact analysis and the GHG analysis, described herein, supports the finding that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the IS/ND.

Changes to the Proposed Project (Criterion 1) – Field review of the project area on November 10, 2009 indicated that there have been no significant changes to the proposed project as it was evaluated in the IS/ND adopted on December 3, 2008 (Field review by Juliana R. Prosperi, November 10, 2009/ Don Lockhart, January 5, 2010). No regulations governing environmental conditions or uses within the project area have been modified since the certification of the document by the County, other than the inclusion of LAFCo actions and entitlements and recent legislation regarding GHG emissions, as documented in this IS/ND Addendum. In preparing this Addendum, all the potential impacts identified in the CEQA Environmental Checklist Form were taken into consideration and the proposed project is consistent with the project identified in the IS/ND. As such, no significant impacts not previously identified in the Negative Declaration would result. Therefore, the proposed requirements of the CEQA Guidelines (§15164(a) and §15162) Criterion 1 set forth above are met.

Changes in Project Circumstances (Criterion 2) – Except for the additional evaluation of public service capacity, off-site infrastructure utility connection impacts for sewer and water service, and additional regulations that require the evaluation of GHG emissions and the extent to which a project complies with the GHG requirements, no applicable regulations governing environmental conditions or uses within the project area have been modified since the certification of the document by the County. Because the public services/utilities and GHG discussion were minor additions, as set forth above, their addition to the IS/ND as identified in this Addendum does not result in any new significant environmental effects, nor would any changes result in an increase in the severity of previously identified effects. Therefore, the requirements of Criterion 2 set forth above are met.

New Significant Information (Criterion 3) – No information has been submitted to LAFCo by any party regarding the environmental effects of the proposed Cheema Capital Sikh Center Temple project that would result in the identification of: (a) new significant effects; (b) significant effects substantially more severe than previously discussed; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or (d) mitigation measures or alternatives that are considerably different from those analyzed in the Negative Declaration that would reduce significant effects on the environment. The addition of the public services/utilities

² Title 14 California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act.

discussion and GHG discussion does not result in new significant effects. Thus, the requirements of Criterion 3 set forth above are met.

Conclusion – As set forth above, none of the conditions set forth in CEQA Guidelines §15162 (set forth as Criteria 1 – 3 above) exist that would require preparation of a subsequent or supplemental IS/ND. Therefore, preparation of an Addendum to the IS/ND certified by the County of Sacramento DERA is sufficient to permit LAFCo to consider the “Cheema Capital Sikh Center Temple Use Permit” project as modified to include additional LAFCo actions and entitlements, an expanded public services/utilities evaluation, a GHG emission evaluation of the project’s compliance with related regulations, and to meet the requirements of CEQA consistent with §15164 of the CEQA Guidelines. LAFCo will consider the results of this Addendum, together with the project IS/ND certified by the County Sacramento DERA, prior to taking action on the proposed annexation request to the SASD and SRCSD.

Related Documents

This Addendum was written as an addition to the IS/ND for the Cheema (Sikh) Temple Use Permit adopted December 3, 2008. A copy of that document is available for review at the following website:

http://www.dera.saccounty.net/portals/0/docs/EnvDocs_Notices/200700692120081001103034.pdf

IV. REFERENCES

Sacramento County Department of Environmental Review (DERA). 2008. Project Control No. PLNP2007-UPZ-VAZ-0692 Cheema (Sikh) Temple Use Permit Initial Study/Negative Declaration. Adopted December 3, 2008. Prepared by County of Sacramento, October 2008.

Sacramento County Department of Environmental Review (DERA). 2009. Project Control No. 2002-0105. Draft General Plan Update. “Public Facilities Element Background Report.

Sacramento County Department of Environmental Review (DERA). 2009. Project Control No. 02-GPB-0105 Draft Environmental Impact Report. “Chapter 4 Public Services.” April 2009.

Sacramento County Department of Environmental Review (DERA). 2009. Greenhouse Gas Emissions Inventory for Incorporated and Unincorporated Sacramento County. Prepared by ICF Jones and Stokes. June 2009.

Sacramento Regional County Sanitation District (SRCSD). 2006. Sewage Facilities Expansion Master Plan.

Sacramento Regional County Sanitation District (SRCSD). 2000. Interceptor Facilities Master Plan Reconciliation Report.

Personal Communications

Bagha, Paul. Project Owner’s Representative. 2009. “Existing Vehicle Trips Associated with Cheema Capital Sikh Center” Phone Conversation with Juliana Proseri, Planning Partners. November 30, 2009.

Costan, Gerry. Design and Construction Civil Engineer. Sacramento Regional County Sanitation District (SRCSD). 2009 "Sewer Interceptor Line and Wastewater Treatment Plant Capacity." Phone Conversation with Juliana Prospero, Planning Partners. November 18, 2009.

Hawkins, Cheryl. Division Manager. Sacramento County Environmental Management Division (EMD). 2009. "Public Water Supply System." Email Correspondence with Juliana Prospero, Planning Partners. November 17th and 19th, 2009.

Kahn, Salam. Supervising Engineer for Development Services, Sacramento Area Sewer District (SASD). 2009. "Sewer Service Capability and Capacity for Capital Sikh Center." Phone Conversation with Juliana Prospero, Planning Partners. November 18, 2009.

Philips, Spencer. Senior Engineering Technician, Developer Services/Project Manager for New Development, American-California Water Company (Cal-AM). 2009. "Water Service Capability and Capacity for Capital Sikh Center." Phone Conversation with Juliana Prospero, Planning Partners. November 18, 2009.

Singh, Amandeep. Assistant Engineer for Development Services, Sacramento Area Sewer District (SASD). 2009. "Sewer Service Capability and Capacity for Capital Sikh Center." Phone Conversation with Juliana Prospero, Planning Partners. November 17, 2009.

Stackhouse, Eric. Environmental Analyst. Sacramento County Department of Environmental Review and Assessment (DERA). 2009. "Cheema Sikh Center Temple Use Permit IS/ND" Phone Conversation with Juliana Prospero, Planning Partners. November 16, 2009.

NEGATIVE DECLARATION

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

1. **Control Number:** PLNP2007-UPZ-VAZ-0692
2. **Title and Short Description of Project: CHEEMA (SIKH) TEMPLE USE PERMIT**
A **Use Permit** to allow a new church facility on a 6.3± acre property zoned AR-5. A portion of the existing 3,200± square foot barn will be converted to a maximum 140 occupancy church.
A **Use Permit** to legalize an existing residential accessory dwelling.
A **Variance** to deviate from the following required fence and landscape requirements.
A 25-foot wide landscaped area or planter adjacent to all public street rights-of-way (U Street/30th Street).
A 6-foot wide planter or landscaped area adjacent to agricultural residential zoned properties.
A 6-foot high perimeter fence adjacent to agricultural-residential zoned properties.
3. **Assessor's Parcel Number:** 208-0072-001
4. **Location of Project:** The project site is located on the southeast corner of U Street and 30th Street, in the North Highlands community.
5. **Project Applicant:** Gurtej S. Cheema
6. Said project will not have a significant effect on the environment for the following reasons:
 - a) It will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
 - b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
 - c) It will not have impacts, which are individually limited, but cumulatively considerable.
 - d) It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.
7. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
8. The attached Initial Study has been prepared by the Sacramento County Department of Environmental Review and Assessment in support of this Negative Declaration. Further information may be obtained by contacting the Department of Environmental Review and Assessment at 827 Seventh Street, Room 220, Sacramento, California, 95814, or phone (916) 874-7914.

Joyce Horizumi
[ORIGINAL SIGNATURE ON FILE]

ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA



SACRAMENTO COUNTY
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
827 SEVENTH STREET, ROOM 220 SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 874-7914 FAX: (916) 874-8343
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INITIAL STUDY CHECKLIST

FOR CHEEMA (SIKH) TEMPLE USE PERMIT

CONTROL NUMBER: PLNP2007-UPZ-VAZ-00692

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. The words "significant" and "significance" used throughout the following checklist are related to impacts as defined by the California Environmental Quality Act.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

MITIGATION MEASURE COMPLIANCE

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

1. The proponent shall comply with the MMRP for this project, including the payment of a fee to cover the Department of Environmental Review and Assessment staff costs incurred during implementation of the MMRP. The MMRP fee for this project is \$2,300.00. This fee includes administrative costs of \$601.00.
2. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

INITIAL STUDY PREPARERS

Environmental Coordinator: Joyce Horizumi
Assistant Environmental Coordinator: Antonia Barry
Division Manager: Catherin Hack
Project Leader: Diana Sogomonyan
Initial Review: Bob DeMorales
Office Manager: Linda Wittkop Johnston
Office Assistant: Michelle Ponder

3. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
4. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of the oak trees.
5. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the driplines of the oak trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
6. All underground utilities and drain or irrigation lines shall be routed outside the driplines of oak trees. Trenching within protected tree driplines is not permitted. If utility or irrigation lines must encroach upon the dripline, they should be tunneled or bored under the tree under the supervision of an ISA Certified Arborist.
7. Any herbicides placed under paving materials within driplines of oak trees must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
8. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the oak trees.
9. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the oak trees.
10. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker.
11. Landscaping beneath the oak trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

MITIGATION MEASURE B: CULTURAL RESOURCES

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

- f. Fencing in the floodplain shall be open style allowing the passage of water. Fencing in the floodway shall be limited to three board or three wire style.
- g. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law. The project may implement low impact development design pursuant to and consistent with The Stormwater Quality Design Manual for the Sacramento & South Placer Regions. Such implementation may be able to reduce the stormwater quality treatment requirement.
- h. If the total area of the developed or redeveloped impervious surfaces (building rooftop, flat work, and parking areas) equals or exceeds 1.0 acres, incorporate permanent stormwater quality treatment measures in conformance with applicable County ordinances & standards, and state and federal law. (See Dalia Fadl at 916-874-1321 for stormwater treatment options).

6. Sacramento County Sheriff's Department

- a. See Appendix A

ENVIRONMENTAL MITIGATION MEASURES

MITIGATION MEASURE A: OAK TREE CONSTRUCTION PROTECTION

All native oak trees that are 6 inches dbh or larger on the project site, all portions of adjacent off-site native oak trees that are 6 inches dbh or larger which have driplines that extend onto the project site, and all off-site native oak trees that are 6 inches dbh or larger which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
2. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of all oak trees within 100 feet of construction work area prior to initiating project construction, in order to avoid damage to the trees and their root system.

- a. Grant the County right-of-way on U Street based on an 84-foot standard arterial and install public street improvements pursuant to Sacramento County Improvement Standards.
- b. Grant the County right-of-way on 30th Street based on a 60-foot standard collector pursuant to the Sacramento County Improvement Standards.
- c. The size, number, and location of driveways shall be installed pursuant to the Sacramento County Improvement Standards. Note: Driveway widths of 45 feet shall be provided on U Street.
- d. The size, number and location of driveways shall be installed pursuant to the Sacramento County Improvement Standards. Note: Driveway widths of 35 feet shall be provided on 30th Street.

3. Sacramento Area Sewer District

- a. The subject property is outside the boundaries of the District and SRCSD, but within the Urban Service Boundary shown on the Sacramento County General Plan. Annexation within the boundaries of both Districts will be required to receive any future sewer service.

4. Environmental Management Department

- a. If on-site wells are used to serve the project, then apply for a "Domestic Water Supply Permit" from EMD to operate the public water system prior to occupancy.

5. Department of Water Resources

- a. Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.
- b. Floodplain easement – Provide a floodplain easement pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards.
- c. There shall be no net loss of storage for any fill placed within the 100-year floodplain without in-kind excavation.
- d. Non-enclosed parking areas for commercial and apartment complexes shall be constructed no lower than one-foot below the base flood elevation.
- e. Flood resistant materials shall be used below the 100-year floodplain.

nature and none of them extend onto the project site. There are no historic resources listed on the California Register of Historic Resources or the National Register of Historic Places within the search radius.

DISCUSSION/CONCLUSION

Due to the project site's location in close proximity to Dry Creek main branch and because the site includes a small tributary of Dry Creek, a site survey by DERA staff cultural resources specialist was conducted to ensure that no surface resources were present on the project site. The site survey noted that ground visibility was poor to fair throughout (approximately 80-90% coverage), and there were no noted cultural resources on the subject property. The project site does contain a single-family residence; however the building is recent and does not constitute a potentially historical structure. Additionally, ground disturbances on the project site are common throughout the project site. The project area has no recorded cultural resources and archaeological surveys within the project area have been negative for obvious surface evidence of cultural resources, thus, no further archaeological work is required for the subject property at this time.

Although no obvious prehistoric or historic cultural resources will be affected by this project, mitigation has been added to this project to protect any subsurface or previously undiscovered cultural resources.

With mitigation, impacts to potentially significant cultural resources are considered less than significant.

REQUESTS/REQUIREMENTS OF VARIOUS AGENCIES

1. Land Division and Site Improvement Review

- a. Dedicate a standard 12.5-foot Public Utility Easement for overhead and underground facilities and appurtenances adjacent to all public ways and private roads.
- b. Grant the County right-of-way for 30th Street, based on a 60-foot standard and install public street improvements pursuant to the Sacramento County Improvement Standards.
- c. Grant County right-of-way for U Street, based on an 84-foot standard and install public street improvements pursuant to the Sacramento County Improvement Standards.

2. Department of Transportation

- Has yielded, or may be likely to yield, information important in prehistory or history. (Public Resources Code SS5024.1, Title 14 CCR, Section 4852).

Under CEQA, lead agencies must consider the effects of their projects on cultural resources.

The project area is located in the contact-period ethnographic territory of the Valley Nisenan, though other groups (such as the Hill Nisenan) may have used the region for seasonal resource procurement. Evidence of permanent settlements in the Sacramento Valley has been found on ridges separating parallel streams, or on crests, knolls, or elevated terraces located part way up a south-facing slope (Wilson and Towne 1978; Kroeber 1925).

The project site lies northeast of the Rancho del Paso land grant of 44,000 acres granted to Eliab Grimes in 1844. Not until after 1910, when this rancho was purchased intact by the Sacramento Valley Colonization Company, did subdivision of the rancho lands begin.

Even so, the area remained sparsely populated and rural well into the 1940s. One of the most significant historic developments near the project vicinity was the building, beginning early in the twentieth century, of an electric railroad line that passed about 7.6 kilometers (4.7 miles) west of the project area. The Northern Electric Railroad began service between Sacramento and Chico in 1907. The mainstay of the Northern Electric in its earliest years was passenger service, and pleasure trips into the countryside were popular. By 1918, however, freight revenue surpassed that of passenger service. The railroad provided an efficient way to deliver agricultural produce—fruit, dairy products, rice, beans, and grains—as well as building materials to urban markets. In 1924 the Sacramento Northern began offering a suburban commuter rail service for the 11-mile route from Elverta to Sacramento, but by 1940, passenger traffic had been phased out completely. In the 1950s diesel locomotives replaced electric power, and the line was gradually shut down. Sometime between 1985 and 1990 the tracks were removed. Today, local residences use the remaining abandoned railroad grade as a trail for walking, jogging, or bicycling between the communities of Rio Linda and Elverta.

Another major development in the project area had an enormous impact on the development of North Highlands. This was the inception of the McClellan Air Force Base on September 8, 1936 which became the major catalyst for the development of the North Highlands community. With the development of the Air Force base, North Highlands began emerging into a rapidly developing community. Within a short period of time, the North Highlands community continued to develop into the community present today.

A record search was performed at the North Central Information Center (NCIC) of the California Historical Records Information System to identify known resources in the project area. The record search indicated that there have been six cultural resources studies conducted within a quarter-mile radius of the project site. There are three known cultural resources sites within the search radius. All three resources are historic in

RIPARIAN HABITAT

BACKGROUND

A riparian habitat is simply defined as a distinct community of plants and animals found in and alongside a stream or river. These communities can be up to a mile wide adjacent to large rivers, or a narrow border along the banks of small creeks. The 1993 Sacramento County General Plan Update recognizes that riparian areas are an integral and vital element of the County's natural landscape. These communities provide a rich and diverse habitat that serves as a permanent or seasonal home to a plethora of wildlife species and provide open space and flood control. In 1993 in the Sacramento River Valley only 25,000 of the estimated 500,000 acres of riparian habitat existing in 1850 remained. Recognizing the need protect this valuable and dwindling habitat, Sacramento County adopted policies to preserve and protect existing habitat while encouraging the creation and/or restoration of riparian habitat when possible.

PROJECT SPECIFIC IMPACTS

As stated previously, an unnamed tributary of Dry Creek crosses the subject property. Vegetation within the stream consists of a few small willows and cottonwoods, cattails, curly dock, and other native and non-native annual vegetation. The project does not propose work within the stream and all construction will be limited to the upland areas and away from this waterway. Upland habitat is all habitat that is not riparian or wetland; consisting of the remaining open areas of the property, oak woodland, and residential area.

As proposed, impacts to the riparian habitat are considered less than significant.

CULTURAL RESOURCES

The California Environmental Quality Act (CEQA) defines cultural resources as historical and unique archaeological resources that meet significance criteria of the California Register of Historical Resources. The eligibility criteria of the California Register include the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

Cologne, rather than by the Clean Water Act. Surface waters are also regulated by the California Department of Fish and Game; Fish and Game, however, also has jurisdiction over the plant and animal species that use the surface waters rather than just the habitat itself.

PROJECT SPECIFIC IMPACTS

The project site contains a drainage stream that is tributary to Dry Creek. The placement of impervious surfaces on the project site may impact source waters by introducing pollutants associated with parking lot uses and by potentially placing fill material in the drainages during construction phases. As discussed, dredge and/or fill activities within water bodies and their associated banks are regulated through permits from the state and federal government. In addition, Section 401 of the CWA (33 U.S.C. 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the United States to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards.

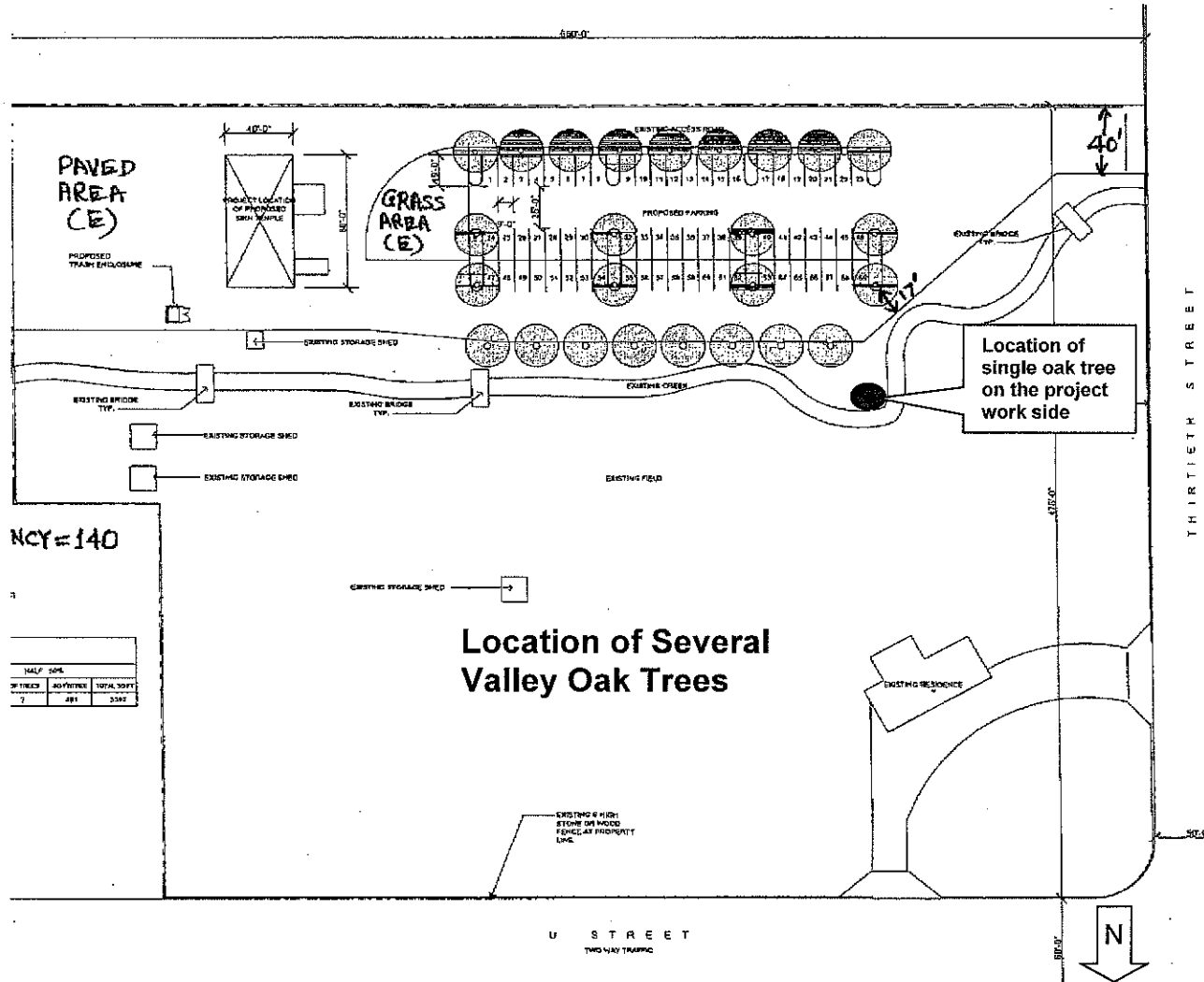
As indicated above in the "Drainage" discussion, the Department of Water Resources is requiring that a floodplain easement and drainage easement be provided which will ensure that there is no direct construction within the drainage or immediately adjacent thereof. Furthermore, the easement will also indirectly reduce pollutant impacts to the on-site stream and connected waterways by ensuring that development is located at a certain distance from the drainage stream.

According to project plans, there are no planned direct impacts to the drainage stream; however, if project plans change and there will be impacts to this drainage, the applicant or owner must obtain any/all applicable permits from the U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for any modifications to the intermittent drainage.

In order to avoid direct and indirect impacts during construction and post-construction phases due to pollution of the drainage via sediment transport, strict adherence to County Ordinances, including the Stormwater Ordinance, will ensure impacts to this drainage are less than significant. Adherence to these ordinances may include but are not limited to requiring stabilization of all exposed soils prior to the start of the rainy season. For further information regarding these requirements, see the "Stormwater Pollution and Erosion/Sediment Control" discussion above.

As proposed, impacts to the on-site drainage are considered less than significant.

Plate IS-7: Tree Exhibit



STREAMS, WETLANDS AND OTHER SURFACE WATERS**BACKGROUND**

Streams and wetlands provide important functions and values, both for surrounding ecosystems and for people. They provide food, water, shelter, breeding grounds and nurseries for numerous species. Many endangered plant and animal species are dependent on stream and wetland habitats (and the associated riparian zone) for their survival. Large creeks and waterways are fed by innumerable small, perhaps intermittent tributaries spread throughout a watershed. Many streams, both large and small, have areas where water flows slows and spreads, creating marshes and other wetland habitats alongside, or even in, the stream corridor. Wetlands may also be "isolated" depressions that are filled seasonally by overland runoff and dry by late spring. Wetland hydrologic functions include the reduction of flow velocity, ground-water recharge or discharge, the retention of flood waters and the influence of wetlands on atmospheric processes. Wetland water-quality functions include the trapping of sediment, pollution control, and the biochemical processes that take place as water enters, is stored in, or leaves a wetland. Stream habitats supply drinking water, support recreational opportunities, provide fish and wildlife habitat, contain floodwater and supply water to agriculture.

The 1987 Army Corps Wetlands Delineation Manual is used to determine whether an area meets the technical criteria for a wetland and is therefore subject to local, State or Federal regulation of that habitat type. State and Federal authorities typically consider all other flowing surface waters with a bed and bank to be creeks and streams.

Surface waters are regulated by both the Federal and State government. The Federal government (the United States Army Corps of Engineers is generally the lead agency) regulates surface waters pursuant to Section 404 of the Clean Water Act. Section 404 protects all "navigable waters", which are defined as traditional navigable waters that are or were used for commerce, or may be used for interstate commerce; tributaries of covered waters; and wetlands adjacent to covered waters, including tributaries. The *Solid Waste Agency of Northern Cook County (SWANCC) vs. United States Army Corps of Engineers (Army Corps)* decision made by the Supreme Court in 2001 altered the types of surface waters that can be regulated by Section 404. Isolated wetlands, that is, those wetlands that are not hydrologically connected to other "navigable" surface waters (or their tributaries), are not considered to be subject to Federal jurisdiction. However, the SWANCC decision only prohibits Federal jurisdiction over isolated waters; State and local jurisdiction still applies.

The California State government (the Regional Water Quality Control Board is generally the lead agency) regulates wetlands and other surface waters pursuant to Section 401 of the Clean Water Act, which does require that waters be "navigable", and under the Porter-Cologne Water Quality Control Act, which does not require that waters be "navigable". For this reason, the SWANCC decision does not prevent State government from regulating isolated wetlands and other non-navigable waters. Federal non-jurisdictional waters can be regulated by the State of California pursuant to Porter-

growth. Root growth proceeds most rapidly in the summer and fall when top growth has slowed, food reserves are high and growth hormones are present in the roots.

The County Tree Ordinance was established in 1982 to preserve and protect remaining oak trees as significant, integral and outstanding examples of the historical heritage of the County. Section 19.12.150 of the Ordinance grants the approving body the authority to adopt mitigation measures as conditions of approval for discretionary projects in order to protect other species of trees, in addition to the oaks.

The project is also subject to the following County General Plan Conservation Policies:

Policy CO-130. Make every effort to protect and preserve non-oak native, excluding cottonwoods, and landmark trees and protect and preserve native oak trees measuring 6 inches in diameter at 4.5 feet above ground in urban and rural areas, excluding parcels zoned exclusively for agriculture.

Policy CO-134. Mitigate for loss of trees for road expansion and development consistent with County Tree Ordinance and General Plan policies.

The above combined conservation policies seek to preserve native oaks to the greatest extent possible. However when preservation of all on-site oaks is not practical and/or feasible for a proposed development, the conservation policies allow for their removal subject to compensatory replacement plantings.

PROJECT SPECIFIC

There are several trees located on the property and along the property perimeter flanking U Street and 30th Street. Trees consist of both native and non-native species and include young fruit trees that have been planted by the property owner and several poplar, cottonwood, pine, and valley oak trees (*Quercus lobata*). Ground vegetation within the project site consists primarily of annual grassland dominated by non-native grasses and forbs.

A number of mature valley oaks are situated predominantly on the northeast portion of the property with additional oaks scattered on the northwest portion and flanking U Street. With the exception of one valley oak tree, all the oak trees are located on the north side of the drainage stream. The single oak tree is situated at a pocketed area of the creek where the bank makes a defined curve (Plate IS-7). All work proposed in the project will be limited to the south side of the creek and away from the remaining oak trees. The applicant proposes to retain all the oak trees on site.

Tree protective measures have been included in this document to ensure potential impacts to oak trees near the project work area will be avoided. With the implementation of the mitigation measures outlined at the end of the document, impacts are expected to be less than significant.

walls where necessary. The major damage done to oaks in fill operations occurs because the soil is first excavated down to firmer and denser layers. Roots are damaged and removed. Then fill and native soil are knitted together in successive layers, each usually compacted to 90% to form a firm base for development.

Paving can cause the same problems associated with soil compaction. Impervious paving, such as asphalt and concrete, prevent water percolation and the exchange of gases between roots, soil and the atmosphere. In addition, paving usually requires excavation to create a stable base and to allow for depth of paving material. This process damages and removes roots and compacts the soil.

Mechanical damage to the trunk or limbs of oak trees is very detrimental, especially to older, less vigorous trees. Any wounds that remove bark and penetrate the cambium layer allows an opening for decay causing organisms. This can weaken a tree to the point of structural failure. The best cure in this case is prevention.

Chemical spill can be directly toxic to the roots. The best way to avoid this type of damage is to prevent vehicles from being parked near a tree and not to store any materials under or near a tree.

Good drainage is very important because oaks need a proper balance of moisture, air, and nutrients to grow and survive. Too much moisture, particularly during the warm growing months when the oak in nature is normally dry, can smother the roots and/or encourage the proliferation of crown and root rot fungus.

Trenching is an often-overlooked cause of oak tree death. Trenching usually occurs when utilities are installed, and can result in severing a significant portion of the total root area from a tree. A single three foot deep trench at the dripline along one edge of an oak tree will remove approximately 15% of the roots. A similar trench made midway between the dripline and the trunk will remove approximately 30% of the roots. Trenches made within ten (10) feet of a large oak are considered very damaging. Severing any horizontal roots means the loss of any sinker roots that are attached beyond the point of severance. A root loss of 50% or greater usually cause immediate water stress and reduces photosynthesis (food production). Growth is reduced and die back, or death, may result.

Young, healthy, vigorous trees can survive moderate root loss, while large, old, or declining trees may not. Recovery following the shock of severe root loss depends on rapid root replacement. Root growth requires adequate food resources, growth stimulating hormones, water and minerals. If these are available and there are no other restrictive influences or construction impacts, root growth and replacement will generally proceed rapidly. Low or depleted food reserves will delay root replacement. If the soil conditions have been altered by construction, root replacement will be slowed or stopped. A delay in recovery from root loss will result in growth loss, die back or death. The worst time to cut roots is just prior to bud break in the spring because growth hormones are not present in the roots to stimulate root growth. Also, cutting roots later in the spring should be avoided as food reserves have been nearly depleted by leaf

BIOLOGICAL RESOURCES

TREES

BACKGROUND

The preservation of trees enhances the natural scenic beauty, sustains long-term potential increase in property values which encourages quality development, maintains the original ecology, retains the original tempering effect on extreme temperatures, increases the attractiveness of the County to visitors, helps to reduce soil erosion, increases the oxygen output of the area, and increases overall aesthetic value and environmental quality of land for both humans and wildlife. To this end, the applicant is encouraged to retain existing trees on the project site and incorporate them into the project landscaping design.

Native oak, when young trees, are very tolerant of their environment and make excellent and adaptable landscape assets. The mature native oak is an invaluable part of our environment, but any substantial change in its environment will weaken a healthy specimen and may eventually kill it. Native oak trees have adapted to the long dry summers of the Sacramento Valley, primarily through the development of their root system. The initial root is a taproot extending deep for more dependable moisture. As the oak grows, the taproot is outgrown by an extensive lateral root system that spreads horizontally out from the trunk to, and well beyond, the dripline. For a mature oak, this horizontal root system is the primary supporter of the tree for the rest of its life. It includes the important feeder roots, which absorb moisture and nutrients. Nearly all of the lateral root system occurs within the top five feet of the soil surface. In shallower soils, the root system is concentrated in even a shallower zone, typically 1 to 2 feet below the surface. As oak trees mature, particularly in the summer-dry Sacramento Valley, deep growing vertical roots form off the laterals, usually within ten feet of the trunk. These are called "sinker" roots and they exploit deeper soil moisture and add stability to an increasingly massive tree. By the time the mature tree has established an elaborate root system designed for its environment and particular site conditions, it has lost the vigor of youth. It is less tolerant to change and/or damage and can less easily support its massive living structure. The activities that are likely to cause significant impacts to mature oak trees are discussed below.

The amount of soil that can be removed from beneath an oak before permanent root damage occurs varies depending on several factors including the individual tree size, species, location, and health. Although small amounts of soils may sometimes be removed without permanently damaging an oak, it is generally recommended that no soil be removed and the area beneath the tree remain undisturbed. The addition of fill and the operation of heavy equipment beneath an oak tree which compacts the surface soils, prohibits the natural exchange of gases between the feeder roots and the atmosphere, and also restricts water percolation to the root zone. Excessive moisture may also be trapped by fill, can also cause root and crown rot. There is no guarantee that additional soil can be safely added around a mature oak tree. Arborists usually recommend not tampering with the natural grade within the root zone, using retaining

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

The County requires developers to utilize the *Guidance Manual for On-Site Stormwater Quality Treatment Control Measures* (January 2000) ("On-Site Manual") in selecting and designing post-construction facilities to treat runoff from the project. A new post construction design regulation was approved by the Municipal Services Agency Administrator (C. Creson) on May 18th 2006. This regulation defines the new development standards that the County is implementing and supercedes some of the guidance in the January 2000 "On-Site Manual." A new "Design Manual" that reflects the current regulation has been drafted and is now being reviewed by the local permitting agencies. When those comments are addressed, the document will be published for public review. Updates and background on the County's requirements for post-construction stormwater quality treatment controls, along with several downloadable publications, can be found at the following websites:

<http://www.msa.saccounty.net/sactostormwater/SSQP/development.asp>

<http://www.msa.saccounty.net/sactostormwater/SSQP/treatment-options.asp>

The final selection and design of post-construction stormwater quality control measures is subject to the approval of the County Department of Water Resources; therefore, they should be contacted as early as possible in the design process for guidance.

CONCLUSION

Project compliance with requirements outlined above, as administered by the County Municipal Services Agency and Central Valley Regional Water Quality Control Board (Regional Board), will ensure that project-related erosion and pollution impacts are less than significant.

TEMPORARY CONSTRUCTION BMPs

During the wet season (October 1 – April 30), the project must include an effective combination of erosion, sediment and other pollution control BMPs in compliance with the County ordinances and the State's Construction General Permit. During the rest of the year, typically erosion controls are not required, except in the case of predicted rain.

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

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

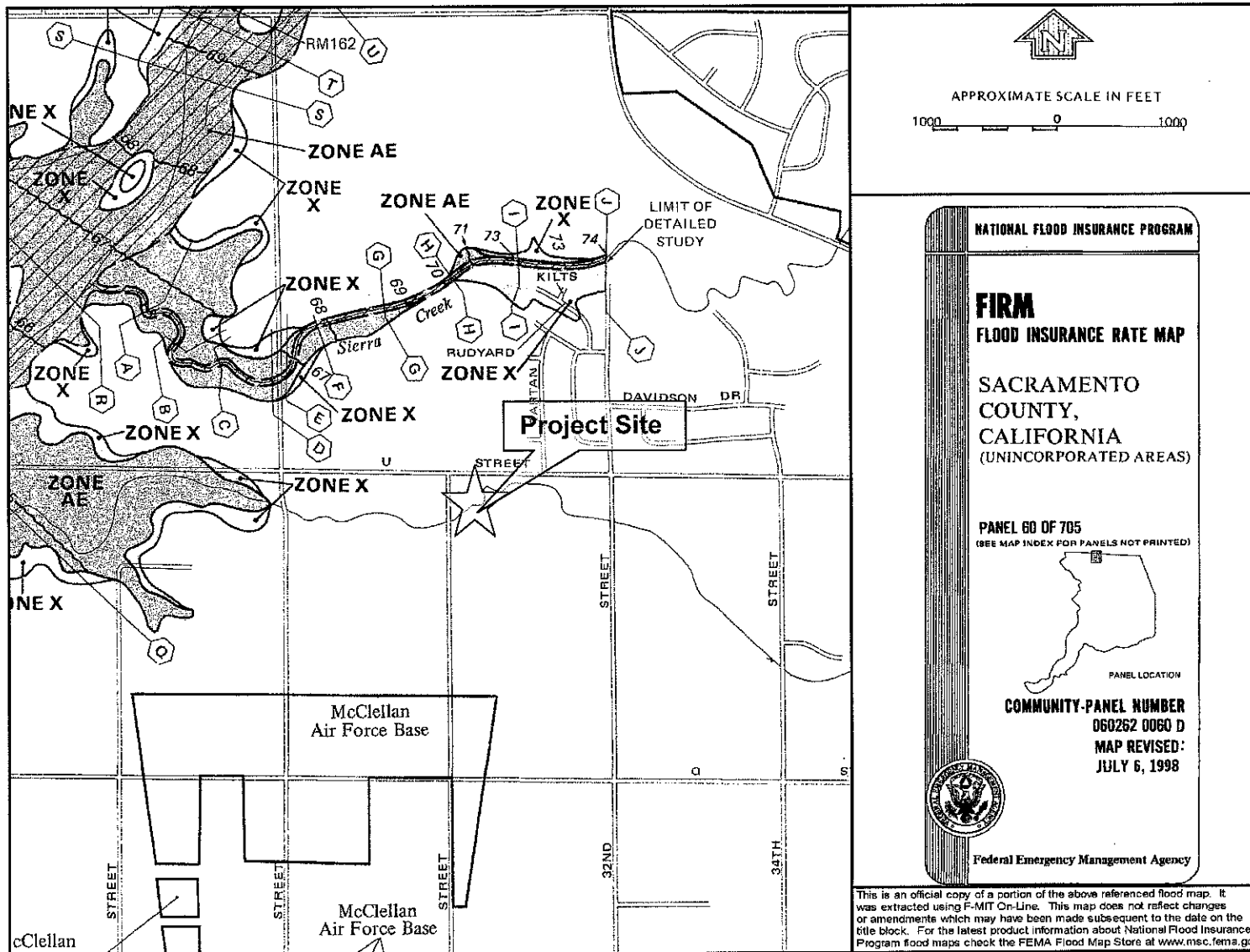
It is the responsibility of the property owner to verify that the proposed BMPs for the project are appropriate for the unique site conditions, including topography, soil type and anticipated volumes of water entering and leaving the site during the construction phase. In particular, the project proponent should check for the presence of colloidal clay soils on the site. Experience has shown that these soils do not settle out with conventional sedimentation and filtration BMPs. The project proponent may wish to conduct settling column tests in addition to other soils testing on the site, to ascertain whether conventional BMPs will work for the project.

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

POST-CONSTRUCTION STORMWATER QUALITY CONTROL MEASURES

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

Plate IS-6: Federal Emergency Management Agency (Panel #060262-0060D)



Permit requires the County to reduce pollutants in stormwater discharges to the maximum extent practicable. The County complies with this permit in part by developing and enforcing ordinances and requirements to reduce the discharge of sediments and other pollutants in runoff from newly developing and redeveloping areas of the County.

SACRAMENTO COUNTY ORDINANCES

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

STATE PERMIT FOR CONSTRUCTION PROJECTS

In addition to complying with the County's ordinances and requirements, construction sites disturbing one or more acres are required to comply with the State's General Stormwater Permit for Construction Activities. The Construction General Permit is issued by the State Water Resources Control Board and enforced by the Regional Board. Coverage is obtained by submitting a Notice of Intent (NOI) to the State Board prior to construction. The General Permit requires preparation and implementation of a site-specific Stormwater Pollution Prevention Plan (SWPPP) that must be kept on site at all times for review by the State inspector. Although the County has no enforcement authority related to the Construction General Permit, the County is required by its Municipal Stormwater Permit to verify that SWPPPs include six minimum components.

lot). Thus, in addition to the above comment submitted by DWR, staff also submitted the following recommended conditions of approval:

- Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.
- Floodplain easement – Provide a floodplain easement pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards.
- There shall be no net loss of storage for any fill placed within the 100-year floodplain without in-kind excavation.
- Non-enclosed parking areas for commercial and apartment complexes shall be constructed no lower than one-foot below the base flood elevation.
- Flood resistant materials shall be used below the 100-year floodplain.
- Fencing in the floodplain shall be open style allowing the passage of water. Fencing in the floodway shall be limited to three board or three wire style.
- Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law. The project may implement low impact development design pursuant to and consistent with *The Stormwater Quality Design Manual for the Sacramento & South Placer Regions*. Such implementation may be able to reduce the stormwater quality treatment requirement.
- If the total area of the developed or redeveloped impervious surfaces (building rooftop, flat work, and parking areas) equals or exceeds 1.0 acres, incorporate permanent stormwater quality treatment measures in conformance with applicable County ordinances & standards, and state and federal law. (See Dalia Fadl at 916-874-1321 for stormwater treatment options).

The above recommended conditions of approval are also listed in the “Requests/Requirements of Various Agencies” section of this Initial Study.

Given that the proposed project complies with the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, environmental impacts associated with the project are considered less than significant.

EROSION/GRADING

BACKGROUND

Sacramento County has a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit issued by the Regional Board. The Municipal Stormwater

PARKING

The Sacramento County Zoning Code (SZC) sets forth off-street parking requirements for development within the unincorporated portions of Sacramento County. Parking ratios are linked to a specified land use and its associated parking demands. The parking development standards are intended to require off-street parking that will adequately and safely accommodate all vehicles at a given site.

Adequate parking is necessary for the project to prevent overflows onto adjacent streets or properties. The SZC sets forth the requirements for vehicle parking in order to:

...Require off-street parking spaces and loading spaces for all land uses in the unincorporated area of the County of Sacramento sufficient in number to accommodate all vehicles which will be congregated at a given location at a given point in time by drivers and passengers who use or occupy the facility for which the parking space is provided; to the end that on-street parking will be diminished, traffic and pedestrian safety increased, property values stabilized and the general welfare promoted.

SZC Chapter 30 Article 2, Section 330-53 states the following in regards to parking requirements:

Churches and other places of worship, mortuaries or funeral homes shall provide at least (1) parking space for every three (3) seats in the main chapel or assembly room.

The proposed project includes the church structure with 140 seats. Applying this ratio, the project is required by the Zoning Code to provide 47 parking stalls (140/3) for church visitors. The project has proposed the construction of 69 parking spaces thus meeting the zoning code parking standards. As proposed, the build-out of the project will provide sufficient number of parking spaces for the project site. Environmental impacts associated with parking are considered less than significant.

DRAINAGE

The proposed project is within the Dry Creek watershed and FEMA Flood Zone X as shown on Panel Number 060262-0060D of the 1998 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Plate IS-6). Flood Zone X is defined as an "area determined to be outside the 100- and 500- year floodplain," or an area of minimal flood hazard. Department of Water Resources staff (M. Rains) has reviewed the project and has provided comments and conditions of approval regarding drainage at the project site. Staff has noted that although the project site is not located within a federal 100-year flood zone, the property has a local floodplain and thus subject to development standards for minimum pad/floor elevations pursuant to the Sacramento County Floodplain Management Ordinance. The project will incrementally increase peak runoff from the site by increasing impervious surfaces on the property (i.e. parking

Facility Type	No. of Lanes	Maximum Volume for Given Service Level				
		A	B	C	D	E
Rural, 2-lane highway	2	2,400	4800	7900	13500	22900
Arterial, low access control	2	9,000	10,500	12,000	13,500	15,000
	4	18,000	21,000	24,000	27,000	30,000
	6	27,000	31,500	36,000	40,500	45,000
Arterial, moderate access control	2	10,800	12,600	14,400	16,200	18,000
	4	21,600	25,200	28,800	32,400	36,000
	6	32,400	37,800	43,200	48,600	54,000
Arterial, high access control	2	12,000	14,000	16,000	18,000	20,000
	4	24,000	28,000	32,000	36,000	40,000
	6	36,000	42,000	48,000	54,000	60,000
Freeway	2	14,000	21,600	30,800	37,200	40,000
	4	28,000	43,200	61,600	74,400	80,000
	6	42,000	64,800	92,400	111,600	120,000
	8	56,000	86,400	123,200	148,800	160,000

Source: Sacramento County General Plan Update, Technical Appendix, DKS Associates, 1992.

U Street is a two lane low access arterial with current traffic volume (just west of Watt Avenue) equaling to 8,593 vehicles per day (VPD) and thus is categorized as LOS A under existing weekday conditions. Due to lack of any other source for future volumes for U Street, DOT has expressed that a 2% growth per year is forecasted for 2030 traffic volumes, which results in future volume of 13,600 VPD, or LOS E, assuming U Street remains a two lane roadway. Traffic volumes are known to decrease further west along U Street from Watt Avenue. For instance, the current volume at 24th Street (approximately ¾ mile from subject property and 1½ miles from Watt Avenue) is 2,800 VPD, which indicates that the VPD value near the subject property (on the corner of 30th Street and U Street) is likely lower than the 8,593 VPD value near Watt Avenue but higher than the 2,800 VPD value near 24th Street.

DOT staff indicated that the weekday volumes along U Street are typically higher than the weekend volumes. Trip generation data provided in Table IS-1 outlines the number of Sunday trips that are anticipated with the proposed project. Sunday trips are typically analyzed for church uses. The combination of a higher trip generation value (Sunday Trips) to a higher volume count (weekday value) would result in a conservative value of 8,807 VPD (8,593 + 214) for current conditions and still a LOS A, and 13,814 VPD (13,600+214) for future conditions, still a LOS E (Table IS-3). As mentioned previously, the limit of acceptable operation in rural areas and urban areas are LOS D and LOS E respectively.

Consequently, potential traffic related impacts are considered less than significant.

Increase in trips for the proposed project as compared to the existing use	214		97
Increase in trips for the proposed project as compared to the existing zoning.	214		97

NOTES: VTE=Vehicle trip ends
 ITE= Institute of Transportation Engineers, Trip Generation, 7th Edition (Land Use No.)
¹ Existing house to remain

As shown on Table IS-1, when compared to existing use and existing zoning, the proposed project would generate less than 1,000 new Sunday trips and less than 100 new trips during the Sunday peak hour; therefore, a traffic study for the proposed project is not necessary. DOT has also noted that if any safety issues are determined at a later date, the project may need to address the issues by conducting a focused access study.

DOT has provided roadway traffic volumes for U Street just west of Watt Avenue. Watt Avenue is located a little more than ½ mile east of the project site. The determination of operating conditions for roadways and signalized intersections is based upon comparison of traffic volumes to roadway capacity (V/C ratios). All analysis results are reported in terms of Level of Service (LOS). Levels of Service are designated “A” through “F” from best to worst, encompassing the entire range of traffic operations that might occur. Table IS-2 outlines the volume to capacity ratios and the assigned LOS descriptions while Table IS-3 provides the LOS criteria for roadway segments. Sacramento County defines LOS “D” as the limit of acceptable operation in rural areas, and LOS “E” as the limit in urban areas.

Table IS-2: Level-of-Service Definitions		
Level of Service	Description	Volume/Capacity Ratio
A	Represents free flow. Individual users are virtually unaffected by others in the traffic stream.	0.00-0.60
B	Stable flow, but the presence of other users in the traffic stream begins to be noticeable.	0.61-0.70
C	Stable flow, but the beginning of the range of flow in which operation of individual users becomes significantly affected by interactions with others in the traffic stream.	0.71-0.80
D	Represents high density, but stable flow.	0.81-0.90
E	Represents operating conditions at or near capacity level.	0.91-1.00
F	Represents forced or breakdown flow.	Over 1.00

- Grant the County right-of-way on U Street based on an 84-foot standard arterial and install public street improvements pursuant to Sacramento County Improvement Standards.
- Grant the County right-of-way on 30th Street based on a 60-foot standard collector pursuant to the Sacramento County Improvement Standards.
- The size, number, and location of driveways shall be installed pursuant to the Sacramento County Improvement Standards. Note: Driveway widths of 45 feet shall be provided on U Street.
- The size, number and location of driveways shall be installed pursuant to the Sacramento County Improvement Standards. Note: Driveway widths of 35 feet shall be provided on 30th Street.

The entire list of submitted recommended conditions of approval can be found in the "Requests/Requirements of Various Agencies" section of this Initial Study.

Upon compliance with all applicable standards related to access, as designated by the Sacramento County Improvement Standards, impacts relating to access are considered less than significant.

TRAFFIC GENERATION

Sacramento County has developed quantitative thresholds for determining the significance of project-related impacts due to an alteration in the traffic generating potential of the project site. If a proposed project is expected to increase p.m. peak hour vehicle trips by 100 or more over existing zoning of the subject property, a traffic study is required to further analyze impacts. If a proposed project is not expected to increase p.m. peak hour trips by 100 or more impacts are typically considered less than significant. The proposed project was reviewed by the Sacramento County Department of Transportation (DOT) for access, traffic and safety related issues. DOT staff has provided the trip generation table below analyzing Sunday trips for the existing use, existing zoning and proposed project.

Table IS-1 : Trip Generation Estimates						
Condition	Zoning or Use (Area)	Source	Sunday Trip Rate	Sunday Trips	Sunday Peak Hour Trip Rate	Sunday Peak Trips
Existing Use ¹	AR-5 (1 DU, 5.98 Ac)	ITE (210)	9.57 VTE/DU	10	1.01 VTE/DU	1
Existing Zoning	AR-5 (1 DU, 5.98 AC)	ITE (210)	9.57 VTE/DU	10	1.01 VTE/Du	1
Proposed Project	Sikh Temple, AR-5 (140 Seats, 5.98 Ac)	ITE (560)	1.53 VTE/Seat	214	0.69 VTE/Seat	97

previously noted that no new services may be connected to the District water system until sufficient source capacity has been secured and added to the system. This moratorium is expected to be in place for the next 3 to 7 years.

Any new water well proposed for the subject parcel must be installed pursuant to Sacramento County Code Chapter 6.28, which is enforced by the County EMD to ensure safe drinking water standards. The introduction of one well would add incrementally to the decline in the groundwater table; however, it would not in itself constitute a significant environmental impact.

Given that the connection to the water system is done in accordance with the applicable standards of the Rio Linda/ Elverta Community Water District, impacts associated with the provision of water services are expected to be less than significant.

ACCESS

Access to the property is currently provided by three driveways, which are currently all gated at the entrance. Two of the driveways are located along 30th Street, one situated at the southwest corner of the parcel and the other approximately 100± feet south of the northwest corner of the parcel. The remaining access point is located along U Street, approximately 120± feet east of the northwest corner of the property. The two driveways located near the northwest corner of the property provide ingress/egress to the existing residential dwelling and are approximately 60± feet in width, narrowing to approximately 20± feet in width upon entrance through the gates. The driveway located at the southwest corner provides access to the existing barn structure that will be utilized for the church/temple. This access drive will extend from west to east in the southern portion of the property and open-up to the proposed paved parking lot.

The Municipal Service Agency's Land Division and Site Improvement Review staff (T. Santiago) has reviewed the proposed project and has provided the following recommended conditions of approval:

- Dedicate a standard 12.5-foot Public Utility Easement for overhead and underground facilities and appurtenances adjacent to all public ways and private roads.
- Grant the County right-of-way for 30th Street, based on a 60-foot standard and install public street improvements pursuant to the Sacramento County Improvement Standards.
- Grant County right-of-way for U Street, based on an 84-foot standard and install public street improvements pursuant to the Sacramento County Improvement Standards.

The proposed project was also reviewed by the Sacramento County Department of Transportation staff (T. Urquhart) who provided the following recommended conditions of approval regarding right-of-way, access, and improvement requirements:

- SRCSD is currently in the process of reviewing possible alignments for the 36" Upper Dry Creek Relief Interceptor. One of the possible alternatives may be constructed in the project vicinity, along U Street. Project completion is scheduled in 2010; however, this date is subject to change.

Sacramento County Environmental Management Department staff (C. Hawkins) has also reviewed the project and submitted the following conditions relating to sewage service on the project site:

- The house is connected to an on-site septic tank system. If the use of the house changes or the on-site septic tank system fails the house/building must connect to public sewer.
- EMD records show that building being proposed as a temple was originally a shop with no sewage. Therefore development of this building that includes sewage disposal requires connection to the public sewer.

As noted above, introduction of new private sewage disposal system will not be allowed for the project site and the church/temple structure will require connection to public sewage service. Environmental impacts related to sewage treatment and disposal are expected to be less than significant.

WATER SERVICE

Currently, the site is located within the service area of the Rio Linda/ Elverta Community Water District. This local water district is authorized and actually performs the water supply distribution to a 17.8± square mile service area. The Rio Linda/ Elverta Community Water District water supply source comes from ground water.

District staff had the opportunity to review the proposed project; however, comments or conditions of approval were not submitted. The County Environmental Management Department (EMD), however, also had the following conditions regarding water supply for the subject parcel:

- There is an existing well located on the property. If water is being supplied to the proposed project from the on-site well and not the Rio Linda Water district the facility would meet the definition of a public water system. If it is determined that the on-site well is not capable of providing adequate water to both buildings then another well would need to be drilled. Either case would require the applicant to apply for a "Domestic Water Supply Permit" from EMD to operate the public water system prior to occupancy.

This above condition of approval/comment is also listed in the "Requests/ Requirements of Various Agencies" section of this Initial Study document.

The applicant should be advised that the Rio Linda/Elverta Community Water District currently has a Water Service Connection Moratorium in place. The Water District has

PUBLIC SERVICES

The project site is located within the County Urban Services Boundary and is within the active service area of a variety of public utility and service districts. Further development of this site is expected to increase the demands on public services to some degree, but not beyond current or planned service capacity. Service providers were given the opportunity to review and comment on the proposed project. Those providers that submitted specific public service comments are noted in the "Requests/Requirements of Various Agencies" section. The developer must satisfy these conditions before public services can be adequately provided to meet the demands generated by this project.

SEWER SERVICE

The existing residential dwelling is currently served by a private septic system; however, the shop does not have a sewage disposal system.

Public sewer service within Sacramento County is provided by the Sacramento Regional County Sanitation District (SRCSD) and the Sacramento Area Sewer District (SASD). SASD operates, maintains and constructs sewage trunks and collection lines that carry between 1 and 10 million gallons per day. SASD provides collection and transport of sanitary sewage and industrial wastes from its facilities to the major transmission, treatment, and disposal facilities operated by SRCSD. The SRCSD provides sewage transport via interceptor lines with capacities exceeding 10 million gallons per day. Sewage collected locally by the SASD (along with other public agencies) is transported by SRCSD via interceptor sewers to the Regional Treatment Plant near Elk Grove. The Regional Plant provides secondary sewage treatment through a pure oxygen activated sludge process and then discharges treated effluent into the Sacramento River downstream from local urban water supplies.

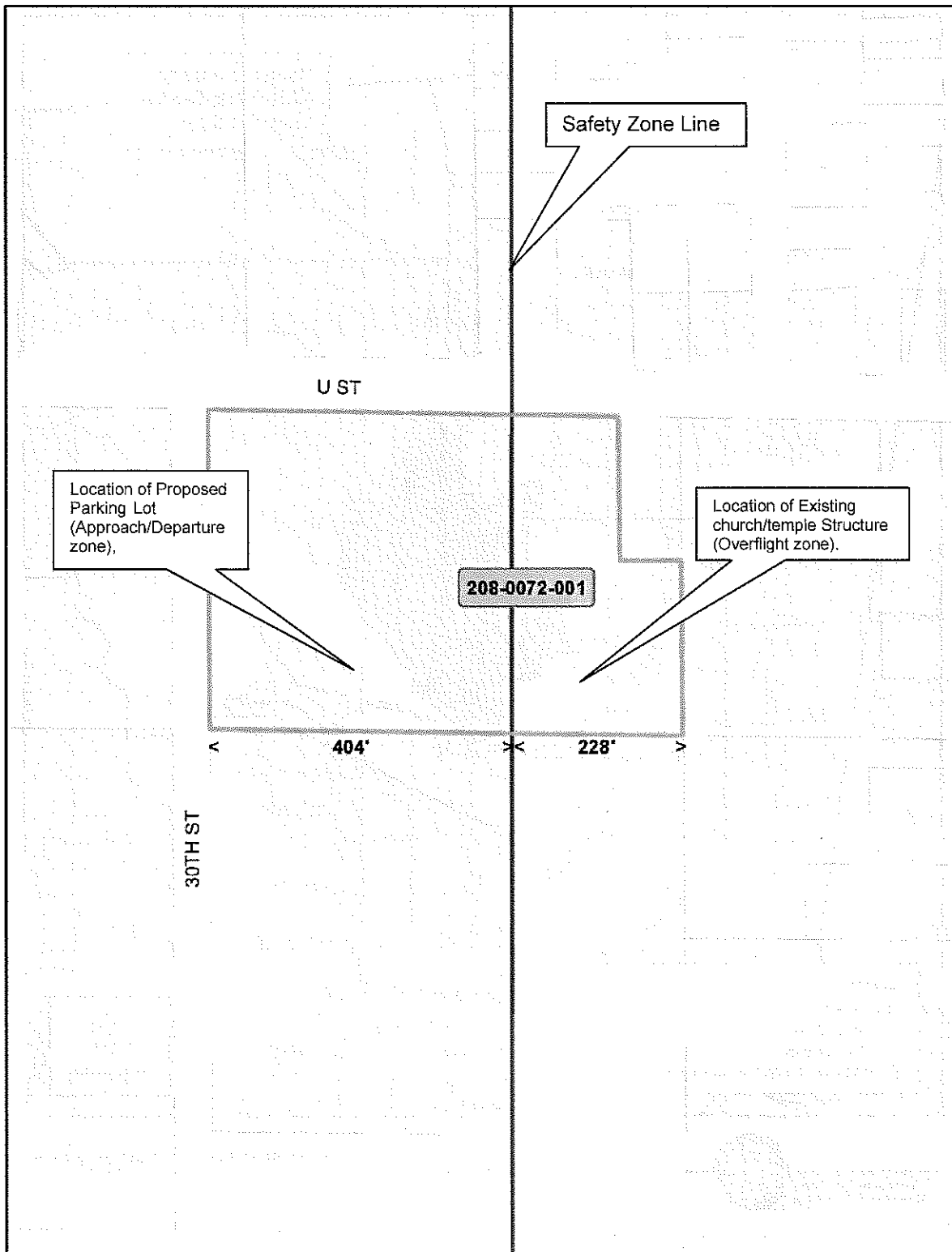
Sacramento Area Sewer District (SASD) and Sacramento Regional County Sanitation District (SRCSD) staff had the opportunity to review the proposed project and submitted the following:

SASD Comments

- The subject property is outside the boundaries of the District and SRCSD, but within the Urban Service Boundary shown on the Sacramento County General Plan. Annexation within the boundaries of both Districts will be required to receive any future sewer service.
- Since the project is within 200 feet of existing public sewer line (on U Street at northeast corner of the property), an onsite private sewer system may not be allowed for this project.

SRCSO Advisory

Plate IS-5: Enlarged Site



standards that minimize the public's exposure to safety hazards and excessive noise levels, and to prevent the encroachment of incompatible land uses around public-use airports.

It should be noted that the McClellan Air Force Base decommissioning in July of 2002 resulted in a change in the type and frequency of planes using the airport that significantly changed the characteristic of aircraft noise impacting the community around the airport. As part of the *McClellan Air Force Base Draft Final Reuse Plan and Draft Implementation Plan Final Environmental Impact Report/Environmental Impact Statement* (McClellan Reuse EIR/EIS), certified on November 27, 2002, a noise consulting firm analyzed McClellan Airport to determine noise levels associated with the changed/reduced use at McClellan. The updated noise analysis and related noise contours are depicted on Plate IS-4. These were adopted by the County Board of Supervisors, as an override of the existing CLUP, and currently represent the best available information at this time.

As indicated on Plate IS-4 the project site is partially located in the approach/departure zone, and is within the overflight safety zone. The site is also located adjacent to the updated 60 CNEL¹ noise contour but situated just outside. The McClellan Air Force Base Land Use Compatibility tables for noise and safety outlined in the Sacramento County General Plan Noise Element, identify the propose church/temple as a public/quasi-public use. Based on these tables, churches are considered compatible within the 60-65 CNEL and compatible within the overflight zone. However, churches are not permitted within the Airport approach/departure zone. Based on the site aerials and proposed improvement plans, the portion of the property that is located within the approach/departure zone will be the location of a new parking lot. The existing shop structure that will be the proposed church/temple is located on the east end of the property and outside of the approach/departure zone (Plate IS-5). Based on the Land Use Compatibility table for safety, parking lots are a permitted use with the approach/departure zone subject to footnote #2, which states the following:

Use is compatible only if they do not result in a large concentration of people. A large concentration of people is defined as a gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during any 24 hour period ending at midnight, not to exceed 50 persons per acre at any time.

Group gathering and periods of extended activity are expected to take place within the church facility and not the parking lot. DERA staff consultation with Sacramento Area Council of Governments/Airport Land Use Commission staff (G. Chew) further verified that the existing shop structure is located outside of the Approach Departure Zone and the project, as proposed, is compatible with the provisions of the McClellan Field CLUP. Impacts from airport safety and noise are considered less than significant.

¹ CNEL: Community Noise Equivalency Level

located northeast of the subject parcel and agricultural-residential properties located directly north, south, and east of the parcel. The applicant has indicated that the church/temple will be in service during daytime hours (12:00p.m. to 3:00p.m.) on a daily basis and will predominantly be used for worshipping and marriage ceremonies. Given the residential land uses surrounding the site, compliance with applicable development standards is particularly important to minimize project impacts.

The existing and proposed uses for the church site are considered institutional uses in the County Zoning Code. Since the project includes expansion of the existing uses on the subject site, the proposal is subject to the General Institutional Use Standards contained in Title III, Chapter 20, Article 1 of the Zoning Code. Development standards for institutional uses include regulations regarding height, landscaped areas, fencing, setbacks, and trash container enclosures. The development standards are intended to minimize impacts on adjoining non-institutional uses. The project also requests for a variance to deviate from the fence and landscape requirements. Currently, the project site is entirely enclosed and gated from surrounding properties. The chain-link fence along the southern property boundary has privacy slats as well as the gate at the existing asphalt driveway that terminates in the church facility. Also, several tall trees flank the property parameters. Specifically, the area along the south side and the portion of east side that is immediately adjacent to the proposed church facility is flanked by several tall Lombardi poplar trees and other smaller tree and shrub species. There are also several trees and shrubs flanking U Street and 30th Street. Removal of the existing landscaping and/or fencing has not been proposed. The existing vegetation and fencing is expected to successfully screen the church facility similarly to the standard fence and landscaping requirements that is required by the SZC.

The project site is located within the North Highlands Community. The North Highlands Community plan outlines overall policies of the Plan Area. However, the Plan does not outline a specific policy that is applicable to this project. Nevertheless, the proposed project is not expected to significantly alter current land uses or create a use that is incompatible with current designations.

Church/temple uses can often generate nuisance impacts on neighboring properties such as increased traffic, noise, light pollution etc., the proposed project is predominantly located in an area consisting of residential-agricultural land uses. Compliance with the recommended conditions of approval submitted by the various agencies should ensure that nuisance impacts are less than significant. The proposed project is not expected to significantly alter current land uses in the area or create a use that is incompatible with current designations. Potential land use related environmental impacts due to the project are considered less than significant.

McCLELLAN CLUP/AIRPORT NOISE AND SAFETY

The project site is located less than one mile north of the McClellan Field/Airport. The McClellan Field Comprehensive Land Use Plan (CLUP), which has been adopted into the Sacramento County General Plan, regulates land uses in this area. CLUPs are intended to protect public health, safety, and welfare through the adoption of land use

ENVIRONMENTAL EFFECTS

See the Initial Study Checklist attached to this report and the following discussion.

LAND USE

As proposed, the Use Permit will allow a new church facility and legalize an existing residential accessory dwelling.

The site is designated for Agricultural-Residential uses by the Sacramento County General Plan, Agricultural Residential-5 (AR-5) uses by the North Highlands Community, and is within the AR-5 zone as designated by the Sacramento County Zoning Code.

According to the Sacramento County General Plan:

The Agricultural-Residential designation provides for rural residential uses, such as animal husbandry, small-scale agriculture, and other limited agricultural activities. This designation is typical of established rural communities where between one and ten acres per unit is allowed, resulting in a development density of 2.5 to 0.25 persons per acre.

The AR-5, Agricultural-Residential Land Use Zone, permits churches subject to Title II, Chapter 1, Section 201-04 (13) of the Sacramento County Zoning Code which states:

(Churches are) permitted subject to issuance of a conditional use permit by the Zoning Administrator. Where the application is for churches exceeding 150 person seating capacity...the Project Planning Commission shall be the appropriate authority.

Issuance of Use Permits is regulated in the Sacramento Zoning Code Title I, Article 3, Section 110-30 which states:

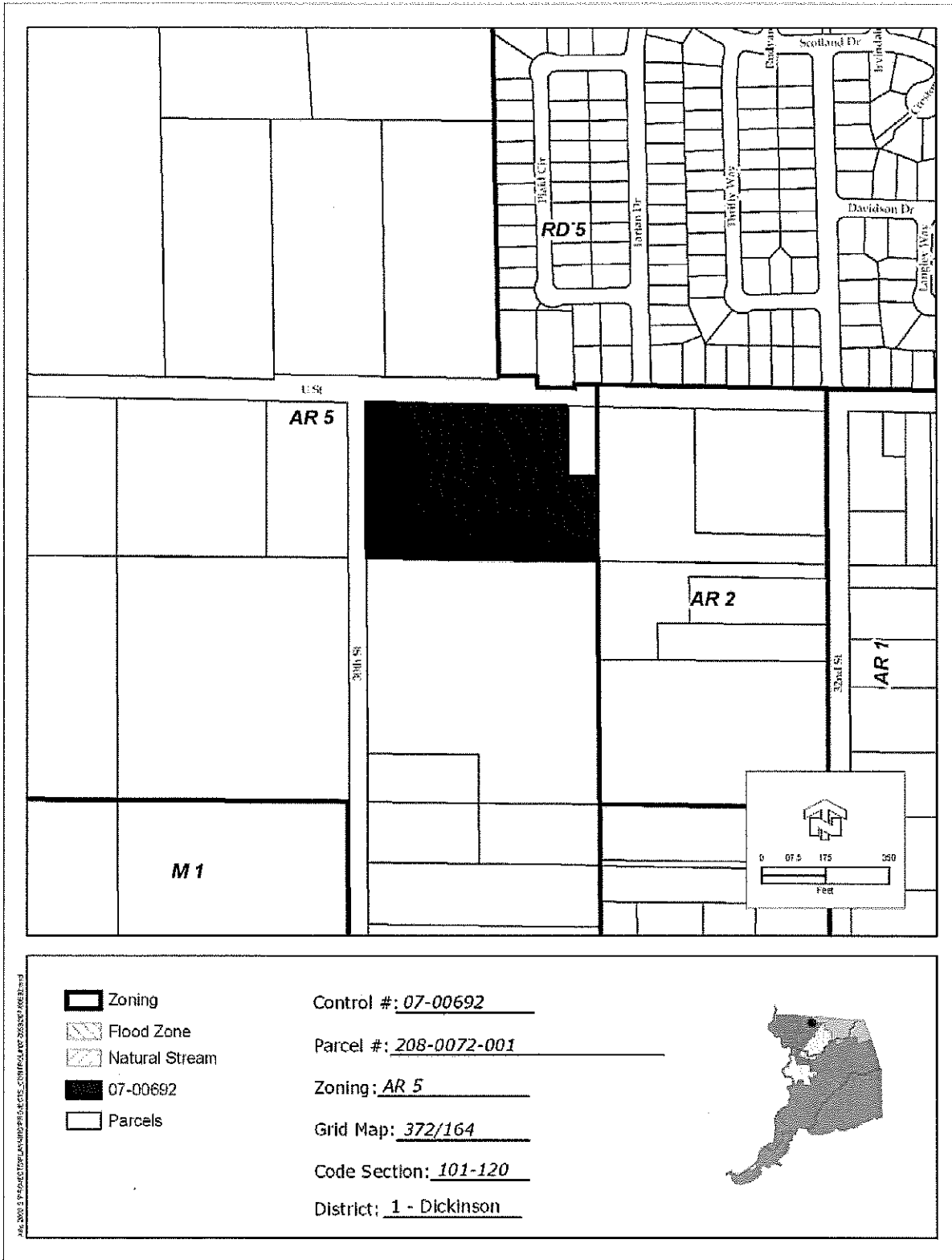
To grant conditional use permit, the appropriate authority shall find and record in writing that the establishment, maintenance or operation of the use, building, or structure applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Churches provide community services and are generally compatible with residential neighborhoods. However, activities associated with churches could create nuisance impacts such as traffic, noise, off-site parking, pedestrian movement, etc. The proposed project is located in an area consisting primarily of agricultural-residential and residential uses. The sensitive receivers in the area consist of single family residences

Plate IS-2: Aerial Photographs of Subject Property



Plate IS-1: Zoning Map



ENVIRONMENTAL SETTING

The 6.3± acre corner lot is bounded by U Street on the north side and 30th Street on the west side (Plate IS-1, IS-2 and IS-3). Access to the site is available via two existing driveway entrances along 30th street and one entrance on U Street. There is a gate at each entrance and the driveways are paved with asphalt. The majority of the property is currently undeveloped and consists of open areas; however, there are two main structures on the property -- a single family dwelling that is situated on the northwest corner and a shop on the southeast corner. Additionally, there are two small storage sheds located on the southeast portion of the property and one storage shed near the shop.

Vegetation on the property consists primarily of annual grasses and weeds. Some dominant plant species on the site include: soft brome (*Bromus hordeaceus*), English ryegrass (*Lolium multiflorum*), English plantain (*Plantago lanceolata* L.), camphorweed (*Heterotheca subaxillaris*), yellow star thistle (*Centaurea solstitialis*), turkey mullein (*Eremocarpus setigerus*), prickly lettuce (*Lactuca serriola*), dovefoot geranium (*Geranium molle*), Fitch's tarweed (*Hemizonia fitchii*), bristly ox-tongue (*Picris echioides*), autumn willowweed (*Epilobium brachycarpum*), chicory (*Cichorium intybus*), curly dock (*Rumex crispus*), and erect knotweed (*Polygonum erectum* L.). Furthermore, there are several trees and shrubs on the property, including oaks, cottonwoods, poplars, conifers, fruit trees, and other ornamentals.

The topography of the project site is gently rolling but fairly level in some areas. An unnamed tributary to Dry Creek bisects the property in the east to west orientation. Also, a small portion of the stream branches off to the northeast corner of the parcel and runs in the north to south direction. Pedestrian survey of the site indicated that a portion of this section of the stream has been piped and filled. Concrete culverts are located on each end of the earthen stream where it leaves the property. The natural stream is heavily vegetated with hydrophilic plants and the unfilled areas have a defined bed and bank.

The elevation of the site ranges from a low point of 70 feet above mean sea level in the stream to a high point of 78 feet above mean sea level in the upland areas. Low areas are generally located near the center of the property with the two main structures situated at the apex near the opposite corners of the property.

Several large blocks of cut stone are utilized to enclose a portion of the north and the entire west side of the property. The remaining areas are enclosed with a chain-link fence. The chain-link fence along the southern property boundary has privacy slats as well as the gate at the existing asphalt driveway that terminates in the church facility. Land uses surrounding the project site consist predominantly of agricultural- residential development, characterized by single family housing and ancillary buildings surrounded by open space, and with some hobby farming and small scale animal husbandry operations. A residential subdivision is located northeast of the subject parcel. There are also light industrial uses approximately 650± feet southwest of property (Plate IS-1).

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT

INITIAL STUDY

PROJECT INFORMATION

CONTROL NUMBER: PLNP2007-UPZ-VAZ-0692

NAME: CHEEMA (SIKH) TEMPLE USE PERMIT

LOCATION: The project site is located on the southeast corner of U Street and 30th Street, in the North Highlands community.

ASSESSOR'S PARCEL NUMBER: 208-0072-001

OWNER/APPLICANT:

Attention: Gurtej S. Cheema

PROJECT DESCRIPTION

1. A **Use Permit** to allow a new church facility on a 6.3± acre property zoned AR-5. A portion of the existing 3,200± square foot barn will be converted to a maximum 140 occupancy church.
2. A **Use Permit** to legalize an existing residential accessory dwelling.
3. A **Variance** to deviate from the following required fence and landscape requirements.
 - a. A 25-foot wide landscaped area or planter adjacent to all public street rights-of-way (U Street/30th Street).
 - b. A 6-foot wide planter or landscaped area adjacent to agricultural residential zoned properties.
 - c. A 6-foot high perimeter fence adjacent to agricultural-residential zoned properties.

INITIAL STUDY CHECKLIST

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
1. LAND USE - Would the project:				
a. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to a general plan, specific plan or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	The project is subject to the policies of the Sacramento County General Plan and the provisions of the Sacramento County Zoning Code. Refer to the Land Use section of the Initial Study document.
b. Physically disrupt or divide an established community?			X	The project will not create physical barriers that substantially limit movement within or through the community.
2. POPULATION/HOUSING - Would the project:				
a. Induce substantial unplanned population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of infrastructure)?			X	The project is located in an area designated for urban uses/growth. Development of the site and the associated extension of public infrastructure to the serve the site would not result in substantial unplanned population growth.
b. Displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere?			X	The project will not result in the removal of existing housing.
3. AGRICULTURAL RESOURCES - Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance or areas containing prime soils to uses not conducive to agricultural production?			X	The project site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance nor does it contain prime soils.
b. Conflict with any existing Williamson Act contract?			X	No Williamson Act contracts apply to the project site.
c. Introduce incompatible uses in the vicinity of existing agricultural uses?			X	The project does not occur in an area of agricultural production.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
4. AESTHETICS - Would the project:				
a. Substantially alter existing viewsheds such as scenic highways, corridors or vistas?			X	The project does not occur in the vicinity of any scenic highways, corridors, or vistas.
b. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	Construction will not substantially degrade the visual character or quality of the project site.
c. Create a new source of substantial light, glare or shadow that would result in safety hazards or adversely affect day or nighttime views in the area?			X	The project would not result in substantial new sources of light, glare or shadow.
5. AIRPORTS - Would the project:				
a. Result in a safety hazard for people residing or working in the vicinity of an airport/airstrip?			X	The project is located within the safety zone of McClellan Field/Airport. Refer to the "Airport Safety" discussion in the Initial Study.
b. Expose people residing or working in the project area to aircraft noise levels in excess of applicable standards?				The project is located in the vicinity of McClellan Field/Airport. Refer to the "Airport Noise and Safety" discussion in the Initial Study.
c. Result in a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft?			X	The project does not affect navigable airspace.
d. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?			X	The project does not involve or affect air traffic movement.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
6. PUBLIC SERVICES - Would the project:				
a. Have an adequate water supply for full buildout of the project?			X	The project site has existing private water well serving the residential dwelling. The applicant will be required to obtain a "Domestic Water Supply Permit" to operate the public water system prior to use of the church/temple. An additional private well may be required to provide potable water for the facility. The introduction of an additional well would add incrementally to a decline in the groundwater table in the area; however, it would not in itself constitute a significant environmental impact. Refer to "Public Service" in the Initial Study document.
b. Have adequate wastewater treatment and disposal facilities for full buildout of the project?			X	An existing septic tank serves the residential dwelling; however, since the project is within 200 feet of an existing public sewer line, an onsite private sewer system will not be allowed for the church/temple facility. Thus, the project will require wastewater disposal and treatment service through Sacramento Area Sewer District. Refer to "Public Services" section of the Initial Study.
c. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	The Sacramento County Integrated Waste Management Plan provides for adequate waste disposal capacity to serve existing and anticipated development until the year 2010. The Keifer Landfill has capacity to accommodate solid waste until the year 2030.
d. Result in substantial adverse physical impacts associated with the construction of new water supply or wastewater treatment and disposal facilities or expansion of existing facilities?			X	The project would require construction or expansion of new water supply, wastewater treatment, or wastewater disposal facilities. The Initial Study addresses all potential physical impacts associated with the project.
e. Result in substantial adverse physical impacts associated with the provision of storm water drainage facilities?			X	Project construction would not require the addition of new stormwater drainage facilities.
f. Result in substantial adverse physical impacts associated with the provision of electric or natural gas service?			X	Existing electric/natural gas service will adequately support the proposed project.
g. Result in substantial adverse physical impacts associated with the provision of emergency services?			X	Project would incrementally increase demand for emergency services. However, no substantial adverse physical impacts have been identified.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
h. Result in substantial adverse physical impacts associated with the provision of public school services?			X	The project will not require the use of public school services.
i. Result in substantial adverse physical impacts associated with the provision of park and recreation services?			X	The project will not affect the provision of park services.
7. TRANSPORTATION/TRAFFIC - Would the project:				
a. Result in a substantial increase in peak hour vehicle trip-ends that could exceed, either individually or cumulatively, a level of service standard established by the County?			X	The projected increase in peak hour vehicle trip-ends attributed to the project will not cause, either individually or cumulatively, a level of service standard established by the County to be exceeded. Refer to the "Traffic Generation" discussion in the text of the Initial Study.
b. Result in a substantial adverse impact to access and/or circulation?			X	No changes to existing access and/or circulation patterns would occur as a result of the project.
c. Result in substantial adverse impact due to inadequate parking capacity?			X	Review of preliminary development plans indicates that the proposed parking for the project meets the County Zoning Code parking requirements.
d. Result in a substantial adverse impact to public safety on area roadways?			X	No changes to existing access and/or circulation patterns would occur as a result of the project. Therefore no impacts to public safety on area roadways are anticipated.
e. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	No conflicts with adopted policies, plans, or programs supporting alternative transportation have been identified.
8. AIR QUALITY - Would the project:				
a. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?			X	Vehicular emissions are the primary source of pollutants in the Sacramento area. Although the project will contribute to increased vehicular emissions it will not exceed applicable air quality thresholds established by the Sacramento Metropolitan Air Quality Maintenance District.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
b. Expose sensitive receptors to pollutant concentrations in excess of standards?			X	The project will not expose sensitive receptors (i.e., schools, nursing homes, hospitals, daycare centers, etc.) to pollutant concentrations in excess of standards.
c. Create objectionable odors affecting a substantial number of people?			X	Objectionable odors are not expected from the proposed project.
9. NOISE - Would the project:				
a. Result in exposure of persons to, or generation of, noise levels in excess of standards established by the local general plan, noise ordinance or applicable standards of other agencies?			X	The project will not result in exposure of persons to, or generation of, noise levels in excess of applicable standards.
b. Result in a substantial temporary increase in ambient noise levels in the project vicinity?			X	Project construction will result in a temporary increase in ambient noise levels in the project vicinity. This impact is considered less than significant due to the temporary nature of these activities, limits on the duration of noise, and evening and nighttime restrictions imposed by the County Noise Ordinance (Chapter 6.68 of the County Code).
10. HYDROLOGY AND WATER QUALITY - Would the project:				
a. Substantially deplete groundwater supplies or substantially interfere with groundwater recharge?			X	The project will incrementally add to groundwater consumption, however, the singular and cumulative impacts of the proposed project upon the groundwater decline in the project area are regarded as being minor.
b. Substantially alter the existing drainage pattern of the project area and/or increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X	The project will incrementally increase peak runoff from the site by increasing impervious surfaces on the property. Compliance with applicable requirements of the County Floodplain Management Ordinance, County Drainage Ordinance, and Improvement Standards should insure impacts are less than significant. Refer to the "Drainage" discussion in the text of the Initial Study.
c. Develop within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map or within a local flood hazard area?			X	The project is not within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map but may be subject to local flooding. Compliance with the County Floodplain Management Ordinance, County Drainage Ordinance, and Improvement Standards will assure less than significant impacts. Refer to the "Drainage" discussion in the text of the Initial Study.

	Potentially Significant	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
d. Place structures that would impede or redirect flood flows within a 100-year floodplain?			X	The project is not within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map but may be subject to local flooding. Compliance with the County Floodplain Management Ordinance, County Drainage Ordinance, and Improvement Standards will assure less than significant impacts. Refer to the "Drainage" discussion in the text of the Initial Study.
e. Expose people or structures to a substantial risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	The project will not expose people or structures to a substantial risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
f. Create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems?			X	Adequate on- and/or off-site drainage improvements will be required pursuant to the Sacramento County Drainage Ordinance and Improvement Standards.
g. Create substantial sources of polluted runoff or otherwise substantially degrade ground or surface water quality?			X	<p>Sacramento County has been issued a National Pollutant Discharge Elimination System (NPDES) Stormwater Permit by the Central Valley Regional Water Quality Control Board which requires the County to reduce pollutants in stormwater discharges to the maximum extent practicable. The County complies with this permit by developing and enforcing ordinances and requirements to reduce the discharge of sediments and other pollutants in runoff from newly developing and redeveloping areas of the County. These requirements apply to both private and public projects. Along with other efforts, the County enforces the Stormwater Ordinance and Land Grading and Erosion Control Ordinances (Chapters 15.12 and 14.44 of the County Code respectively). These ordinances prohibit the discharge of non-stormwater to the stormwater conveyance system and surface waters and require erosion and sediment control measures for construction sites disturbing one or more acres.</p> <p>In addition to complying with the County's ordinances and requirements, construction sites disturbing one or more acres are required to comply with the State's General Stormwater Permit for Construction Activities. Select industrial and commercial activities must also comply with the State's General Stormwater Permit for Industrial Activities; the requirements of which may affect site layout and design. The General Stormwater Permits are enforced by the Central Valley Regional Water</p>

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
				Quality Control Board. Both require preparation and implementation of a Stormwater Pollution Prevention Plan for the site. Sacramento County Code Chapters 6.28 and 6.32 provide rules and regulations for water wells and septic systems that are designed to protect water quality. The Environmental Health Division of the County Environmental Management Department has permit approval authority for any new water wells and septic systems on the site.
11. GEOLOGY AND SOILS - Would the project:				
a. Expose people or structures to substantial risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			X	Sacramento County is not within an Alquist-Priolo Earthquake Fault Zone. Although there are no known active earthquake faults in the project area, the site could be subject to some ground shaking from regional faults. The Uniform Building Code contains applicable construction regulations for earthquake safety that will assure less than significant impacts.
b. Result in substantial soil erosion, siltation or loss of topsoil?			X	Compliance with the County's Land Grading and Erosion Control Ordinance will reduce the amount of construction site erosion and minimize water quality degradation by providing stabilization and protection of disturbed areas, and by controlling the runoff of sediment and other pollutants during the course of construction. Refer to the "Grading and Erosion Control" discussion in the text of the Initial Study.
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, soil expansion, liquefaction or collapse?			X	The project is not located on an unstable geologic or soil unit.
d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available?			X	A public sewer system is available to serve the project.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
e. Result in a substantial loss of an important mineral resource?			X	The project is not located within an Aggregate Resource Area as identified by the Sacramento County General Plan Land Use Diagram, nor are any important mineral resources known to be located on the project site.
f. Directly or indirectly destroy a unique paleontological resource or site?			X	No known paleontological resources (e.g. fossil remains) or sites occur at the project location.
12. BIOLOGICAL RESOURCES - Would the project:				
a. Have a substantial adverse effect on any special status species?			X	No special status species are known to exist on or utilize the project site.
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community?			X	No sensitive natural communities occur on the project site nor is the project expected to affect natural communities off-site.
c. Have a substantial adverse effect on wetlands designated as jurisdictional waters of the United States as defined by Section 404 of the Clean Water Act?			X	The on-site stream may qualify as jurisdictional waters. However, the proposed project is not expected to impact the drainage swale.
d. Have a substantial adverse effect on the movement of any native resident or migratory fish or wildlife species?			X	The project site is already developed. Project implementation would not affect native resident or migratory species.
e. Adversely affect or result in the removal of native or landmark trees?			X	Native and/or landmark trees occur on the project site and/or may be affected by on-site construction. Mitigation is recommended to insure impacts are less than significant. Refer to "Biological Resources" in the Initial Study.
f. Conflict with any local policies or ordinances protecting biological resources?			X	The project is consistent with local policies/ordinances protecting biological resources.
g. Conflict with the provisions of an adopted Habitat Conservation Plan or other approved local, regional, state or federal plan for the conservation of habitat?			X	There are no known conflicts with any approved plan for the conservation of habitat.

	Potentially Significant	Less Than Significant with Mitigation ⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
13. CULTURAL RESOURCES - Would the project:				
a. Cause a substantial adverse change in the significance of an historical resource?		X		No known historic resources exist on the project site. Nonetheless, mitigation has been recommended to insure appropriate treatment should resources be uncovered during project implementation.
b. Have a substantial adverse effect on an archaeological resource?		X		No known archaeological resources exist on the project site. Nonetheless, mitigation has been recommended to insure appropriate treatment should resources be uncovered during project implementation.
c. Disturb any human remains, including those interred outside of formal cemeteries?		X		No known human remains exist on the project site. Nonetheless, mitigation has been recommended to insure appropriate treatment should remains be uncovered during project implementation.
14. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a. Create a substantial hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	The project does not involve the transport, use, and/or disposal of hazardous material.
b. Expose the public or the environment to a substantial hazard through reasonably foreseeable upset conditions involving the release of hazardous materials?			X	See 14.a
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?			X	The project does not involve the use or handling of hazardous material.
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, resulting in a substantial hazard to the public or the environment?			X	The project is not located on a known hazardous materials site.
e. Impair implementation of or physically interfere with an adopted emergency response or emergency evacuation plan?			X	The project would not interfere with any known emergency response or evacuation plan.

SUPPLEMENTAL INFORMATION

LAND USE CONSISTENCY	Current Land Use Designation	Consistent	Not Consistent	Comments
General Plan	Agricultural-Residential	X		
Community Plan	Agricultural Residential-5	X		North Highlands Community Plan
Land Use Zone	AR-5	X		

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

RECEIVED



JOHN MCGINNESS
Sheriff

COUNTY OF SACRAMENTO

Inter-Department Correspondence

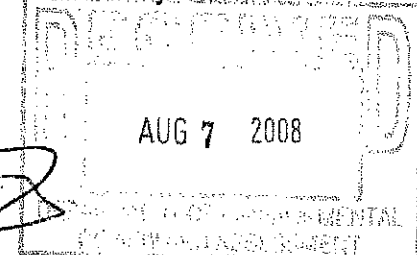
JUL 22 2008

PLANNING DEPT.
County of Sacramento

Date: July 18, 2008

To: DANNY ROSAS, Project Manager
Planning and Community Development Department

From: CSS III JEFF RODRIGUES, Crime Prevention Specialist
Sacramento County Sheriff's Department



Subject: PLNP2007-UPZ-DRS-00692 CHEEMA TEMPLE USE PERMIT

The Sacramento County Sheriff's Department requests the following conditions be added to the subject property:

1. PARKING/CIRCULATION COMMENTS

- a. All entrances to the parking area shall be posted with appropriate signs per 22658(a) CVC, to assist in removing vehicles at the property owner's/manager's request.
- b. Handicapped parking spaces shall be clearly marked and properly posted and be conveniently located near the main entrances to the buildings they are intended to serve.

2. TEMPLE AND OVERALL SITE CONDITIONS

- a. The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand 1600 lbs. of pressure in both a vertical distance of three (3) inches and a horizontal distance of (1) inch each side of the strike, so as to prevent violation of the strike.
- b. Glass doors shall be secured with a deadbolt lock with minimum throw of one (1) inch. The outside ring should be free-moving and case hardened.
- c. Employee/pedestrian and utility room doors shall be of solid core wood or hollow sheet metal with a minimum thickness of 1-3/4 inches and shall be secured by a deadbolt lock with minimum throw of one (1) inch.
- d. Outside hinges on all exterior doors shall be provided with nonremovable pins when pin-type hinges are used or shall be provided with hinge studs, to prevent removal of the door.
- e. Doors with glass panels and doors with glass panels adjacent to the door frame shall be secured with burglary-resistant glazing or the equivalent, if double-cylinder deadbolt locks are not installed.

- f. Doors with panic bars will have vertical rod panic hardware with top and bottom latch bolts. No secondary locks should be installed on panic-equipped doors, and no exterior surface-mounted hardware should be used. A 2" wide and 6" long astragal shall be installed on the door exterior to protect the latch. No surface-mounted exterior hardware need be used on panic-equipped doors.
- g. Windows that are capable of being opened shall be secured on the inside with a locking device capable of withstanding a force of three hundred (300) lbs. applied in any direction.
- h. All hatchway openings on the roof of any building shall be secured as follows:
 - i. If the hatchway is of wooden material, it shall be covered on the outside with at least 16 gauge sheet steel or its equivalent attached with screws.
 - ii. The hatchway shall be secured from the inside with a slide bar or slide bolts. The Fire Marshall must approve the use of crossbar or padlock.
 - iii. Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges.
- i. All air duct or air vent openings exceeding 8" x 12" on the roof or exterior walls of any building shall be secured by covering the same with either of the following:
 - i. Iron bars of at least 1/2" round or one by one-fourth inch flat steel material, spaced no more than five inches apart and securely fastened.
or:
 - ii. A steel grill of at least 1/8" material or two inch mesh and securely fastened and
 - iii. If the barrier is on the outside, it shall be secured with galvanized rounded head flush bolts of at least 3/8" diameter on the outside.

3. LANDSCAPING

- a. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along the building perimeter.
- b. All walkway curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.

4. FENCING/ACCESS CONTROL

Vertical wrought-iron fencing material shall be used for all fences between private lots and open space, parks, right of ways, or other public access land. This is to allow visibility to those areas and encourage residents to view activities in those areas. In addition this will make those areas less attractive to loiterers and others who wish to use those locations for criminal or mischievous purposes.

5. LIGHTING

- a. Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with high intensity discharge lighting with sufficient wattage to provide adequate illumination to make clearly

visible the presence of any person on or about the premises during the hours of darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers. A lighting level of 2-footcandle minimum, maintained at ground level, is required. A combination of wall and pole mounted fixtures may be used.

- b. All exterior doors shall be provided with a light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.
- c. Each premises, while closed for business after dark, must be sufficiently lighted by use of interior night lights.
- d. Exterior door, perimeter, and soffit lights shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting. (The building photocells should be located near any roof hatch openings for ease of maintenance.)

6. BUILDING NUMBERING

- a. The address number of every commercial building shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than eight inches in height and of a color contrasting with the background.
- b. Each different unit within the building shall have its particular address prominently displayed on its front and rear doors. (Rear door numbers only need to be two inches in height.) If front door numbers are placed on glass, the numerals shall be white in color.
- c. Interior directional signs shall be employed as necessary.

If you should have any questions regarding the above conditions, please feel free to contact me anytime at 874-2736.

RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:

NAME: DERA

COUNTY MAIL CODE: 01-220

No Fee--For the Benefit of
Sacramento County (Code
6103)

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: PLNP2007-UPZ-VAZ-0692

NAME: CHEEMA (SIKH) TEMPLE USE PERMIT

LOCATION: The project site is located on the southeast corner of U Street and 30th Street,
in the North Highlands community.

ASSESSOR'S PARCEL NUMBER: 208-0072-001

OWNER/APPLICANT::

Attention: Gurtej S. Cheema

PROJECT DESCRIPTION:

1. A **Use Permit** to allow a new church facility on a 6.3± acre property zoned AR-5. A portion of the existing 3,200± square foot barn will be converted to a maximum 140 occupancy church.
2. A **Use Permit** to legalize an existing residential accessory dwelling.
3. A **Variance** to deviate from the following required fence and landscape requirements.

CHEEMA (SIKH) TEMPLE USE PERMIT

- a. A 25-foot wide landscaped area or planter adjacent to all public street rights-of-way (U Street/30th Street).
- b. A 6-foot wide planter or landscaped area adjacent to agricultural residential zoned properties.
- c. A 6-foot high perimeter fence adjacent to agricultural-residential zoned properties.

TYPE OF ENVIRONMENTAL DOCUMENT:

<input checked="" type="checkbox"/> Negative Declaration	<input type="checkbox"/> Prior Negative Declaration
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Prior Environmental Impact Report
<input type="checkbox"/> Supplemental Environmental Impact Report	

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20 ____.

OWNER(S):

 (Print company, corporation, or organization name, if applicable)

 (Print name and/or title above)

 (Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

State of California County of Sacramento	CAPACITY CLAIMED BY SIGNER
On _____ before me, _____ (name, title of officer), personally appeared:	<input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.	<input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.	<input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____
WITNESS my hand and official seal.	<input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____
_____ <i>Signature</i>	<input type="radio"/> TRUSTEE(S) _____ TRUST _____
	<input type="radio"/> OTHER _____ TITLE(S) _____
	_____ TITLE(S) _____
	_____ ENTITY(IES) REPRESENTED _____
	_____ ENTITY(IES) REPRESENTED _____

TABLE OF MEASURES

<input type="checkbox"/>	MITIGATION MEASURE A: TREE CONSTRUCTION PROTECTION.....	9
<input type="checkbox"/>	MITIGATION MEASURE B: CULTURAL RESOURCES	12

PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled **CHEEMA (SIKH) TEMPLE USE PERMIT (Control Number: PLNP2007-UPZ-VAZ-0692)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The initial estimate of County monitoring costs for this project is **\$2,300.00**. This estimate includes administrative costs of **\$601.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** If actual County monitoring costs are less than the initial estimate, the difference will be refunded to the applicant; and if the actual County monitoring costs exceed the initial estimate, a supplemental bill will be submitted to the applicant.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County

Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program (PLNP2007-UPZ-VAZ-0692). For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

MITIGATION MEASURE A: TREE CONSTRUCTION PROTECTION

All native oak trees that are 6 inches dbh or larger on the project site and within 100 feet of construction work area, all portions of adjacent off-site native oak trees that are 6 inches dbh or larger which have driplines that extend onto the project site, and all off-site native oak trees that are 6 inches dbh or larger which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
2. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the oak trees prior to initiating project construction, in order to avoid damage to the trees and their root system.
3. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
4. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of the oak trees.
5. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the driplines of the oak trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
6. All underground utilities and drain or irrigation lines shall be routed outside the driplines of oak trees. Trenching within protected tree driplines is not permitted. If utility or irrigation lines must encroach upon the dripline, they should be tunneled or bored under the tree under the supervision of an ISA Certified Arborist.
7. Any herbicides placed under paving materials within driplines of oak trees must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
8. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the oak trees.

9. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the oak trees.
10. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker.
11. Landscaping beneath the oak trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation to the Department of Environmental Review and Assessment from a certified arborist regarding above items 5,6 and 10 that indicates that the work has been properly completed as required.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Review written documentation that is submitted from the certified arborist, and contact him/her as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE B: CULTURAL RESOURCES

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect..

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

CHEEMA (SIKH) TEMPLE USE PERMIT

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

