

## **APPENDIX A**

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Notice of Preparation and Responses



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Notice of Preparation





**NOTICE OF PREPARATION**  
**Proposed City of Elk Grove Sphere of Influence Amendment**  
**and Multi-Sport Park Complex**  
**(LAFCo File No. LAFC #04-15)**

**Date:** October 23, 2015  
**To:** Public Agencies and Interested Parties  
**From:** Sacramento Local Agency Formation Commission and City of Elk Grove  
**Subject:** Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project

Sacramento Local Agency Formation Commission (LAFCo) and the City of Elk Grove (City) will be co-lead agencies and will prepare a California Environmental Quality Act (CEQA) Draft Environmental Impact Report (EIR) for the project identified below. The City of Elk Grove has submitted an application to LAFCo to amend its Sphere of Influence to accommodate a multi-sports complex and future commercial and industrial uses (the Project). A future application from the City or other properties owners to annex the subject property into the City and reorganize affected special districts is also contemplated.

This Notice of Preparation (NOP) provides a brief Project description, the Project location, and the probable environmental effects of the proposed City of Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex. An Initial Study has not been prepared because as allowed under Section 15060(d) of the State CEQA Guidelines, Sacramento LAFCo and the City of Elk Grove have determined that an EIR will be required for the Project. Therefore, Sacramento LAFCo and the City are soliciting comments regarding the scope and content of the EIR as they relate to your agency's statutory responsibilities in connection with the proposed Project. Your agency may need to use the EIR when considering permitting or other approvals. Because of time limits mandated by state law, your response, if any, must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please provide your written response to the address shown below by 4:00 p.m., November 23, 2015. Sacramento LAFCo will share all comments with the City of Elk Grove. With your comments, please provide the name of a contact person in your agency.

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer  
Phone: (916) 874-6458  
Fax: (916) 874.2939  
E-mail: [Peter.Brundage@saclafco.org](mailto:Peter.Brundage@saclafco.org)

## ELK GROVE SPHERE OF INFLUENCE AMENDMENT AND MULTI-SPORT PARK COMPLEX

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### Project Location

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The Project area is located southwest of the existing City of Elk Grove boundary (Exhibit 1). More specifically, the area to be included in the City's Sphere of Influence is approximately 579 acres and is currently in unincorporated Sacramento County. The area is located south of Grant Line Road (near its intersection with New Waterman Road) and east of the Union Pacific Railroad (UPRR) tracks east of State Route 99, extending west to the area near Grant Line Road's intersection with Mosher Road and south to the Sacramento County Urban Services Boundary, but generally outside the 100-year floodplain of Deer Creek and the Cosumnes River (Exhibit 2). The proposed Sphere of Influence amendment area is located on the Elk Grove, California, U.S. Geological Survey 7.5-minute topographic quadrangle map, Township 6 North, Range 6 East, Sections 7, 8, 9, 16, 17, 18 (Latitude 38° 22' 49.4364" North; Longitude 121° 20' 40.0092" West).

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### Project Background

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Elk Grove has the largest youth soccer league in the California Youth Soccer Association, with more than 6,000 players. Teams currently play at fields operated by the Cosumnes Community Services District and the Elk Grove Unified School District. The facilities can support league play and practices but not tournaments. There are other facilities in the Sacramento region; however, most of these facilities are too small for tournaments, do not have a stadium for events, do not have training and medical facilities, or are not open to the public. Thus, there is an unmet demand for soccer fields and tournament venues. Moreover, the City of Elk Grove recognizes the effects of current soccer events on its neighborhoods and the need for additional parks, recreation, and open space as both the City's population and the popularity of soccer and other field sports continue to grow.

Based on this unmet need, the City sought to acquire property with a minimum of 100 acres and proximity to urban services and a major transportation corridor. The property described above on Grant Line Road met the City's criteria and was purchased in 2014. The City would prefer to operate the sports complex under its own jurisdiction and approached Sacramento LAFCo regarding a Sphere of Influence amendment and annexation of the property. After discussions, Sacramento LAFCo asked the City to add adjoining lands to the Sphere of Influence amendment application so that the amendment area would not form a peninsula and would otherwise include a more substantive area in keeping with the intent of spheres of influence.

Pursuant to Government Code Section 56425(b), the City of Elk Grove met with Sacramento County in April and May 2015 to discuss the Sphere of Influence amendment and boundaries. The City expects to hold additional meetings with Sacramento County to discuss development standards and other project details.

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## Existing Conditions

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The proposed Sphere of Influence amendment area occupies approximately 579 acres and is primarily developed with agricultural uses. There are several structures in the project area, including two home sites and multiple barns and sheds. The current *Sacramento County General Plan* (County General Plan) designations are General Agricultural (20-acre minimum), Agricultural Cropland, and Intensive Industrial with zoning designations of Agricultural (80-acre minimum), Agricultural-Residential (2-acre minimum), and Heavy Industrial. Directly adjacent features include Grant Line Road to the north, the UPRR tracks to the west, agricultural lands to the east, and Deer Creek to the south (see Exhibit 2).

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## Project Description

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The proposed Project consists of amending the City of Elk Grove's Sphere of Influence by approximately 579 acres and constructing and operating a 100-acre Multi-Sport Park Complex on City-owned property. Sacramento LAFCo will be the CEQA lead agency for the proposed Sphere of Influence amendment, encompassing the City-owned 100-acre parcel and several adjacent parcels within the Sacramento County Urban Services Boundary. The City will be the lead agency for a *City of Elk Grove General Plan* (City General Plan) amendment to provide designated land uses for the project area, adoption of prezoning, annexation of the subject properties, design review, and any required use permits.

The current Sphere of Influence boundary is coterminous with the City boundary, and the Project area is outside but directly adjacent to Elk Grove's corporate limits. Sacramento LAFCo policy discourages annexation of peninsula-shaped parcels like the City-owned parcel proposed for the sports complex; thus, the Sphere of Influence amendment proposal includes an additional approximately 479 acres south of Grant Line Road (Exhibit 2).

Exhibit 3 illustrates the proposed land uses for the project area. The 100-acre Multi-Sport Park Complex would be designated as Public Open Space/Recreation and would be zoned Commercial Open Space. Lands to the southwest with frontage on Grant Line Road would be designated in the City General Plan as Commercial/Office and Light Industrial and would be zoned General Commercial and Light Industrial. Lands adjacent to the UPRR tracks would be designated in the City General Plan as Light Industrial and Heavy Industrial and zoned Light Industrial and Heavy Industrial, respectively. The land uses for the parcel to the northwest would be designated for mixed use but would not be zoned as part of the proposed Project.

The proposed Multi-Sport Park Complex (Exhibit 4) would provide training space and a competition venue. It would also provide tournament and practice fields, an indoor sports facility, and a stadium. The area designated for multipurpose sports fields would include 12 full-size soccer fields (120 by 80 yards) and four training fields (80 by 50 yards). The fields would be designed primarily for soccer but could accommodate other field sports such as rugby, lacrosse, football, and marching band. Exhibits 5 and 6 depict day and nighttime views of the proposed fields, which would be constructed along with the indoor sports facility, approximately 1,160 parking spaces, restrooms, concession stands, landscaping, pathways, fencing, and lighting. The proposed 100,000-square-foot indoor facility would include basketball and other indoor courts, training and meeting rooms, offices, and a medical center. The site perimeter would provide a parcourse and a trail for running and hiking.

Support facilities for the sports complex would include a small sod farm for replacement turf, a maintenance shop, and site utilities, including stormwater drainage and sewer lines. Water would be supplied by the Sacramento County Water Agency. The site entrance would be at the intersection of Grant Line Road and New Waterman Road, with a second access to the northeast where turns would be limited to right in/right out (see Exhibit 3).

The City of Elk Grove plans to construct the proposed sports fields in phases starting with tournament fields and parking, including gravel overflow parking areas to the northwest. Later phases would include additional fields and paving of the gravel overflow parking lot.

The complex's Stadium/Amphitheater would be located at the south end of the City-owned property and would provide a venue for high school sports (to provide space for Elk Grove Unified School District campuses that lack a stadium). The stadium would also accommodate tournaments and other special events (e.g., concerts). The stadium would have a maximum capacity of approximately 9,000 seats; the venue would provide parking, locker rooms, medical facilities, offices, concession stands, a concert stage, restrooms, and lighting. The stadium may be constructed during a later phase of the Multi-Sport Park Complex.

The proposed Fairgrounds and Agrizone Park would provide a 15-acre area for agricultural events such as the Sacramento County Fair and would promote education and agritourism with a pavilion, arena, barn, and exposition buildings, as well as a working farm, a carnival, and site-specific parking.

The complex would require a total of approximately 6,300 parking spaces. The sports fields would support a maximum of approximately 1,760 players, coaches, and spectators, as well as officials and site workers. Parking for the sports complex would include approximately 1,160 parking spaces, with the assumption that some game participants and spectators would arrive or depart concurrently. The Stadium Park would support 9,000 attendees, event participants, and workers, and would require approximately 3,700 parking spaces. To support a county fair and other events such as concerts and rodeos, the Fairgrounds and Agrizone Park would require a cumulative total of approximately 6,300 parking spaces (i.e., all the parking provided by the sports fields, stadium, and fairgrounds combined).

The sports fields would operate from approximately 7:00 a.m. to 10:00 p.m., whereas the stadium would operate from approximately 12:00 p.m. until 11:00 p.m. During a large event, such as a county fair, the Fairgrounds and Agrizone Park would operate on multiple successive days around Memorial Day weekend from 10:00 a.m. to 10:00 p.m. On the Memorial Day holiday, the hours would likely be from 10:00 a.m. to 7:00 p.m.

There are currently no specific proposals for development of the parcels that would be zoned for commercial and industrial uses, which comprise 285 acres. Therefore, the environmental evaluation of these future uses would be at a programmatic level that would address the range of uses covered by the proposed zoning. Access to these parcels would be from the entrance near the tournament fields and the proposed Mahon Ranch Road (see Exhibit 3). This 285-acre area could support more than 3.5 million square feet of commercial and industrial space and more than 10,000 employees, depending on developer applications.



The City General Plan currently identifies the lands northwest of the tournament fields as an “Urban Study Area.” This land would be designated for mixed use pending further study of compatible uses. The environmental evaluation would use standard assumptions regarding development density, such as those used by the Sacramento Area Sewer District (i.e., six units per acre).

The proposed project would require the following discretionary approvals and actions:

- Sacramento LAFCo amendment to the Sphere of Influence, annexation, and reorganization of affected special districts;
- City General Plan amendment, rezoning, and design review for the Multi-Sport Park Complex;
- U.S. Army Corps of Engineers Clean Water Act Section 404 permit; and
- Central Valley Regional Water Quality Control Board Clean Water Act Section 401 water quality certification.

Various local, state, or federal approvals or permits may be necessary for subsequent land use entitlements, pursuant to applicable laws and regulations.

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### **Potential Environmental Effects**

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Sacramento LAFCo has reviewed the proposed project, as required by Section 15060 of the CEQA Guidelines, and has determined with the City of Elk Grove that an EIR should be prepared. As required by CEQA, the EIR will describe existing conditions and evaluate the potential environmental effects of the proposed project and a reasonable range of alternatives, including the no-project alternative. It will address direct, indirect, and cumulative effects. The EIR will analyze the Sphere of Influence amendment and the proposed Multi-Sport Park Complex at a project level of detail, while annexation of lands for future commercial and industrial use will be analyzed at a programmatic level. The EIR will identify feasible mitigation measures, if available, to reduce potentially significant impacts. The following environmental effects will be evaluated in the EIR:

**Aesthetics**—The EIR will evaluate existing visual conditions and will evaluate the potential impacts on scenic vistas, scenic resources, and visual character that may result from development of the sports complex and future development in the proposed commercial and industrial areas as they are annexed into the City boundary.

**Agriculture and Forestry Resources**—The EIR will describe existing agricultural resources and evaluate potential impacts from conflicts with existing zoning or Williamson Act contracts, and from conversion to urban uses of lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and any lands within a Farmland Security Zone. The EIR will outline mitigation measures such as Policy AG-5 in Sacramento County’s Agricultural Element for projects converting more than 50 acres. This section will also document that no forest land resources are present.

**Air Quality**—The EIR will discuss the regional and local air quality setting and quantify project air emissions for construction and subsequent use of the sports complex, which would likely be centered on summers, weekends, and special events. Future emissions for other components of the proposed project would be based on the proposed zoning for commercial and industrial land uses. Emissions will be compared with the significance thresholds developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD). The impact evaluation will also evaluate potential human health risks from the proximity of air emissions sources such as State Route 99 and the UPRR line.

**Greenhouse Gas Emissions**—The EIR will discuss the potential for increased greenhouse gas emissions during construction and subsequent sporting events as well as full development of the project area. In addition, the EIR will compare such emissions with SMAQMD's recently adopted significance thresholds and provide an evaluation of consistency with the City's 2013 Climate Action Plan.

**Biological Resources**—The EIR will define the biological resources in the project area and surrounding habitats and evaluate the project's potential effects on wetlands, other sensitive natural communities (e.g., oak woodlands, heritage and landmark trees), and special-status species (e.g., raptors and other migratory birds). This section will also address potential impacts on the proposed *South Sacramento Habitat Conservation Plan*, based upon publicly available draft materials.

**Cultural Resources**—The EIR will describe existing cultural resources and evaluate potential impacts on those resources, including the potential to affect undiscovered resources during excavation and grading. The EIR will also include consultation with California Native American tribes to assess potential impacts on tribal cultural resources, as required by Assembly Bill 52.

**Energy**—The EIR will describe current electricity and natural gas utility providers and evaluate whether the project would affect local or regional energy supplies, peak energy demand, energy resources, transportation energy use, and compliance with energy standards.

**Geology, Soils, Minerals, and Paleontology**—The EIR will describe the geological setting and potential environmental effects on geological, soil, mineral, and paleontological (fossil) resources. This section will outline design measures and best management practices to minimize impacts on people or structures from seismic activity. The EIR will also identify any potential impacts from loss of mineral resources and on undiscovered fossils.

**Hazards and Hazardous Materials**—The EIR will identify potential impacts from the transport, use, or disposal of hazardous materials; releases of hazardous materials; emissions of hazardous or acutely hazardous materials, substances, or waste near a school; location on a hazardous materials site; location within an airport land use plan or in the vicinity of a private airstrip; impairment of an adopted emergency response or evacuation plan; and exposure to wildland fires.

**Hydrology and Water Quality**—The EIR will evaluate hydrologic and water quality conditions and potential short-term construction-related effects on water quality from stormwater runoff, as well as longer term effects on stormwater drainage and maintenance effects on water quality (e.g., fertilizers).

This section will also evaluate potential impacts on groundwater supply and on surface water hydrology from the addition of impervious surfaces associated with future commercial and industrial development. This section will outline the design features (e.g., types of playing surfaces) and stormwater retention features required to minimize impacts on flooding, and the proposed Project's consistency with regional flood protection planning.

**Land Use and Planning**—The EIR will describe existing land uses and evaluate the potential for the proposed Project to divide an existing community or conflict with existing, adopted land use and natural resource plans or regulations (such as adopted the City and County General Plans) and the proposed *South Sacramento Habitat Conservation Plan*. Pursuant to LAFCo requirements, this section will also address potential impacts on Open Space resources, as defined in Government Code Section 65560, and consistency with the Sacramento Area Council of Governments Blueprint and the latest adopted Metropolitan Transportation Plan and Sustainable Communities Strategy (MTP/SCS).

**Noise**—The EIR will describe existing noise and vibration conditions and the potential impacts of construction and future sporting events and commercial and industrial uses. Project noise levels from traffic as well as planned uses will be estimated, accounting for intervening topography, noise barriers, and distance, and will be compared with existing ambient noise levels and applicable noise standards and local noise ordinances.

**Population, Employment, and Housing**—The EIR will evaluate the potential of the proposed Project to induce substantial population growth or displace substantial numbers of housing units or people. However, because the Project does not propose housing, any population growth impacts would indirectly result from future development of parcels zoned for commercial and industrial uses that are included in the Project.

**Public Services and Recreation**—The EIR will analyze existing public services and potential increases in demand, and will evaluate whether those demands would require new facilities (e.g., schools, fire protection, and law enforcement) that could result in environmental impacts. This section will also consider the effects of annexation into service provider service jurisdictions, such as the Cosumnes Community Services District, that could require new facilities. The EIR will incorporate information from the Municipal Services Review submitted with the City's Sphere of Influence amendment application, which identifies needed water and sewer extensions within the existing Sacramento County Urban Services Boundary. The EIR will also evaluate impacts related to recreational facilities, including indirect effects on existing facilities.

Pursuant to LAFCo requirements, the EIR will also evaluate the potential effects of the Project and municipal service provider reorganizations on environmental justice (the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and provision of public services) and historically underserved and environmentally overburdened communities, including "disadvantaged unincorporated community" effects.

**Transportation**—The EIR will evaluate existing traffic conditions and potential traffic impacts related to a conflict with a applicable transportation plan(s), ordinance(s), or policy(ies); conflicts

with an applicable congestion management plan(s); hazards due to a design feature or incompatible use; inadequate emergency access; or conflicts with adopted plans, policies, or programs regarding public transit, bicycle, or pedestrian facilities.

**Utilities**—The EIR will describe existing utility systems and evaluate the impact of new utilities and pressure on existing utilities, such as for water supply, stormwater drainage, wastewater treatment, and solid waste disposal. This section will address any effects of annexing the Project area into new utility provider jurisdictions (e.g., Sacramento Area Sewer District).

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## **Public Review and Scoping Meeting**

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Pursuant to Section 15082 of the State CEQA Guidelines, this NOP has been sent to CEQA responsible and natural resource trustee agencies, and to involved federal agencies, local municipalities, interested persons, organizations, agencies, and landowners. The NOP will be circulated for a 30-day public review and comment period. In circulating this NOP, Sacramento LAFCo and the City of Elk Grove are soliciting the views of all these parties on the scope and content of the environmental document. At the end of the public review period, Sacramento LAFCo and the City will consider all comments received in scoping the EIR.

### **Public Scoping Meetings**

Sacramento LAFCo and the City of Elk Grove will each hold public scoping meetings to brief interested parties about the proposed project and to obtain the views of the public and agency representatives on the scope of the EIR.

Sacramento LAFCo will hold a public scoping meeting on November 4, 2015, at 5:30 p.m. at the following location:

Board Chambers  
County Administration Center  
700 H Street  
Sacramento, CA 95814

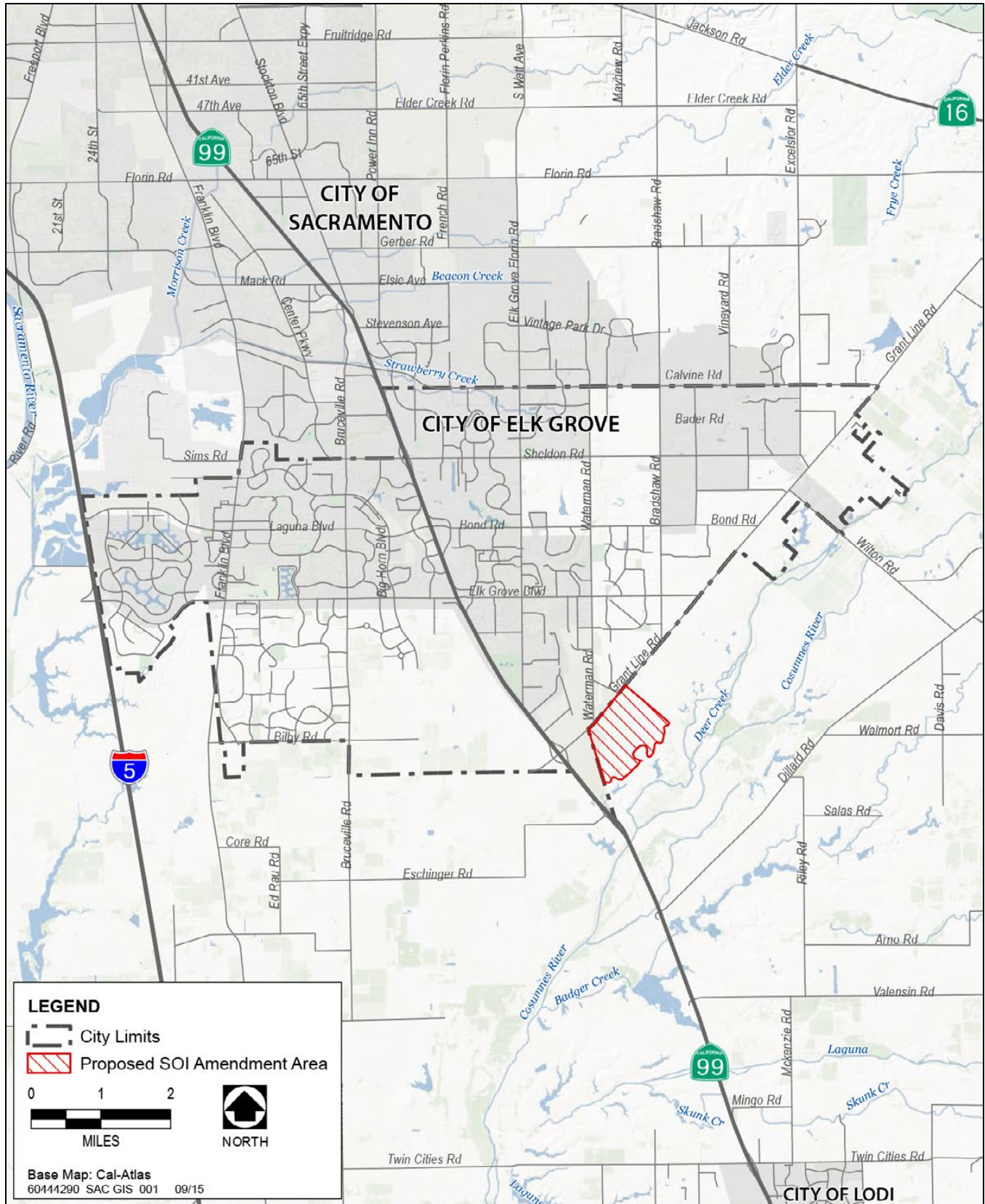
The City of Elk Grove will hold a public scoping meeting on Thursday, November 12, 2015, at 6:00 p.m. at the following location:

City of Elk Grove  
City Council Chambers  
8400 Laguna Palms Way  
Elk Grove, CA 95758

### **Written Comments**

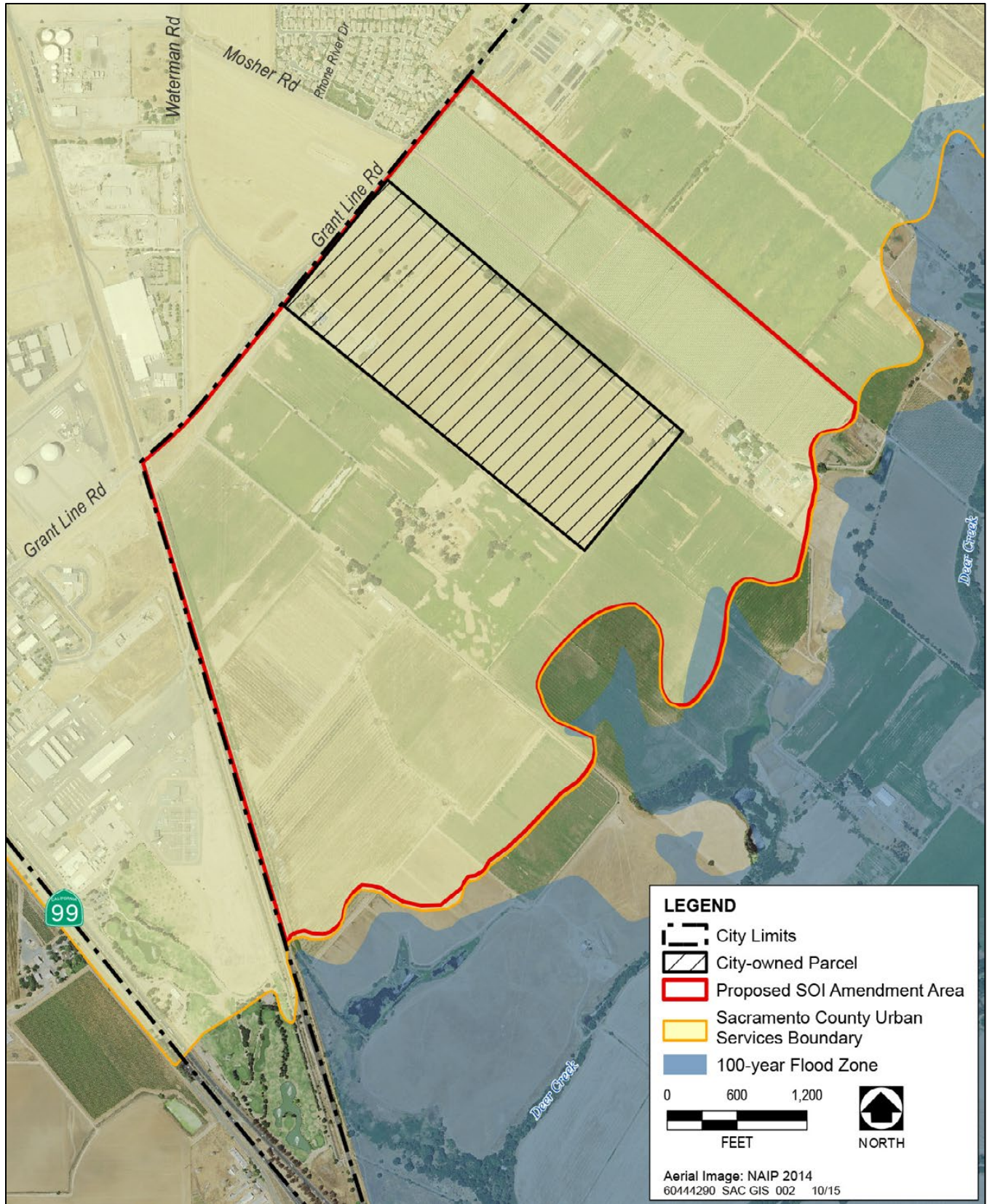
Please provide your written response to the address shown below by 4:00 p.m. on November 23, 2015. For public agencies, please provide the name of a contact person in your agency.

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer  
Phone: (916) 874-6458  
Fax: (916) 874-2939  
E-mail: [Peter.Brundage@saclafco.org](mailto:Peter.Brundage@saclafco.org)



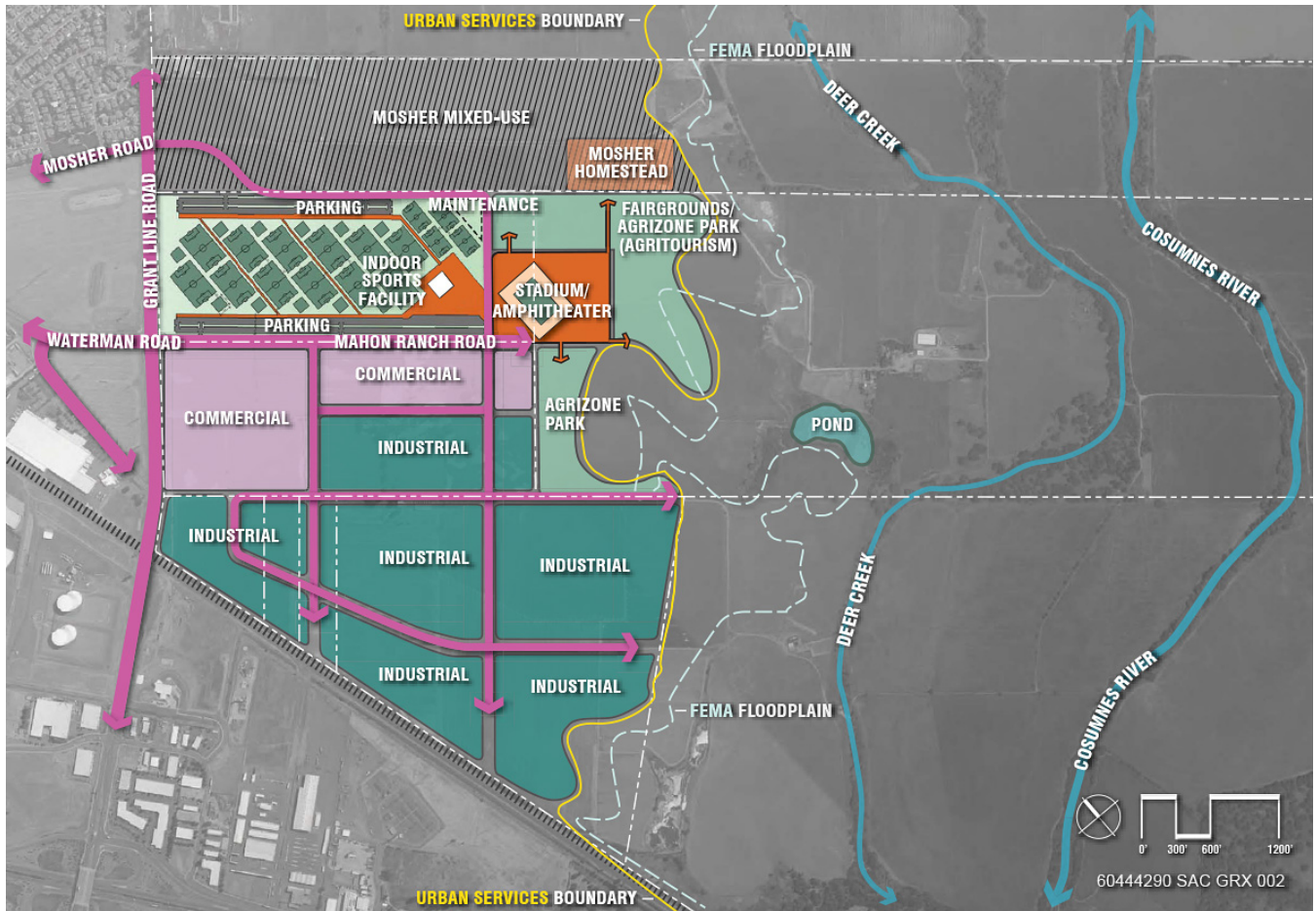
Source: Sacramento County 2014, adapted by AECOM in 2015

**Exhibit 1. Regional Location Map**



Source: Sacramento County 2014, adapted by AECOM in 2015

**Exhibit 2. Elk Grove Proposed Sphere of Influence Amendment Area**



Source: LPA

**Exhibit 3. Plan for Full Buildout of the Sphere of Influence Amendment Area**





Source: LPA

**Exhibit 4. Elk Grove Multi-Sport Park Complex Conceptual Site Plan**



Source: LPA

**Exhibit 5 Rendering of Elk Grove Multi-Sport Park Complex (Daytime)**



Source: LPA

**Exhibit 6.      Rendering of Elk Grove Multi-Sport Park Complex (Nighttime)**

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NOP Responses





October 26, 2015

Peter Brundage  
Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814

**Subject: Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project (LAFC #04-15)**

Dear Mr. Brundage:

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

Local sewer service for this area would be provided by SASD. Conveyance from local SASD trunk sewers to the Sacramento Regional Wastewater Treatment Plant (SRWTP) would be provided by Regional San through large pipelines called interceptors.

The Regional San Board of Directors adopted the Interceptor Sequencing Study (ISS) in February 2013. The ISS updated the SRCSD Master Plan 2000 and can be found on the Regional San website at <http://www.regionalsan.com/ISS>.

The SASD Board of Directors approved the most current SASD planning document, the 2010 System Capacity Plan Update (SCP) in January 2012. The SCP can be found on the SASD website at <http://www.sacsewer.com/devres-standards.html>. According to the 2010 SCP, the proposed Sphere of Influence area would be within the LA Elk Grove expansion trunk shed. SASD trunk facilities located in expansion sheds are typically constructed by the developer and reimbursed in accordance with the SASD ordinance.

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

Regional San and SASD are not land-use authorities. Regional San and SASD sewer systems are designed using predicted wastewater flows that are dependent on land use information provided by each land use authority. Projects identified within Regional San and SASD planning documents are based on growth projections provided by land-use authorities. This Environmental Impact Report (EIR) should fully contemplate the environmental impacts that will require SASD and Regional San to increase its wastewater flow demands. Onsite and offsite impacts associated with constructing sanitary sewers facilities to provide service to the subject area must also be addressed in the EIR.

**Main Office**

10060 Goethe Road  
Sacramento, CA 95827-3553  
Tel: 916.876.6000  
Fax: 916.876.6160

**Treatment Plant**

8521 Laguna Station Road  
Elk Grove, CA 95758-9550  
Tel: 916.875.9000  
Fax: 916.875.9088

**Board of Directors**

Representing:

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

Prabhakar Somavarapu

*District Engineer*

Ruben Robles

*Director of Operations*

Christoph Dobson

*Director of Policy & Planning*

Karen Stoyanowski

*Director of Internal Services*

Joseph Maestretti

*Chief Financial Officer*

Claudia Goss

*Public Affairs Manager*

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

Sincerely,

*Sarena Moore*

Sarena Moore  
Regional San/SASD  
Policy and Planning

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



## County of Sacramento

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November 2, 2015

Mr. Peter Brundage  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814

**SUBJECT: COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CITY OF ELK GROVE SPHERE OF INFLUENCE AMENDMENT AND MULTI-SPORT PARK COMPLEX PROJECT (L AFC 04-15)**

Mr. Brundage:

We have received a copy of the project listed above, dated October 23, 2015. We appreciate the opportunity to comment on this notice of preparation and have the following comments.

**General:**

Future urbanization of the proposed area will affect the many rural roadways adjacent to this urban growth. These roadways have narrow travel lanes with no shoulders and will not support the increases in travel demand and the existing roadway pavement will not support the additional traffic. Sacramento County is in the process of developing a roadway functionality standard for rural roadways such as these that are affected by urbanization. The result is lane widening and shoulder construction on roads that meet certain ADT criteria. We would ask that the City of Elk Grove participate in bringing any affected rural roadways in the vicinity up to this standard when future annexation of this SOI occurs.

We would ask the City of Elk Grove to enter into a maintenance and operations agreement for the responsibility of the public roadway infrastructure as well as for the shared public roadway facilities adjoining this SOI at the time future annexation occurs.

Frontage improvement responsibility for adjoining roadway facilities in this SOI should be 100% the responsibility of the future development projects at the time future annexation occurs. Sacramento County Department of Transportation does not anticipate making any financial contributions towards the widening of shared roadways that will be on the border of the City of Elk Grove limits and the County jurisdiction.

We would ask the City of Elk Grove to enter into a cross jurisdictional reciprocal funding agreement with the County of Sacramento to address each other's impacts and mitigation measures for development projects when future annexation of the SOI occurs. The County's impacted roadways should be mitigated to acceptable level of service standards and improvements shall be installed according to the County's latest Improvement Standards.

**COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL  
IMPACT REPORT FOR THE PROPOSED CITY OF ELK GROVE SPHERE OF INFLUENCE  
AMENDMENT AND MULTI-SPORT PARK COMPLEX PROJECT (LAFC 04-15)**

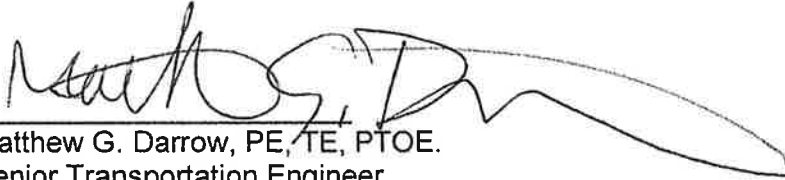
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**Specific:**

The traffic study in the environmental document should analyze all impacted roadways and intersections in both the existing and cumulative conditions. It's anticipated that these will include Grant Line Road, Waterman Road, Mosher Road, etc. and associated intersections at a minimum.

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

Sincerely,



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

MGD

- Cc: Mike Penrose, DOT  
Dan Shoeman, DOT  
Reza Moghissi, DOT  
Dean Blank, DOT  
Ron Vicari, DOT  
Kamal Atwal, DOT  
Leighann Moffitt, PER  
Catherine Hack, PER  
Susan Goetz, Special Districts  
Tom Zlotkowski, Capital Southeast Connector JPA  
Derek Minnema, Capital Southeast Connector JPA



## Scoping Meeting Minutes and Notice of Preparation Comment Summary

November 4, 2015

Sacramento LAFCo Public Scoping Meeting

Sacramento LAFCo held a public scoping meeting on November 4 in the Board Chambers on H Street in Sacramento at 5:30 p.m. The scoping meeting was attended by Peter Brundage, LAFCo Executive Officer; Don Lockhard, LAFCo Assistant Executive Officer; Peter Boucher, Jeff Goldman, and Nick Mitrovich of AECOM; Christopher Jordan, Assistant to the Elk Grove City Manager; and Commission members.

Mr. Brundage provided opening remarks regarding the project background, SOI application, decisions made at prior Commission meetings, publication of the Notice of Preparation, and the planned public scoping meetings. He then introduced Peter Boucher of AECOM who provided a presentation describing the proposed project, the CEQA process, the NOP, and the process and logistics for submitting comments on the scope of the EIR.

There were no comments from the Commissioners. The Commission invited public comments and there was one speaker as described below.

Lynn Wheat (Public)

The NOP gives the impression that the 479 acres (not part of the sports park) is driven by LAFCo policy. Needs to explain. Growth inducing and relies on speculative zoning. EIR needs to provide baseline settings and address potential hazard from the nearby propane tank. Needs to address all state and federal permits. Should not rely on previous analysis from the City on the SOI expansion.

Updated information on water consumption and ability to serve taking into account groundwater reporting requirement by the State of California. Will the costs to the City be proportionately shared by property owners?

November 12, 2015

City of Elk Grove Public Scoping Meeting

Christopher Jordan

Peter Boucher

Public Comments

The public comment phase of the meeting took the form of a discussion as well as questions and answer, with answers provided by Christopher Jordan, Peter Brundage, and Peter Boucher.

A number of comments focused on non-CEQA issues and questions including:

- City Council may not support project financing
- LAFCo role in formulating project boundaries

- Role of City in financing the project and whether City can approve without financing
- Potential for City to change project/zoning within the SOI in the future
- General opposition to the project including its location and size
- General sentiment that City views soccer as more important than farming
- Belief that the City's goal is to add housing developments
- Concern that the City doesn't have a core downtown with population to support project

Several issues and concerns regarding the EIR were raised including:

- General concern regarding impacts on surrounding property owners
- Role of LAFCo approval of the sphere of influence amendment versus subsequent project approvals
- LAFCo role in formulating project boundaries
- Concern that the SOI process is piecemealing
- Potential impacts of contamination from past land uses on surrounding property owners and soccer players
- Concern regarding adequate water supply for the soccer fields and for adjacent agricultural uses given current drought
- Potential impacts of soccer fields on groundwater supply
- Objection to CEQA guidelines for alternatives analysis
- Relationship between the SOI amendment and future General Plan amendment
- Project worst-case scenario should not be based on industrial zoning but on housing
- Potential concerns regarding project location in relation to the 100-year floodplain
- Capacity of area roadways to handle soccer stadium traffic
- Concerns regarding changes in population
- Concern that the public scoping meeting wasn't announced on the City website
- Time schedule for the EIR

Christopher Jordan explained that the current focus under CEQA is the environmental impacts of the proposed project, that the City's new General Plan (in progress) would account for the SOI amendment and special planning areas, and that the scoping meetings were announced via several outlets including a substantial mailing, the Sacramento Bee, and the Elk Grove Citizen. Peter Brundage explained the role of LAFCo in reviewing the City's application to amend its sphere of influence and that the City would be required to conduct subsequent CEQA review of individual projects and annexations. Peter Brundage also explained that City is the applicant for the sports complex and that property owner groups may submit applications for separate SOI amendments. Peter Boucher explained that the EIR would address community impacts such as noise and dust, soil contamination, water supply, groundwater drawdown, flooding, traffic, and population. Mr. Boucher and Mr. Jordan also explained that the EIR would adhere to the CEQA guidelines for alternatives analysis and could not replace the proposed commercial and industrial uses with housing because the City and LAFCo are required to analyze the proposed project.

Summary of Comments on EIR Scope	Approach to Addressing Comment in EIR
U.S. Army Corps of Engineers, Kathleen Dadey, Ph.D.	
LAFCo should prepare a wetland delineation and submit it for verification.	Biological Resources section
Range of alternatives should include alternatives that avoid impacts on wetlands and provide mitigation if no practicable alternatives exist.	Biological Resources section and Section 404 wetland delineation and application
Caltrans, District 3, Jeffery Morneau	
A Multi-Modal Transportation Impact Analysis should be prepared to assess potential impacts on the SHS.	Transportation and Traffic section
Analysis should measure Vehicle Miles Traveled (VMT), trip distribution, and safety for all modes.	
Analysis should include SR 99 mainline, ramps, and intersections and mitigation should include Transportation Demand Management and Access Management projects and strategies that increase multimodal access and reduce VMT.	
Significant impacts on the SHS would be addressed by contributing to the I-5 Subregional Corridor Management Program (SCMP).	
California Department of Fish and Wildlife, Tanya Sheya	
Project description should include the whole action, including staging areas and access roads, and range of alternatives.	
EIR should describe existing biological conditions, including a complete and current analysis of species and sensitive habitats.	
Species-specific surveys should be conducted using CDFW-approved protocols, including an assessment for rare plants and natural communities.	
Project may result in direct, indirect, and cumulative impacts on resources including riparian and terrestrial habitats, and State-listed species.	
The EIR should disclose any potential "take" of State-listed species and if an Incidental Take Permit or consistency determination may be required	
The EIR should identify areas under CDFW's jurisdiction per section 1602 of the Fish and Game Code and potential impacts.	
The EIR should provide a detailed analysis of how	

the project will be consistent with the SSHCP.	
The EIR should address potential direct or indirect take of nongame nesting birds. Any mitigation measures should include species specific work windows, biological monitoring, installation of noise attenuation barriers, etc.	
Capital Southeast Connector JPA, Tom Zlotkowski	
Ensure that the variety of uses allowed under the proposed zoning and their resulting trip generation is evaluated for daily and peak travel.	
EIR should provide special attention to the various possible peak travel periods including for special events.	
Evaluate higher than normal truck traffic and consider traffic handling, physical geometry, and off-site circulation improvements.	
Evaluate special event traffic in conjunction with anticipated peak period background traffic from adjacent land uses and Connector study area traffic, as noted in 2012 Connector PEIR.	
Address special circulation needs for farming equipment.	
Adhere to Connector program Project Design Guidelines in development of circulation plans and mitigation measures.	
Central Valley Regional Water Quality Control Board, Stephanie Tadlock	
The EIR should account for the Basin Plan, antidegradation considerations, and whether the project may require a permit from the Regional Board (Construction Storm Water General Permit, MS4 permit, Industrial Storm Water General Permit, Clean Water Act Section 404/401 permit, Waste Discharge Requirements, the Irrigated Lands Regulatory Program, Low or Limited Threat General NPDES Permit)	
Environmental Council of Sacramento (ECOS), Rick Guerrero ECOS, Rob Burness Habitat 2020	
Site location may generate added travel times and VMT for Elk Grove users and tournament participants and is not located near services such as hotels and restaurants.	
Project could induce commercial development – a growth-inducing impact.	
Site will not be served by transit, resulting in transportation and air quality impacts, and will not provide an urban, game day experience.	
EIR should consider alternative sites that will allow	

for shorter trips, closer proximity to services, and access to transit.	
The EIR should consider the site's proximity to the Stone Lakes National Wildlife Refuge and Cosumnes River Preserve and impacts on wildlife.	
The EIR should consider the significance of the project site as upland forage areas for species displaced by flooding adjacent to the Cosumnes River, such as Greater Sandhill Crane.	
The EIR should not use any of the previous SOI amendment EIR because of inaccuracies.	
The EIR should not rely too heavily on the CNDDDB which is incomplete and weighted toward nesting data rather than foraging or simple occurrence. The EIR should also consider data from eBird, the local Christmas counts, and from SLNWR and CRP	
Artificial lighting at night is cumulative and significant and the EIR should consider and evaluate the impact of lighting on wildlife.	
The EIR should evaluate the no project and alternative scenarios based on the negative impacts of light encroaching on the FEMA Floodplain limit, Deer Creek, Cosumnes River, and Cosumnes River Corridor.	
Lighting should be limited in the amount of lighting and the period of operation.	
The EIR should evaluate the potential impacts of blue rich light on sky glow and its effects on biological mechanisms, including during cloudy conditions.	
Rodents are sensitive to stray light, which could affect prey availability for Swainson's hawk.	
The project may not have sufficient funding and LAFCo will have no regulatory nexus to inhibit a typical low density sprawl development.	
The project would induce growth into the important agricultural and natural open space areas south of the city. The project should not be located in a biologically significant greenfield but in a more suitable infill site.	
Elk Grove Grasp, Lynn Wheat	
LAFCo's policy on discouraging annexation of peninsula-shaped parcels is difficult for the public to understand and expands the original city application. The EIR should include an alternative with only the 100-acre city-owned property, because the additional 479 acres is growth-	

inducing and relies on speculative zoning.	
The EIR should address the proximity of the site to the propane tanks, which represent the largest above-ground storage of propane in the country, according to Suburban Propane, and the associated hazards.	
The EIR should identify all federal, state, and local permits required for the project.	
The EIR should not rely on outdated information from the previous Municipal Services Review.	
The EIR should obtain updated information on water consumption and the ability of the service provider to serve the Project, taking into account the updated groundwater supply reporting requirements that will be required by the State.	
The EIR should include the traffic analysis of the City's Hazardous Waste Facility at full build out.	
Will all the costs to process the City's application to LAFCo be proportionally shared by the affected private property owners who will benefit from this application?	
Elk Grove Unified School District, Kim Williams	
The mixed-use land designation makes it difficult to project the potential impact of infill development on EGUSD. The EIR should use assumptions of RD-30 housing in the proposed commercial areas and residential development on the Mosher property.	
Elk Grove Water District, Mark Madison	
EGWD Service Area 2 is immediately adjacent to the SOI amendment area and EGWD has an interest in providing retail water service for the project by purchasing wholesale water from SCWA Zone 40 as is currently done for Service Area 2.	
George E. Phillips (Phillips Land Law, Inc.) for Mahon and Kautz	
On November 23, 2015, Mahon and Kautz applied to Sacramento County to initiate a land use visioning process for 701 acres south of Grant Line Road and east of the proposed SOI amendment. The EIR should consider the impacts of the project within this broader context.	
The EIR should address impacts on land uses south of Grant Line Road that are subject to spillover effects, which will include pressure to develop	

these properties with land uses compatible with (or in support of) the sports park.	
The land use visioning process for the area to the east of the project falls within the ambit of a “probable future project.”	
The EIR should evaluate growth-inducing effects consistent with <i>Banning Ranch Conservancy v. City of Newport Beach</i> .	
George E. Phillips (Phillips Land Law, Inc.) for Melba Mosher	
While the Mosher property is included in the proposed SOI amendment, the EIR should evaluate the impact of the sports complex on the existing agricultural uses on Mosher Ranch, which is currently under a Williamson Act contract and is prime farmland. The NOP shows no effort to mitigate or reduce impacts on Mosher Ranch.	
The access road adjacent to the western property line of Mosher Ranch and the lighted parking field and sports fields will have an immediate negative impact on adjacent agricultural uses and the historic homestead at the southwest corner of the property.	
The EIR should address the Sacramento County General Plan Agricultural Element requirement of buffers to protect urban uses from noise and dust from agricultural production but also pressure to cease agricultural uses, and LAFCo policy to only approve reorganizations affecting prime farmland if the proposal will have no significant effect on other agricultural lands.	
The sports complex must avoid the impacts of a direct interface between the proposed entertainment and recreational uses and the adjacent agricultural land at Mosher Ranch. The stadium will result in large crowds (and noise, light, and traffic) will severely burden the ability of the Mosher Ranch to continue agricultural use.	
The sports complex should be designed with design features and mitigation measures including, but not limited to, setbacks, landscaping, lighting design and restrictions, and noise limitations.	
The Mosher property is designated as mixed use in the proposed project, but the EIR should consider existing agricultural uses.	
Sacramento Regional County Sanitation District (RegionalSan), Sarena Moore	

Local sewer service would be provided by SASD. Conveyance to the Sacramento Regional Wastewater Treatment Plant would be provided by Regional San interceptors. The project area would be within the LA Elk Grove expansion trunk shed. SASD trunk facilities in expansion sheds are typically constructed by the developer and reimbursed per the SASD ordinance.	
The EIR should fully evaluate the environmental impacts that will require SASD and Regional San to increase its wastewater flow demands and the on-site and off-site impacts of constructing sanitary sewer facilities.	
County of Sacramento Department of Transportation, Matthew Darrow	
Future urbanization will affect rural roadways adjacent to this urban growth and the County asks that the City of Elk Grove participate in bringing rural roadways up to current standards (lane widening, shoulder construction) when future annexation occurs.	
The County requests that the City enter into a maintenance and operations agreement for public roadway infrastructure as well as shared public roadway facilities when future annexation occurs.	
Frontage improvements should be the responsibility of future development projects.	
The County requests that the City enter into a cross jurisdictional reciprocal funding agreement with the County to address each other's impacts and mitigation measures for development projects when future annexation occurs. The County's impacted roadways should be mitigated to acceptable level of service standards and improvements should be installed to the County's latest improvement standards.	
The EIR traffic study should analyze all impacted roadways and intersections for existing and cumulative conditions, including Grant Line Road, Waterman Road, Mosher Road, etc. and associated intersections.	
Sacramento County Farm Bureau, Charlotte Mitchell	
The EIR should evaluate the impacts of conversion of agricultural land to non-agricultural uses on the economic viability of the agricultural industry.	
The EIR should evaluate noise and aesthetics	



impacts on nearby agricultural operations within a 2 mile radius.	
Sacramento County Department of Community Development, Leighann Moffitt	
The County appreciates the acknowledgement in the NOP that the EIR will include analysis of the project's potential impacts on the South Sacramento Habitat Conservation Plan.	
The EIR should include an alternative that provides a greater buffer between urban development and Sacramento County Urban Services Boundary (USB), which is intended to protect the County's natural resources from urban encroachment. This buffer could be used for habitat restoration and agricultural activities.	
The County has begun a visioning process for the area south of Grant Line Road, which presents an opportunity to create a project with a unique relationship with agriculture and urban space. The applicant envisions high quality homes in a pastoral setting with adjacent agriculture and environmental buffers adjacent to the USB. The proposed sports complex and SOI land uses have the potential to impact the SoGL planning effort.	
The EIR should evaluate the project's noise, light, and aesthetic impacts on adjacent properties.	
The project should incorporate design features and mitigation measures to safeguard the high-intensity land uses and the adjacent properties in the SoGL project to guard against potential incompatibility.	
The EIR should evaluate potential growth-inducing impacts on surrounding properties.	
The EIR should evaluate potential cumulative impacts, including the land use visioning process for SoGL.	
Sacramento Metropolitan Air Quality Management District (SMAQMD), Charlene McGhee	
The EIR should analyze construction and operational emissions including nitrogen oxides, reactive organic gases, exhaust and fugitive dust particulate matter, greenhouse gas emissions, toxic air contaminants, and odors.	
The project may require an Air Quality Mitigation Plan. CAQ-30 of the Elk Grove General Plan typically requires a 15 percent emissions reduction. However, if the project was not included in the land use assumptions for the	





## Brundage. Peter

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**From:** Tunson, King <ktunson@sfd.cityofsacramento.org>  
**Sent:** Friday, November 06, 2015 9:20 AM  
**To:** Brundage. Peter  
**Cc:** Johnson, Scott  
**Subject:** FW: Elk Grove SOI Amendment & Multi-Sport Park Complex (LAFC #04-15) CEQA NOP  
**Attachments:** Elk Grove SOI & Multi-Sport Park Complex NOP.pdf

Good morning Peter,

I don't have any comment at this time and will respond once the EIR has been released. Thanks

King Tunson  
Plan Review-SFD Fire Prevention  
Supervisor, SFD Fire Prevention  
Administration  
300 Richards Blvd, 2<sup>nd</sup> Floor  
Sacramento, CA 95811  
Office (916) 808-1358  
Fax (916) 808-4776  
[ktunson@sfd.cityofsacramento.org](mailto:ktunson@sfd.cityofsacramento.org)

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**From:** Scott Johnson [<mailto:SRJohnson@cityofsacramento.org>]  
**Sent:** Thursday, October 29, 2015 10:46 AM  
**To:** Sinclair, William; Harris, Fedolia; McDonald, James; Kurka, Karl; Hocker, Kevin; Tunson, King; Ewigleben, Lezley; de Beauvieres, Mary; Deering, Roberta; Hajeer, Samar; Dailey, Timothy; Buford, Thomas; Bertrand, Anthony; Wann, William; Busath, William; Thoma, Christopher; Morrison, Diane; Halbakken, Francesca; Barron, Hector; Heeren, Jeffrey; Way, Jerald; Peifer, James; Ulich, Jody; Benassini, Joseph; Dangberg, John; Patterson, Joy; Burdick, Kourtney; Fritzsche, Leslie; Tucker, Linda; Griffin, Mark; Eierman, Matthew; Anguiano, Melissa; Voss, Michael; Theocharides, Nicholas; DeVore, Ryan; Patterson, Sheryl; Cosgrove, Stacia; Pace, Thomas; DeLeon, Winfred; Hall, Adrienne; Johnson, Alisa; Sosenko, Benjamin; Black, Brandon; Jennings, Cassandra; Roybal, Christine; Hernandez, Consuelo; Conway, Daniel; Savala, Daniel; Williams-Vincent, Danielle; Gonsalves, David; Wurgler, Deb; Rogers, Dennis; Quintero, Elena; Hewitt, Helen; Gaillard, Isabelle; Parker, Jameson; West, Jennifer; Huang, Jess; Cosaino, Jisifredo; Devlin, Joseph; Paneda, Keilani; Greene, Kevin; Blackwell, Kim; Saeteurn, Koy; Vang, Mai; Bryant, Matthew; Bisharat, Patti; Fenolio, Peter; Simonsen, Rubie; Trapani, Kelli  
**Subject:** Elk Grove SOI Amendment & Multi-Sport Park Complex (LAFC #04-15) CEQA NOP

The Sacramento Local Agency Formation Commission (LAFCo) and the City of Elk Grove as co-lead agencies have issued, pursuant to the California Environmental Quality Act (CEQA), a **Notice of Preparation (NOP)**(attached) of a **Draft Environmental Impact Report (EIR) for the Sphere of Influence (SOI) Amendment and Multi-Sport Park Complex project.**

LAFCo and the City of Elk Grove are soliciting comments regarding the scope and content of the EIR as they relate to your agency's statutory responsibilities in connection with the proposed project.

**Written responses on the NOP should be provided by 4:00 p.m., November 23, 2015 to:**

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT  
1325 J STREET  
SACRAMENTO CA 95814-2922

October 28, 2015

Regulatory Division SPK-2015-00936

Sacramento Local Agency Formation Commission  
Attn: Mr. Peter Brundage  
1112 I Street, Suite 100  
Sacramento, California 95814-2836

Dear Mr. Brundage:

We are responding to your October 23, 2015 request for comments on the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex project. The Sacramento Local Agency Formation Commission project identification number is LAFC #04-15. The approximately 579-acre project site is located southwest of the existing City of Elk Grove boundary, currently in unincorporated Sacramento County, California, Latitude 38.3804°, Longitude -121.3444°.

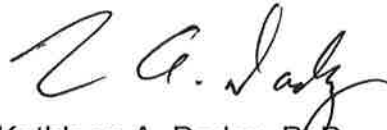
The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, and marshes. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the Sacramento Local Agency Formation Commission should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number SPK-2015-00936 in any correspondence concerning this project. If you have any questions, please contact Lee Ann Bowers by email at [Lee.A.Bowers@usace.army.mil](mailto:Lee.A.Bowers@usace.army.mil), or telephone at 916-557-5254. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

Sincerely,

A handwritten signature in black ink, appearing to read 'K. A. Dadey', written in a cursive style.

Kathleen A. Dadey, PhD  
Chief, California South Branch  
Regulatory Division – Sacramento District



November 13, 2015

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer  
Email: [Peter.Brundage@saclafco.org](mailto:Peter.Brundage@saclafco.org)

Subject: NOP, Proposed City of Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex (LAFCo File No. LAFC #04-15)

Dear Mr. Brundage,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the NOP, Proposed City of Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex (LAFCo File No. LAFC #04-15). SMUD is the primary energy provider for Sacramento County and the proposed project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

It is SMUD's expectation that all potential impacts related to relocated and/or new electrical infrastructure needed to support the City of Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex are addressed in the EIR.

Based on the provided land uses included in the NOP, the proposed project will increase the electrical demand for this area by approximately 33 MW. This increase in the load could require a new substation site within the proposed sphere of influence and/ or upgrading two existing substations located outside the proposed sphere of influence.

Based on our review of the NOP and our understanding of the proposed project, SMUD offers the following input:

1. SMUD requires a minimum 12.5-foot overhead/underground PUE along all streets for 12kV
2. SMUD requires a minimum 25 to 30-foot overhead/underground PUE along all streets for 69kV
3. SMUD shall maintain an existing 25-foot PUE along Grant line Road and Waterman Road for existing overhead 69kV lines
4. SMUD has an existing 12kV overhead line along Waterman Road and Grant Line Road
5. SMUD has proposed 12kV underground lines along Waterman Road and Grant Line Road

6. SMUD has an existing 69kV line along Waterman Road and Grant Line Road
7. SMUD has a proposed 2nd 69kV circuit along Grant Line Road on the existing pole line
8. SMUD has 230kV overhead transmission lines and structures located in the proposed project areas. Please see the approximate locations of transmission line and structures shown in the area outlined in red on image below. These comments are not an acceptance of the proposed project, but serve as a listing of requirements that need to be responded to in writing by the project proponent. Approval of the proposed project is by executed agreement only. Items a through n apply to SMUD's transmission line and structures:



- a) Any proposed SMUD transmission facilities modifications/relocations by the project owner shall be performed under an executed cost recovery agreement. Project owner shall provide 18 months' timeframe to allow for design and construction of identified facilities.
- b) Project owner shall provide detailed engineering drawings for any improvements that are proposed within the SMUD transmission line easement. SMUD engineering will review the plans and provide comments as required.



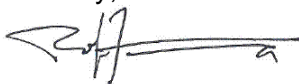
- c) Under no circumstance shall any grading or construction activities be permitted within SMUD's transmission line easements without the conveyance of rights from SMUD's real estate department. Should applicant be found performing unapproved improvements, the applicant will be responsible for returning the property to its original condition at their expense.
- d) Project owner or contractor shall comply with the clearance requirements between the proposed rail tracks and SMUD overhead transmission lines per G.O 95. Project owner or contractor shall abide the clearance requirements from all CAL-OSHA Title 8 approach distance as stated in Subchapter 5, Group 2, Article 37, during project construction.
- e) SMUD reserves the right to construct new or move existing facilities as necessary within its legal easement. Any developments installed by owner or assignees within this easement may need to be removed or modified as a result of the new or existing installed facilities.
- f) SMUD reserves the right to use any portion of its easement and shall not be responsible for any damages to the developed property within said easement.
- g) Project Owner or contractor is responsible for assessing any impacts (including but not limited to induced voltage and current effects) to its facilities as a result of constructing and operating their facilities within close proximity to SMUD's high voltage transmission lines.
- h) Project Owner or contractor is responsible for ensuring that any subcontractor performing work in the subject right of way is aware and abides by these conditions.
- i) There shall be no storage of fuel or combustibles and no fueling of vehicles within the SMUD easement.
- j) There shall be no long term staging or storage of construction materials within the SMUD easement, such materials shall be removed from the easement at the completion of the project.

- k) All boom-operated construction equipment within SMUD's easement corridor shall be equipped with a mechanical lock-out device to prevent the boom from extending above the Cal-OSHA required clearance distance to SMUD's energized high voltage lines and fiber optic communication lines.
  
- l) Add the following note to drawings:  
**WARNING – SMUD 230KV OVERHEAD LINES ARE LIVE –**  
Electrocution Potential. Contractor shall take all appropriate safety measures when working near or under lines, including placement of OSHA-required warning signage. On-site SMUD inspection required when working within 25 feet of SMUD facilities. Contractor shall contact SMUD's Ricky Plaza at (916) 732-5905 or (916) 799-5733 to schedule inspection. 72-hour advance notice is required. Contractor shall protect SMUD facilities during construction and notify SMUD immediately if facilities are damaged. Any damage to existing facilities shall be repaired at the contractor's expense.
  
- m) Any deviations or revisions to the plans as submitted shall be brought to the attention of SMUD's Real Estate department.
  
- n) For additional information please visit our website and review our Guide for Transmission Encroachment.  
<https://www.smud.org/assets/documents/pdf/Guide-for-Transimssion-Encroachment.pdf>

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

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on this NOP. If you have any questions regarding this letter, please contact Kim Crawford, SMUD Environmental Specialist at [kim.crawford@smud.org](mailto:kim.crawford@smud.org) or (916) 732-5063.

Sincerely,



Rob Ferrera  
Environmental Specialist  
Environmental Management

Workforce and Enterprise Services  
Sacramento Municipal Utility District

Cc: Kim Crawford  
Tina Tran  
Wenjie Chen  
Jose Hernandez  
Jose Bodipo-Memba  
Pat Durham  
Joseph Schofield

## Central Valley Regional Water Quality Control Board

17 November 2015

Peter Brundage  
Sacramento County Local Agency Formation  
Commission (LAFCO)  
1112 I Street #100  
Sacramento, CA 95814

CERTIFIED MAIL  
91 7199 9991 7035 8417 6405

### **COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, ELK GROVE SPHERE OF INFLUENCE AMENDMENT AND MULTI-SPORT PARK COMPLEX PROJECT, SCH# 2015102067, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 23 October 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project, located in Sacramento County.

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

#### **I. Regulatory Setting**

##### **Basin Plan**

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

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan

amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:  
[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

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

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

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

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

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

requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

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

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

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

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

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

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

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

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

#### **Industrial Storm Water General Permit**

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

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

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

#### **Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure

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

that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

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

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

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

**Regulatory Compliance for Commercially Irrigated Agriculture**

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

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

#### **Low or Limited Threat General NPDES Permit**

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

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

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



Stephanie Tadlock  
Environmental Scientist

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





November 19, 2015

Peter Brundage, AICP  
Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street, #100  
Sacramento, CA. 95814

**PROPOSED CITY OF ELK GROVE SPHERE OF INFLUENCE AMENDMENT AND  
MULTI-SPORT PARK COMPLEX PROJECT (LAFC #04-15) – ELK GROVE WATER  
DISTRICT COMMENTS**

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The Elk Grove Water District has reviewed the subject document and appreciates the opportunity to comment. Elk Grove Water District (EGWD) currently provides municipal water to the southeastern portion of the City of Elk Grove, generally bounded by Sheldon Road to the north, Highway 99 to the west, Grantline Road to the east and the Union Industrial Park to the south. Within this boundary, EGWD is divided into two service areas. Service Area 1 is west of Waterman Road and Service Area 2 is east of Waterman Road. EGWD's Service Area 2 is immediately adjacent to the proposed SOI Amendment area.

**EGWD has an interest in providing effective and efficient retail water service to the proposed SOI Amendment area.** While this area is currently designated for retail water service by Sacramento County Water Agency (SCWA) Zone 41, EGWD believes it could provide the same service by purchasing wholesale water from SCWA Zone 40, as is currently done for its Service Area 2, which lies in the Zone 40 boundary. EGWD believes this is a subject worth discussing with SCWA and the City of Elk Grove.

Again, the Elk Grove Water District appreciates the opportunity to comment. Please call me at (916) 685-3556 if you have any questions or require additional information.

MARK J. MADISON  
GENERAL MANAGER

MJM/bk

**From:** EG Grasp [<mailto:eg.grasp@gmail.com>]

**Sent:** Monday, November 23, 2015 9:05 AM

**To:** Brundage, Peter

**Subject:** Comments on the NOP/draft EIR for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex

Dear Mr. Brundage,

The comment letter below was mailed, Please include in the record for review and response.

November 19, 2015

To: Peter Brundage, AICP, Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, Ca 95814-2836

Subject: NOP of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project

\* The NOP gives the impression that 479 acres were added to the application because "Sacramento LAFCo policy discourages annexation of peninsula-shaped parcels". To base a policy simply on the shape of the annexed property as viewed on a map is difficult for the public to understand. The EIR needs to explain this LAFCo policy that essentially results in a 75% expansion of the original city application. An EIR no-project alternative needs to include only the 100-acre city-owned property, because the additional 479 acres is growth-inducing and relies on speculative zoning.

\* The EIR needs to identify a baseline environmental setting that includes the proximity of the site to the propane tanks, which represent the largest above-ground storage of propane in the country, according to Suburban Propane documents.

\*The EIR needs to address the hazard risk of designating public assembly uses within close proximity to approximately 22 million gallons of explosive storage tanks.

\* The EIR needs to specify all federal, state, and local permits which may be required to the extent possible.

\* The EIR should not rely on outdated information from the previous Municipal Services Review submitted by the City. The EIR should clearly document attempts to obtain updates and where applicable, denote that such information is updated.

\* The EIR should obtain updated information on water consumption and the ability of the service provider to serve the Project, taking into account the updated groundwater supply reporting requirements that will be required by the State.

\*The EIR should include the traffic analysis of the City's Hazardous Waste Facility at full build out.

General Questions:

\* Recognizing that the Project is for property that is 25% owned by the City, and 75% on private property, the taxpayers of Elk Grove would like to know if all costs to process this application by LAFCo will be proportionally shared by the affected private property owners who will benefit from this application?

Thank you for the opportunity to submit comments.

Sincerely,

Lynn Wheat

Allenya Kirby

Elk Grove Grasp

[Eg.grasp@gmail.com](mailto:Eg.grasp@gmail.com)

--

Thank You

Elk Grove Grasp

<http://www.ElkGroveGrasp.org>

If you wish to not receive e-mails from Elk Grove Grasp, please press "Reply" and type "Unsubscribe" in the text box. Thank You

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November 20, 2015

PO Box 1526•Sacramento, CA•95812•(916) 444-0022

**SENT VIA EMAIL (Peter.Brundage@saclafco.org)**

Sacramento Local Agency Formation Commission  
11121 I Street, suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer

RE: Comments on Notice of Preparation for proposed Elk Grove Sphere of Influence Amendment and multi-sport park complex

Dear Mr. Brundage:

This letter provides initial comments from the Environmental Council of Sacramento (ECOS) and Habitat 2020 (H2020) in response to a notice of preparation for the proposed Elk Grove Sphere of Influence Amendment and multi-sport park complex. ECOS' membership organizations include: 350 Sacramento, Breathe California of Sacramento-Emigrant Trails, Friends of Stone Lakes National Wildlife Refuge, International Dark-Sky Association, Los Rios College Federation of Teachers, Mutual Housing California, Physicians for Social Responsibility Sacramento Chapter, Preservation Sacramento (formerly known as Sacramento Old City Association), Resources for Independent Living, Inc. (RIL), Sacramento Audubon

Society, Sacramento Housing Alliance (SHA), Sacramento Natural Foods Co-op, Sacramento Valley Chapter of the California Native Plant Society, Sacramento Vegetarian Society, Save Our Sandhill Cranes (SOS Cranes), Save the American River Association (SARA), SEIU Local 1000 (Environmental Committee), Sierra Club Sacramento Group, The Green Democratic Club of Sacramento, and the Wellstone Progressive Democrats of Sacramento.

Habitat 2020 (H2020) is a coalition of environmental organizations collaborating on common issues in and affecting, the Sacramento region. Members of Habitat 2020 include the Sacramento Audubon Society, California Native Plant Society, Friends of the Swainson's Hawk, Save the American River Association, Save Our Sandhill Cranes, Sierra Club Sacramento Group, Friends of Stone Lakes National Wildlife Refuge and the Sacramento Area Creeks Council.

**Alternative sites need to be evaluated in the EIR**

From a land use and transportation standpoint, the area the City of Elk Grove proposes to annex is a poor choice for a soccer complex. For use by soccer teams from Elk Grove that use the complex for practices and games, the complex would be better located closer to the center of the community, to reduce travel times and vehicle miles travelled. For use in tournaments and league games involving other teams from the Sacramento region, sites further north would reduce travel times and distances. For major tournaments, involving teams from outside the Sacramento region, the site is particularly inconvenient, as it is not located near services on which the teams depend, including hotels and restaurants. The site will either result in additional vehicle miles travelled, as compared to other sites closer to these businesses, or induce development of these kinds of commercial development closer to the site of the complex, which is a growth inducing impact of the project that will need to be analyzed in the DEIR. Either way, the complex will have significant adverse environmental impacts that could be avoided by choice of a more appropriate site. The choice of a site on the urban fringe also means that the site will not be served by transit, which will result in transportation and air quality impacts that could be avoided by choosing a site better able to make use of transit services.

The problems are similar if the site is used for a stadium. If a stadium is located along a transit corridor, a substantial number of the trips to games can be accommodated by transit, reducing congestion and vehicle miles

traveled. But a stadium alone will not support transit. Nor will a stadium on the urban fringe support the game day experience possible where the stadium is in the urban core, allowing fans to transit to near the stadium, meet fellow fans at nearby bars and restaurants, and march together to the stadium.

The environmental impact report should consider alternative sites for the soccer complex that will allow for shorter trips to the complex, closer proximity to hotels and other services relied on by visiting teams participating in tournaments, and accessibility to transit.

### **Biological resource considerations**

The environmental impact report should consider the unique geographic placement of this site in relation to both the Stone Lakes National Wildlife Refuge to the West and the Cosumnes River Preserve to the South. The EIR should consider impacts to the many species that roost, or spend the night, in these large protected areas that then forage in the site under consideration for at least some portion of their natural history.

The EIR should consider the significance of the site as upland forage for species displaced during the cyclical flooding events that occur every seven to ten years in and around the Cosumnes River Preserve. For many species, such as the greater sandhill crane, a large proportion of the habitat conserved for them will be temporarily unavailable during these stochastic events. Roosting is not such a concern because the cranes can utilize the shallow water along the margins of the floodplain. However, much of their traditional foraging grounds will be inaccessible. The upland areas, then, in any reasonable proximity to the floodplain take on significant importance. The EIR should analyze the impact on species from the loss of this important upland foraging area.

We would caution against using any portion of the biological resource chapter from the discredited Brandman and Associates' DEIR and RDEIR for the recently denied Elk Grove SOIA application to LAFCo. The chapter had so many flaws and inaccuracies that it should be completely avoided. As well, given the scandal over the Grasslands Solar debacle in Davis that relied upon what was characterized as a fraudulent EIR prepared by Brandman and Associates, any reuse of their work would be imprudent.

We would also caution on relying too heavily upon the California Natural Diversity Database (CNDDDB) for species occurrences in the site under consideration. The CNDDDB is a notoriously incomplete database, and particularly for avian species it is weighted heavily towards nesting data rather than foraging or simple occurrence data. There are many listed species and species of concern that regularly occur in and in the vicinity of the site under consideration that do not nest there. It would be prudent to balance the CNDDDB with data from eBird and the local Christmas counts in the area, as well as the species lists for both the Stone Lakes National Wildlife Refuge and the Cosumnes River Preserve. If a species occurs in either of those protected areas and uses the equivalent land cover types as those present in the site under consideration, chances are good that it is present there.

### **Considerations regarding light pollution**

The Cosumnes River (including its Deer Creek tributary) is the only remaining free flowing river on the western slope of the Sierra Nevada. The riparian and floodplain habitats of the Cosumnes River are rich, biologically productive ecosystems. Their importance has led to a multi-agency effort to create a natural preserve that extends from just across the river from the proposed project down to the confluence with the Mokelumne River.

Numerous studies have shown that artificial night light has negative and deadly effects on many types of birds, amphibians, insects, fish and mammals. Approximately 30% of vertebrates and 60% of invertebrates are nocturnal and therefore can be highly influenced by the presence of artificial light at night. Encroachment of even small amounts of night time light can impact species such as zooplankton and terrestrial invertebrates.

Rodents--abundant in the seasonal wetlands within and near the Cosumnes flood plain and an important prey source for Swainson's Hawk and other raptors--are especially sensitive to stray light into their habitat. Stray light of similar intensity to moonlight can cause rodents and other nocturnal mammals to reduce their activity, leading to restricted foraging activity and reduced food consumption. Rodents and other nocturnal mammals respond to stimuli equivalent to that of a half moon (0.1 lux) as well as a full moon (0.3 lux). Rodents experience disruption of the circadian clock at very low light levels, leading to disruption of annual changes in body mass, hormones, reproductive status, hibernation, and other activity patterns.

The nature of spill light can also be a factor. Blue-rich white light has been shown to scatter more in the atmosphere and create more sky glow. Sky glow can eliminate monthly variations in light levels essential to biological mechanisms. Cloudy night conditions present additional concerns as clouds have been shown to increase ambient light levels by a factor of 10. Light levels equivalent to that of the half moon have been identified as disruptive. Spill light from this the proposed SOI could easily exceed these levels.

All of these factors are of special concern with the advent of LED outdoor lighting which if not selected properly can contain excessive blue light content. Duration as well a dosage can be a factor, a single artificial light at night may disrupt important ecological functions over a wide spread area, if this disruption is long lasted, it can have even more serious consequences. The analysis of lighting impacts should include the use of this particularly impactful type of artificial lighting.

In sum, the lands around the proposed expansion of the SOI are environmentally sensitive, biologically important and part of an overall complex of protected habitat comprising the Cosumnes Preserve. The introduction of significant permanent night light in the area will have biological impacts that should be fully analyzed in the DEIR for both the proposed project and alternatives. Lighting mitigation options must be considered and evaluated

## **Conclusion**

ECOS and Habitat 2020 are far from convinced that the use of this site for a multi-sport complex is warranted based upon the significant impacts that will result from its development. We would caution LAFCo that many of the significant impacts could be completely avoided with a more northerly or central location being chosen as an alternative site.

We would also caution LAFCo that it is unclear whether there is any available municipal funding to make this complex a reality, and once the sphere increase and the annexation are granted, LAFCo will have no regulatory nexus to inhibit a typical low density sprawl development replacing this complex. As well, even if the complex does become a reality, for reasons already discussed, the complex would be a major growth inducer

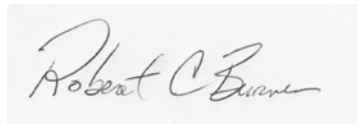


for further development into the important agricultural and natural open spaces south of the city. We see no justification for utilizing a biologically significant greenfield at the absolute margin of the existing city when more suitable infill opportunities exist which would avoid all of the impacts associated with this site.

Sincerely

A handwritten signature in blue ink, appearing to read "Rick Guerrero". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Rick Guerrero, President, Environmental Council of Sacramento

A handwritten signature in black ink, appearing to read "Robert C. Burness". The signature is written in a cursive style with a large initial "R".

Rob Burness, co-chair, Habitat 2020

LAW OFFICE OF  
**JOHN R. FLETCHER**  
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November 20, 2015

**VIA E-MAIL AND UPS:**

[Peter.Brundage@saclafo.org](mailto:Peter.Brundage@saclafo.org)

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer

Re: Suburban Propane's Response to Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project

Suburban Propane submits the following written response to the Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project.

**History of Suburban Propane's Elk Grove Storage Facility**

Suburban Propane, Elk Grove, is a refrigerated propane storage facility which stores approximately 24,000,000 gallons of propane. Propane is transported to the facility via truck and rail with a predominate percentage of product arriving and departing the facility via truck transport. As many as 55 trucks and up to eight railcars will come into the plant during the day within a 24-hour period.

The property for the facility was selected in 1969 and propane was first stored on site in 1971. The facility has operated on an around-the-clock, 365 days per year basis since that time. The facility ships propane to other states and, on occasion, to Canada and Mexico. A significant percentage of the total propane sold in the State of California is stored at the Suburban Propane facility.

The Suburban Propane site was selected for its convenient access to a major rail route, easy access to both I-5 and SR-99 as well as a number of east/west highways. The zoning has always been heavy industrial, (M-2) and Suburban Propane has historically been surrounded by a number of large heavy industries, including Georgia Pacific, Willamette Industries, Paramount

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Petroleum, The Henry Company and Concrete, Inc. Heavy industry has grown significantly around Suburban Propane over the past thirty (30) years. This growth has been propelled by easy rail and highway access and zoning compatible with heavy industry.

In Suburban's forty-five (45) years of plant operation, there has never been an accident on site. Suburban utilizes state of the art security at its facility in recognition of the fact that not all potential dangers at the plant come from within the facility. In 1999, Suburban became the target of two unsophisticated terrorists, who have since been convicted of felonies including intent to use a weapon of mass destruction at the facility. While no events occurred at the plant related to terrorism, the incident sparked a further investigation into the potential of off-site consequences from an accident at Suburban Propane.

It is difficult to understand, 16 years later, that the mood in the community was charged and volatile and public officials and Suburban were held accountable to the community with respect to allowing potentially inappropriate development in close proximity to the facility. Ironically, there isn't a single mention in any discussion of the proposed project of the fact that the proposed site is approximately a half mile from Suburban's property. While the mood in the community may have changed and City officials have changed and or forgotten, the risks have not changed and City leaders must take into consideration the proximity of twenty-four (24) million gallons of propane across the street from the proposed ball fields. Certainly not all members of the public have forgotten. I have received written requests for Suburban Propane to oppose this project based on safety concerns.

Suburban Propane has consistently objected to changes in zoning around its facility which seek to modify the zoning of the surrounding area from heavy industry and light industry, to residential or to any zoning which reduced the buffer area around the plant and which foreseeably will bring large numbers of people into close proximity to the propane storage facility. The subject proposal envisions a stadium for nine thousand (9,000) people, sixteen (16) soccer fields, classrooms, a medical facility and hopes to host the annual Sacramento County Fair. It is difficult to envision an area anywhere else in the City which will have a denser population when events are in progress. In the event that the County Fair is hosted on this site, it is foreseeable that there will be fireworks as they are a part of every County Fair. It would be a colossal mistake and an invitation to disaster to have a fireworks display on this property.

### **Draft EIR**

The City of Elk Grove seeks to amend the Sphere of Influence to accommodate a multi-sports complex and future commercial and industrial uses. The City is contemplating decisions which will determine the growth of the City and the adoption of a formal land use strategy which will serve to guide that growth over many decades. The City of Elk Grove must make those decisions based on sound land use principles while meeting its fiduciary obligation to protect the citizens of Elk Grove.

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For years, the Fire Chiefs of Elk Grove have voiced their strong opposition to any residential or dense development within one mile of Suburban Propane. Following the attempt at Suburban's Elk Grove facility, existing fire chief Meaker reduced the radius around the facility from one mile to ½ mile. Meaker, and his successors, continued to advise against dense development within a mile of the facility. The County of Sacramento, the lead agency on all projects submitted for review prior to July 2000, rarely followed the advice of "staff" or the leaders of fire and police services and allowed such development to occur within the one mile radius. In our opinion, a bad precedent was established by allowing dense development and residential development (i.e. Hampton Village) and Triangle Point within that "protected" one-mile radius around the Suburban Propane facility.

### **Proposed Development**

The proposed development is "bold" as one land use attorney has commented in the reports. The project is approximately ½ mile from Suburban's property. With sixteen (16) soccer fields, a proposed stadium designed to seat nine thousand (9,000) spectators, and intentions to hold special events including the annual Sacramento County Fair, the large number of people in such close proximity to the state's only large liquified propane storage terminal is not in Suburban's opinion, bold, it is flawed and misguided.

### *Land Use Issues*

The City of Elk Grove has the opportunity to enforce well-reasoned land use principles and protect the community within close proximity of the Suburban Propane facility and other heavy industry. The vision and the scope of the project are fantastic for a different location. For the proposed location, it is a mistake.

While there has been no mention of the propane facility in any consideration of the multi-sport/park project, for past projects that were further away from Suburban there was considerable attention paid to the facility. Numerous reports were prepared by experts, some of whom were neutral in their analysis, while others were retained by the developer. In past projects, the City of Elk Grove has been unduly influenced by a single report with respect to "Major Hazardous Material Handling Facilities in the Planning Area." The report in question is the "Review of Suburban Propane Hazards Analysis Studies and Evaluation of Accident Probabilities" by Quest Consultants (May 2003). Surprisingly, a copy of the report was never forwarded to Suburban Propane or its representatives prior to the City Council hearing for the Lent Ranch Mall when the report was released. Quest Consultants were initially retained by Lent Ranch for the purpose of documenting that the outdoor mall could be built in close proximity to Suburban Propane and Georgia Pacific. In August of 2000 Quest Consultants reported that the mall was outside the

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zone of potential hazards from a worst case scenario at the Suburban Propane and Georgia Pacific facilities.

Despite the fact that Quest Consultants were retained directly by a developer whose sole interest was in ensuring that the development proceed, the City of Elk Grove has unilaterally rejected the reports of all other consultants, including the report prepared by the Joint Task Force, paid for by the County of Sacramento, in an effort to support its Draft EIR on the General Plan.

The City of Elk Grove in the Draft General Plan stated in conclusory fashion at page 4.4-28 that:

“Based on technical review of these reports Quest determined that the results of the Dames and Moore reports do not appear to be accurate as it is not consistent with technical studies and large-scale experimental data associated with propane releases. Thus, the conclusions of the Dames and Moore reports regarding these events are not considered appropriate for determination of offsite hazards.”

The fact that the City of Elk Grove relied solely on a consulting firm that was found by and eventually retained by the developer of the largest development of real property in the City of Elk Grove was cause for concern. What is even more disturbing is that the City has not considered any information, expert reports, studies or agency findings relating to the proximity of thousands of people to the propane storage facility.

With respect to the then proposed Lent Ranch Mall it was a concern to Suburban Propane that all other consultants were summarily dismissed by Quest Consultants and therefore by the City of Elk Grove. Other consultants, Jukes and Dunbar retained by the County, John Jacobus retained by Suburban Propane and Dr. Koopman retained by the FBI did not agree with the findings of Quest Consultants. However, their findings were mentioned only in passing in the Draft General Plan and clearly there was no consideration given to those experts in the Draft General Plan. The fact that experts retained by the County of Sacramento in 2000 and 2003 felt that the proposed Lent Ranch Mall was ill advised should be important here. The proposed Sports Complex is closer to Suburban than the proposed Lent Ranch Mall.

Two reports, Jukes and Dunbar (1999) and Dr. John Jacobus (1999) comprehensively analyzed potential accident scenarios. Both reports concluded that the area of the proposed mall, thirty-five hundred (3,500) feet from the Suburban Plant and even closer to the now defunct Georgia Pacific Plant, would be adversely impacted by an accident at the either facility. There was no competent data that suggested otherwise.

#### *Studies Regarding Off-Site Consequences from an Incident at Suburban Propane*

There have been a number of studies performed related to accident potentials at Suburban Propane. The County of Sacramento commissioned the first study. The County hired the

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engineering firm of Dames & Moore in 1992 to study accident consequences relating to an incident at Suburban Propane. That report concluded that the hazards associated with an unconfined vapor cloud explosion and boiling liquid expanding vapor explosions presented the greatest risk to any potential off-site population within a 1.24 mile radius of the facility. The proposed Sports Complex is considerably closer.

The Lent Ranch developers then hired Dames & Moore to again evaluate the hazards presented by an accident at Suburban Propane. Based on new data relating to the explosive yield of propane, Dames & Moore concluded that the hazards from an unconfined vapor cloud explosion presented a risk to an off-site population only to approximately two thousand (2,000) feet away. This report, commissioned by the developers of Lent Ranch Marketplace, made a finding which would not preclude development of the mall based on safety criteria.

Suburban Propane hired a well-respected propane expert, Dr. John Jacobus to study the consequences of worst case scenarios from an accident at Suburban. The county of Sacramento hired two experts, Jan Dunbar and Wally Jukes, to study worst case scenarios at the plant. Independently, the three experts concluded that a worst case accident would have off-site consequences up to a mile from the plant. While it can be argued that Dr. Jacobus is not objective because of the fact that his work was paid for by Suburban Propane, the same cannot be said of Jukes and Dunbar. The County, not a developer or an interested party in the outcome of the findings, paid for their work. Jukes, Dunbar and Jacobus all concluded that worst case accident scenarios were sufficiently severe to call for a moratorium on all residential building and dense development within one (1) mile of Suburban Propane.

- 1992 Dames & Moore report      Paid for by County of Sacramento  
Finding: Significant off-site consequences up to 1.24 miles
- 1998 Dames & Moore report      Paid for by Lent Ranch Developers  
Finding: No significant off-site consequences beyond 2,000 feet.
- 1999 Jacobus report                      Paid for by Suburban Propane  
Finding: Significant off-site consequences up to 1 mile
- 1999 Jukes and Dunbar report      Paid for by County of Sacramento  
Finding: Significant off-site consequences up to 1 mile

In response to the two reports generated in 1999, the developers of Lent Ranch Marketplace hired the firm of Quest Consulting. Quest was retained to once again examine the consequences of off-site hazards from an accident at Suburban Propane. The City of Elk Grove then hired the Quest firm as its consultant on the Lent Ranch project.

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Importantly, the fact that the City of Elk Grove hired Quest presented the appearance of impropriety and appeared to Suburban Propane to be a clear conflict of interest. The City Council owes a fiduciary duty to its constituents. The City hired the developer's expert in what appeared to Suburban to be a clear breach of the fiduciary duty it owes to the public. That action called into question the motives and objectivity of that City Council. While there may not be any collusion present, the appearance of the impropriety must be resolved.

How could the City independently evaluate this serious issue if it retained the developer's expert? With respect to Lent Ranch, the City Council should have turned to the two individuals, Dunbar and Jukes, who were not tainted by affiliation to any interested party and were not tainted by bias or motive. They provided a truly objective analysis of off-site consequences. That report, prepared in anticipation of hearings on the Lent Ranch project, is equally applicable and useful to a consideration of the Sports Complex.

The evidence should compel an objective fact finder to the conclusion that it does not constitute prudent land management policy to allow the development of a massive sports complex which purpose is to place thousands of our youth in close proximity to the propane facility. If the site is utilized as a County Fair site, the exposure will be to tens of thousands, if not hundreds of thousands of people at a given moment.

Based on all of these factors, Suburban respectfully requests that the proposed sports complex not be approved in its present location and that the record reflect that competent experts retained by the County of Sacramento concluded over ten (10) years ago that it was ill advised to allow any development which brings dense populations within one (1) mile of Suburban's facility. The findings of those experts are equally applicable in this instance.

Suburban Propane opposed the 2006 Waterman Park project which was the predecessor to the proposed Triangle Point 75 Project. Additionally, in 2006, Suburban Propane opposed the amendment to the General Plan and Specific Plan which allowed for the potential development of the Triangle Point 75 acre parcel with residential and high density residential components. Because of the close proximity of those proposed developments to Suburban Propane, the density of the proposed housing, as well as the health and safety issues such downwind proximity creates, Suburban unequivocally opposed those residential and senior citizen components of the project.

Those oppositions should be read in their entirety by this council to give context to the current opposition to the proposed Sports Complex. The arguments made by Suburban and by highly qualified and independent experts, including those retained by the County of Sacramento, are equally valid today in opposition to the current project and are not repeated in this opposition.

The risk analysis that was relied upon by the representatives of the City of Elk Grove in 2006 to amend the general and special plans and to approve the Waterman Park Project failed to take into account the possibility of intentional acts by criminal elements which have as the goal the creation of a catastrophic event at the Suburban Propane facility. Unfortunately, the fact of

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intentional acts have only become more apparent since that time. From the standpoint of an industrial accident, this plant is unparalleled in safety mechanisms and redundancies which lower risks from accidents to that of statistical insignificance. However, neither Suburban Propane nor any other governmental agency, including the Sacramento County Sheriff's Department, the Elk Grove Fire Department, the Elk Grove Police Department, the Federal Bureau of Investigation, the EPA and the Department of Homeland Security, can guarantee that there will never be an intentional act which impacts the facility. These agencies, excluding DHS, were involved with the Suburban Propane facility beginning in 1999 following the attempted threat against the facility. With the passage of the Homeland Security Act by Congress in November 2002, the Department of Homeland Security formally came into being as a stand-alone, Cabinet-level department to further coordinate and unify national homeland security efforts, opening its doors on March 1, 2003. The involvement of DHS with Suburban Propane's facility began immediately upon its creation. All agencies have given Suburban Propane high marks for its safety and security.

While Suburban Propane is committed to safety, it recognizes that certain developments in close proximity to its facility are incompatible. With respect to Triangle 75, that proposal to place senior citizens who were not fully ambulatory, and who may not have strong cognitive skills immediately adjacent to the Suburban Propane facility was not in best interests of those potential residents or in the best interests of the community. Likewise, with respect to the Sports Complex, having a youth soccer tournament with over two hundred and fifty (250) teams in attendance, practically across the street from Suburban, seems inappropriate.

Every fire chief has advised against projects which site residential housing within ½ mile of Suburban Propane. This project proposes placing thousands of youth approximately that far from Suburban. The community of Elk Grove again faces a situation in which it must seek guidance and protection by its elected officials. Ironically, County retained experts spoke out against a proposed project even further away from Suburban Propane. Those very experts would not approve the location of this project.

It is the position of Suburban Propane that allowing the proposed sports complex in its present location invites an unnecessary risk because of its close proximity to the Suburban Propane facility. Any discussion of this project must focus on safety for members of this community and appropriate land use decisions that foster compatible uses. To date, there has been no consideration made of Suburban's location to the proposed sports complex.

### **Closing**

Suburban Propane has been responsible and consistent in its opposition to those projects which present obvious incompatibilities. This is a project which is incompatible to the twenty-four (24) million gallon storage facility practically across the street on Grantline Road, and downwind.



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Whether outside threats to the plant are greater today than they were a decade ago is impossible to know with certainty. As a society we are certainly more aware today of continued threats to citizens and institutions from persons who wish to harm us. Today's knowledge of such acts and events almost makes us feel like we were naive in 1999 and 2001. The leaders of the City of Elk Grove must seriously consider the inappropriateness of placing thousands of children downwind and next to a facility which has the potential for significant off-site consequences in the event of an untoward act.

As before, Suburban Propane respectfully urges City decision makers to reject this project as proposed. What is needed is for City leaders to recognize the land use incompatibility in placing thousands of its youth on Suburban's downwind doorstep.

Suburban Propane has maintained an exemplary safety record at its Elk Grove facility. However, to ignore the fact that there are twenty-four (24) million gallons of refrigerated propane stored nearby is not in the public interest.

Sincerely,

LAW OFFICE OF JOHN R. FLETCHER

A handwritten signature in black ink, appearing to be 'J.R. Fletcher', written over a horizontal line.

John R. Fletcher

JRF/mic

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 3—SACRAMENTO AREA OFFICE  
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PHONE (916) 274-0638  
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November 23, 2015

032015-SAC-0165  
03-SAC-99 / 9.29  
SCH#2015102067

Mr. Peter Brundage, AICP, Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street #100  
Sacramento, CA 95814

**Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project –Notice of Preparation of a Draft Environmental Impact Report**

Dear Mr. Brundage:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

The proposed project is located on approximately 579 acres of unincorporated Sacramento County land, southwest of the City of Elk Grove boundary, and 0.55 miles east of State Route 99 (SR 99) on Grant Line Road. The proposed project includes a mixture of land uses, some of which include Industrial, Commercial, Mixed-Use, and Public Open Space/Recreation. Notable developments include a 15-acre fairgrounds/parks area for agricultural events such as the Sacramento County Fair, and a 100-acre Multi-Sport Park Complex that will provide training space and a competition venue with 12 full-size soccer fields, an indoor sports facility, and a stadium/amphitheater. In total, the complex would require approximately 6,300 parking spaces. The following comments are based on the DEIR NOP.

***Multi-Modal Transportation Impact Analysis***

Based on the Elk Grove Sphere of influence Amendment and Multi-Sport Park Complex project information, a Multi-Modal Transportation Impact Analysis should be prepared to assess

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

Mr. Peter Brundage, Sacramento LAFCo  
November 23, 2015  
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potential impacts to the SHS. The analysis should measure Vehicle Miles Traveled (VMT) generated by the project, show a trip distribution diagram, and analyze and identify any potential Safety issues for all modes. The scope of the analysis should include SR 99 mainline, ramps, and ramp intersections (Grant Line Rd and SR 99). Mitigation proposed in the analysis should include Transportation Demand Management and Access Management projects and strategies that increase multimodal access and reduce VMT on the SHS.


### ***I-5 Subregional Corridor Mitigation Program***

Any significant impacts to the SHS from the proposed project could be addressed by contributing to the I-5 Subregional Corridor Mitigation Program (SCMP). The SCMP, once adopted by participating jurisdictions, would be voluntary impact fee for new developments within the I-5 corridor between the Cities of Elk Grove, Sacramento, and West Sacramento. The SCMP would be used to fund a set of transportation improvements that are identified in the Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy, including the Elk Grove Intercity Rail Station, and enhanced bus service between Cosumnes River College and the City of Elk Grove.

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

If you have any questions regarding these comments or require additional information, please contact Alex Fong, Intergovernmental Review Coordinator at (916) 274-0616 or by email at: [alexander.fong@dot.ca.gov](mailto:alexander.fong@dot.ca.gov).

Sincerely,

  
for JEFFERY MORNEAU, Chief (Acting)  
Office of Transportation Planning—South

c: Scott Morgan, State Clearinghouse

November 23, 2015

Sacramento Local Agency Formation Commission  
11121 I Street, Suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage

Subject: Notice of Preparation of the DEIR for the Elk Grove Sphere of Influence Amendment and Multi-Sport Complex Project

Dear Mr. Brundage,

Thank you for the opportunity to comment on the subject NOP. The Capital SouthEast Connector (Connector) is a 34-mile limited-access roadway spanning from the Interstate 5 / Hood-Franklin interchange, south of Elk Grove, to U.S. 50 at the Silva Valley Parkway interchange just east of El Dorado Hills. The alignment of the Connector consists of Kammerer, Grant Line, and White Rock Roads. In particular, the subject application fronts the Connector and is planned to have an intersection with the future Connector Project at Waterman Road as well as a possible connection at Mosher Road.

The Connector is managed by a Joint Powers Authority (Connector JPA) that includes the cities of Folsom, Elk Grove and Rancho Cordova, and El Dorado and Sacramento counties. The JPA was formed in December, 2006 when the cities and counties formalized their collaboration to proceed with planning, environmental review, engineering design and development of what was initially called the Elk Grove-Rancho Cordova-El Dorado Connector Project.

Since being formed in 2006, the JPA has prepared a Program-level Environmental Impact Report (PEIR) for the Connector Project. The PEIR was certified by the JPA Board in 2012. In 2014, the Connector was adopted into the General Plan of Sacramento County. In 2015, the Connector was adopted into the General Plan of the City of Elk Grove.

The Capital Southeast Connector offers the following comments on the NOP:

1. The project is described as being mixed use with a concentration of Commercial Open Space, Commercial/Office, Light Industrial, and Heavy Industrial. These uses across the 579 acres of the application could introduce significant additional travel trips concentrated in a relatively short distance (just over a half mile) along Grant Line Road (the future Connector). Please ensure that the variety of uses allowed under the proposed zoning and their resulting trip generation is fully evaluated for both daily and peak periods of travel along the project frontage. This is especially important since the only available access to the entire application area is from Grant Line Road.

#### JPA BOARD OF DIRECTORS

2. The proposed uses consist of allowable land uses that generate trips consistent with peak periods as well as those that generate special event trips of high volume over concentrated periods of operation. While it is unlikely that all allowable uses will generate their maximum trip potential concurrently, the combination of volumes during peak periods of travel along Grant Line Road will likely create operational issues unless significant mitigation is proposed and implemented as a requirement of the application. Please ensure that special attention is provided in the environmental document to analyzing the various possible peak travel periods for the application outside those normally associated with more traditional land uses.
3. The proposed uses could potentially generate higher than normal volumes and percentages of truck traffic over those normally forecast. The impacts of higher than normal truck trips could also result in special considerations for traffic handling, physical geometry, and off-site circulation improvements that go beyond the immediate vicinity of the project frontage. Any potential truck impacts beyond those normally generated should be evaluated and mitigated as part of the environmental document, as appropriate.
4. Any special event traffic from the proposed sports complex should be evaluated in conjunction with the anticipated peak period background traffic that could be generated from both adjacent land uses and Connector study area traffic, as noted in the 2012 Connector Programmatic EIR.
5. As an extension of the work effort initiated by the Connector with local agricultural interests and Sacramento County Farm Bureau, access to adjacent land uses as well as special circulation needs for farming equipment that may be used or be affected by any proposed changes to area circulation need to be addressed. The Connector, in conjunction with the City of Elk Grove, has already compiled information that could be used in the development of the traffic study for the environmental document.
6. As a requirement of the Connector program, a set of Project Design Guidelines has been developed and approved by the Connector JPA Board of Directors. Adherence to these guidelines in the development of circulation plans and mitigation measures for the subject project is necessary. Any proposed circulation or infrastructure deviations from the guidelines as part of the proposed project will require review and consideration by the JPA in accordance with the design exception policy noted therein.

If you have any questions or require clarification on these comments, please feel free to contact me at (916) 876-9094 or at [zlotkowskit@connectorjpa.net](mailto:zlotkowskit@connectorjpa.net).

Sincerely,



Tom Zlotkowski  
Executive Director



**ECOS**  
ENVIRONMENTAL  
♦ COUNCIL ♦  
OF SACRAMENTO



P.O. Box 1526, Sacramento, CA 95812-1526  
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November 23, 2015

Attn: Mr. Peter Brundage  
AICP, Executive Officer  
Sacramento Local Agency Formation Commission (LAFCo)  
11121 I Street, suite 100  
Sacramento, CA 95814-2836

*SENT VIA EMAIL (Peter.Brundage@saclafco.org)*

RE: Comments on Notice of Preparation for proposed Elk Grove Sphere of Influence Amendment and multi-sport park complex

Dear Mr. Brundage:

This letter provides initial comments from the Environmental Council of Sacramento (ECOS) and Habitat 2020 (H2020) in response to a notice of preparation application for the proposed Elk Grove Sphere of Influence Amendment and multi-sport park complex. ECOS' membership organizations include: 350 Sacramento, Breathe California of Sacramento-Emigrant Trails, Friends of Stone Lakes National Wildlife Refuge, International Dark-Sky Association, Los Rios College Federation of Teachers, Mutual Housing California, Physicians for Social Responsibility Sacramento Chapter, Preservation Sacramento (formerly known as Sacramento Old City Association), Resources for Independent Living, Inc. (RIL), Sacramento Audubon Society, Sacramento Housing Alliance (SHA), Sacramento Natural Foods Co-op, Sacramento Valley Chapter of the California Native Plant Society, Sacramento Vegetarian Society, Save Our Sandhill Cranes (SOS Cranes), Save the American River Association (SARA), SEIU Local 1000 (Environmental Committee), Sierra Club Sacramento Group, The Green Democratic Club of Sacramento, and the Wellstone Progressive Democrats of Sacramento.

Habitat 2020 (H2020) is a coalition of environmental organizations collaborating on common issues in and affecting, the Sacramento region. Members of Habitat 2020 include the Sacramento Audubon Society, California Native Plant Society, Friends of the Swainson's Hawk, Save the American River Association, Save Our Sandhill Cranes, Sierra Club Sacramento Group, Friends of Stone Lakes National Wildlife Refuge and the Sacramento Area Creeks Council.

### **Alternative sites need to be evaluated in the EIR**

From a land use and transportation standpoint, the area the City of Elk Grove proposes to annex is a poor choice for a soccer complex. For use by soccer teams from Elk Grove that use the complex for practices and games, the complex would be better located closer to the center of the community, to reduce travel times and vehicle miles travelled. For use in tournaments and league games involving other teams from the Sacramento region, sites further north would reduce travel times and distances. For major tournaments, involving teams from outside the

Sacramento region, the site is particularly inconvenient, as it is not located near services on which the teams depend, including hotels and restaurants. The site will either result in additional vehicle miles travelled, as compared to other sites closer to these businesses, or induce development of these kinds of commercial development closer to the site of the complex, which is a growth inducing impact of the project that will need to be analyzed in the DEIR. Either way, the complex will have significant adverse environmental impacts that could be avoided by choice of a more appropriate site. The choice of a site on the urban fringe also means that the site will not be served by transit, which will result in transportation and air quality impacts that could be avoided by choosing a site better able to make use of transit services.

The problems are similar if the site is used for a stadium. If a stadium is located along a transit corridor, a substantial number of the trips to games can be accommodated by transit, reducing congestion and vehicle miles traveled. But a stadium alone will not support transit. Nor will a stadium on the urban fringe support the game day experience possible where the stadium is in the urban core, allowing fans to transit to near the stadium, meet fellow fans at nearby bars and restaurants, and march together to the stadium.

The environmental impact report should consider alternative sites for the soccer complex that will allow for shorter trips to the complex, closer proximity to hotels and other services relied on by visiting teams participating in tournaments, and accessibility to transit.

### **Biological resource considerations**

The environmental impact report should consider the unique geographic placement of this site in relation to both the Stone Lakes National Wildlife Refuge to the West and the Cosumnes River Preserve to the South. The EIR should consider impacts to the many species that roost, or spend the night, in these large protected areas that then forage in the site under consideration for at least some portion of their natural history.

The EIR should consider the significance of the site as upland forage for species displaced during the cyclical flooding events that occur every seven to ten years in and around the Cosumnes River Preserve. For many species, such as the Greater Sandhill Crane, a large proportion of the habitat conserved for them will be temporarily unavailable during these stochastic events. Roosting is not such a concern because the cranes can utilize the shallow water along the margins of the floodplain. However, much of their traditional foraging grounds will be inaccessible. The upland areas, then, in any reasonable proximity to the floodplain take on significant importance. The EIR should analyze the impact on species from the loss of this important upland foraging area.

We would caution against using any portion of the biological resource chapter from the discredited Brandman and Associates' DEIR and RDEIR for the recently denied Elk Grove SOIA application to LAFCo. The chapter had so many flaws and inaccuracies that it should be completely avoided. As well, given the scandal over the Grasslands Solar debacle in Davis that relied upon what was characterized as a fraudulent EIR prepared by Brandman and Associates, any reuse of their work would be imprudent.

We would also caution on relying too heavily upon the California Natural Diversity Database (CNDDDB) for species occurrences in the site under consideration. The CNDDDB is a notoriously incomplete database, and particularly for avian species it is weighted heavily towards nesting data rather than foraging or simple occurrence data. There are many listed species and species of concern that regularly occur in and in the vicinity of the site under consideration that do not nest there. It would be prudent to balance the CNDDDB with data from eBird and the local Christmas counts in the area, as well as the species lists for both the Stone Lakes National Wildlife Refuge and the Cosumnes River Preserve. If a species occurs in either of those protected areas and uses the equivalent land cover types as those present in the site under consideration, chances are good that it is present there.

### **Considerations regarding light pollution**

Because artificial light at night is both cumulative and significant, consideration of lighting in this and other areas of the city and county as well as adjacent uses must be considered and mitigated, including their present and future uses and effects.

Numerous studies have shown that artificial light at night has many negative and deadly effects on many types of wildlife including birds, amphibians, insects, fish and mammals. These impacts should be fully analyzed.

Based on negative impacts from encroachment of night time light into or beyond the FEMA Floodplain limit of Deer Creek and Cosumnes River and the Cosumnes River Corridor, the DEIR should be sure to evaluate both the no project and alternative project scenarios with this lighting concern in mind. For fully purpose of protecting listed species, it can argued that not only should artificial lighting be avoided in the area of this site, but its total exclusion from this area should be mandatory.

Encroachment of night time light into Cosumnes River Preserve and Stone Lakes Preserve to the south and west should also be analyzed and the impacts of the light to the species there should be fully discussed.

Natural floodplains such as those near the project site are rich biologically productive ecosystems, encroachment of the most minute night time light can impact species such as zooplankton, terrestrial invertebrates and many other. These impacts should be analyzed in the DEIR. It should be noted that approximately 30% of vertebrates and 60% of invertebrates are nocturnal and therefore can be highly influenced by the presence of artificial light at night. The Cosumnes River is the only remaining unregulated river on the western slope of the Sierra Nevada. Therefore, its riparian and floodplain habitats are critical resources locally and downstream to the Delta's native species by enhancing the estuaries food web.

These areas south, east and west of proposed expansion of the SOI are without question environmentally sensitive and areas adjacent to it should be areas in which permanent lighting is not expected and when used, is limited in the amount of lighting and the period of operation.



The special content of spill light can also be a factor, blue rich white light has been shown to scatter more in the atmosphere and create a slyer glow. Sky glow can eliminate monthly variations in light levers essential to biological mechanisms. Night time cloudy conditions presents additional concerns as clouds have been shown to increase ambient light levels by a factor of 10. Light levels equivalent to that of the half-moon have been identified as disruptive, spill light from this the proposed SOI could easily exceed these levels.

In one plan to support Swainson's hawk, seasonal wetlands such the adjacent flood plain provide overwinter refuge for rodents to provide source prey populations. Rodents are especially sensitive to stray light into their habitat.

Stray light of similar intensity to moonlight can cause rodents and other nocturnal mammals to reduce their activity, movement, restricting foraging activity, and food consumption. Rodents and other nocturnal mammals respond to stimuli equivalent to that of a half-moon (0.1 lux) as well as a full moon (0.3 lux). Rodents most nocturnal mammals experience disruption of the circadian clock at very low light levels, leading to disruption of annual changes in body mass, hormones, reproductive status, hibernation, and other activity patterns.

Thus local Swainson's hawk foraging may be influenced and degraded by the degraded fitness and availability of pray species such as rodents.

All of these factors are of special concern with the advent of LED outdoor lighting which if not selected properly can contain excessive blue light content. Duration as well as dosage can be a factor, a single artificial light at night may disrupt important ecological functions over a wide spread area, if this disruption is long lasted it can have even more serious consequences. The analysis of lighting impacts should include the use of this particularly impactful type of artificial lighting.

## **Conclusion**

ECOS and Habitat 2020 are far from convinced that the use of this site for a multi-sport complex is warranted based upon the significant impacts that will result from its development. We would caution LAFCo that many of the significant impacts could be completely avoided with a more northerly or central location being chosen as an alternative site.

We would also caution LAFCo that it is unclear whether there is any available municipal funding to make this complex a reality, and once the sphere increase and the annexation are granted, LAFCo will have no regulatory nexus to inhibit a typical low density sprawl development replacing this complex. As well, even if the complex does become a reality, for reasons already discussed, the complex would be a major growth inducer for further development into the important agricultural and natural open spaces south of the city. We see no justification for utilizing a biologically significant greenfield at the absolute margin of the existing city when more suitable infill opportunities exist which would avoid all of the impacts associated with this site.

Sincerely

A handwritten signature in black ink, appearing to read "Rick Guerrero". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rick Guerrero, President, Environmental Council of Sacramento

Rob Burness, co-chair, Habitat 2020



Unified School District

**Members of the Board:**

Beth Albiani  
Nancy Chaires Espinoza  
Carmin S. Forcina  
Chet Madison, Sr.  
Dr. Crystal Martinez-Alire  
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**Robert Pierce**  
Associate Superintendent  
Facilities and Planning

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November 23, 2015

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer

**Subject: Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project**

Dear Mr. Brundage,

Elk Grove Unified School District (EGUSD) appreciates the opportunity to review the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project.

Due to the vague nature of the mixed-use land use designation of the Mosher property and the permissibility of multi-family housing on commercially zoned parcels, it is difficult to project the potential impact to EGUSD of the proposed project and its related land use designation and zoning changes. Therefore, the community would best be served if the DEIR for the project includes the impacts to EGUSD based upon the scenarios that would produce the greatest number of housing units, such as RD-30 housing in the commercially zoned areas and residential development on the Mosher property.

The impacts of infill housing projects are particularly challenging to EGUSD as they generate unanticipated students without providing the opportunity to mitigate the impact with additional schools, and often any available capacity at nearby existing schools has been earmarked for other already approved future housing.

Although it will not affect the scope of the DEIR, please note that the project's NOP erroneously suggests that the complex's proposed stadium would provide a needed space for Elk Grove Unified School District high school campuses that lack a stadium. EGUSD operates its high school football program very successfully using district owned community stadiums, and therefore the need to use the proposed City owned stadium is not anticipated.

EGUSD appreciates LAFCO's consideration of the comments and requests in this letter.

Sincerely,

Kim Williams  
Planning Manager

**PHILLIPS LAND LAW, INC**

5301 Montserrat Lane  
Loomis, California 95650  
Telephone (916) 979-4800  
Telefax (916) 979-4801

November 23, 2015

Mr. Peter Brundage  
Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814

Re: City of Elk Grove Multi-Sport Park Complex Sphere of Influence  
Amendment – Comments on Notice of Preparation – Mahon and  
Kautz

Dear Mr. Brundage:

This office represents Dale and Pat Mahon and the Kautz Family (Mahon and Kautz), owners of property south of Grant Line Road and adjacent to the City of Elk Grove (the "City". The Mahon property consists of APNs 134-120-014 and -019, while the Kautz property consists of APNs 134-120-002, and 134-130-010, -011 and -017. On behalf of our clients, we appreciate the opportunity to review the Notice of Preparation for the Environmental Impact Report (EIR) for the City of Elk Grove Multi-Sport Park Complex Sphere of Influence Amendment.

Please be aware that on November 23, 2015, Mahon and Kautz submitted an application to the County of Sacramento (Control Number 2015-00266) to initiate a land use visioning process applicable to the 701 acres of land south of Grant Line Road and east of the area subject to the Sphere of Influence Amendment. See Exhibit A. The decision-making process for the Multi-Sport Park Complex Sphere of Influence Amendment (by both LAFCO and the City) must not address this project in isolation from the broader planning efforts along the Grant Line Road corridor. Similarly, the EIR must consider and evaluate the impacts of the project within this broader context.

The objective of the City with respect to the Multi-Sport Park Complex is to provide a nationally-recognized professional level sports training and tournament facility, with up to 16 sports fields, a 100,000 s.f. indoor sports facility, a 9,000-seat lighted stadium/concert venue, a 15-acre fairground and surface parking necessary to accommodate all of these uses. It is further envisioned that urban uses (hotels, retail, restaurants, light industrial and office uses) would be developed to the west of the Multi-Sport Park Complex site.

As we have previously indicated, the Multi-Sport Park Complex will cause significant changes to land uses south of Grant Line Road, not just on the project site itself. Surrounding properties will be subjected the spillover effects from this high-intensity development, which will include pressure for development of these properties with land uses compatible with (or in support of) the sports park uses proposed by the City. These impacts must be addressed in the EIR.

CEQA requires that an EIR discuss cumulative impacts when they are significant and the project's incremental contribution is "cumulatively considerable." See *CEQA Guidelines* §15130(a). A project's incremental contribution is cumulatively considerable if the incremental effects of the project are significant "when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." See *CEQA Guidelines* §15065(a)(3). The land use visioning process being undertaken to the east of the Sphere of Influence Amendment area clearly falls within the ambit of "probable future projects," particularly because the City's plans for the Multi-Sport Park Complex are the driving impetus for the transition of this area from agricultural to urban uses.

The Notice of Preparation does not specify that the EIR will analyze growth inducing impacts associated with the Sphere of Influence Amendment and the proposed development. CEQA requires an EIR to "include a detailed statement setting forth" the proposed project's growth inducing impacts. See *Public Resources Code* § 21100(b)(5).) *CEQA Guidelines* §15126.2 states that an EIR must:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth ... Also discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

In *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, the court explained that an EIR's analysis of growth inducing impacts depends on many factors, including: (1) the nature and purpose of the project, (2) whether the impact would be direct or indirect, and (3) whether the project's actual environmental effects can be forecast. Here, the Multi-Sport Park Complex will be catalyst for growth south of Grant Line Road, and will have a direct impact on adjacent land. These impacts not only arise from the direct physical impacts of the Multi-Sport Park Complex (traffic, noise, nighttime lighting, aesthetics) but the indirect effects of placing an intensive urban use in a

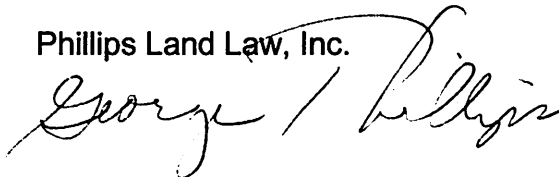
Mr. Peter Brundage  
November 23, 2015  
Page 3

location typified by agricultural uses. Development of the project as proposed will immediately be subject to development pressure, a situation that must be accounted for by the analysis in the EIR.

We appreciate your consideration of our comments. We look forward to moving forward with the South of Grant Line visioning effort in concert with the City's planning process for the Multi-Sport Park Complex. We believe that to the extent that these separate but related planning initiatives can be processed in a compatible fashion, a quality future for the area will be better accomplished.

Very Truly Yours,

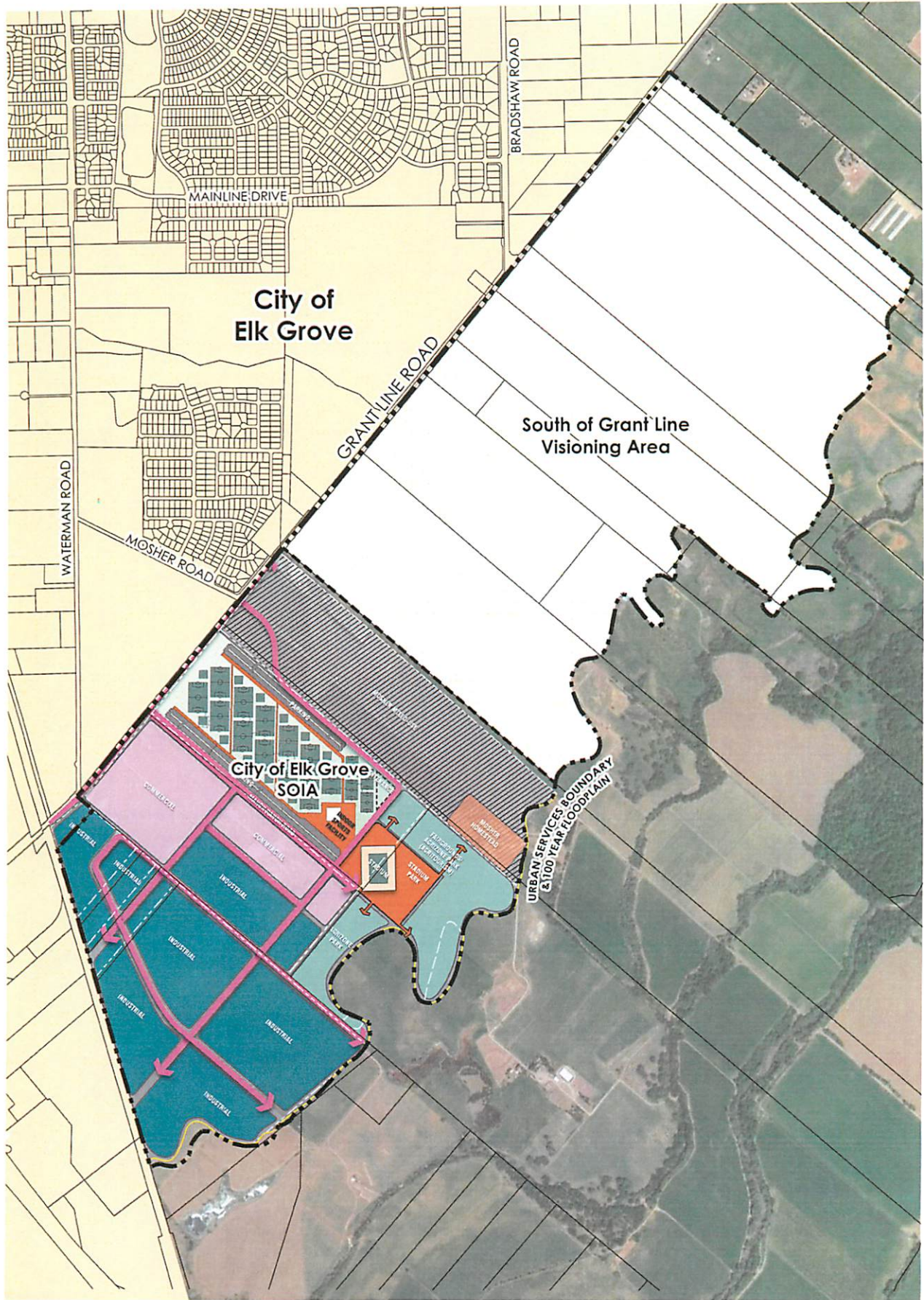
Phillips Land Law, Inc.

A handwritten signature in cursive script that reads "George E. Phillips". The signature is written in black ink and is positioned above the printed name.

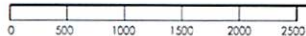
George E. Phillips

Exhibit A: South of Grant Line Visioning Area

cc: Laura Gill  
Christopher Jordan  
Dale and Pat Mahon  
Kautz Family



South of Grant Line  
VISIONING AREA



**PHILLIPS LAND LAW, INC**

5301 Montserrat Lane  
Loomis, California 95650  
Telephone (916) 979-4800

November 23, 2015

Mr. Peter Brundage  
Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814

Re: City of Elk Grove Multi-Sport Park Complex Sphere of Influence  
Amendment – Comments on Notice of Preparation – Mosher  
Ranch

Dear Mr. Brundage:

This office represents Melba Mosher, owner of the Mosher Ranch property south of Grant Line Road and adjacent to the City of Elk Grove (the "City"). The Mosher Ranch property APN 134-019-002. On behalf of our client, we appreciate the opportunity to review the Notice of Preparation for the Environmental Impact Report (EIR) for the City of Elk Grove Multi-Sport Park Complex Sphere of Influence Amendment. The Mosher Ranch property lies adjacent to and east of the site of the proposed Multi-Sport Park Complex, and is included within the area subject to the proposed Sphere of Influence Amendment.

While the owner of the Mosher Ranch believes that this property is appropriately included within the Sphere of Influence area, proper evaluation must be given to the effects of the Multi-Sport Park Complex on the existing agricultural uses on Mosher Ranch. Presently, Mosher Ranch is subject to a Williamson Act contract and is prime farmland. We observe from the site plan and the conceptual renderings of the Multi-Sport Park Complex presented in the Notice of Preparation that no effort is being made to mitigate or reduce the potential impacts of the Multi-Sport Park complex on the adjacent Mosher Ranch property.

The objective of the City with respect to the Multi-Sport Park Complex is to provide a nationally-recognized professional level sports training and tournament facility, with up to 16 sports fields, a 100,000 sf. indoor sports facility, a 9,000-seat lighted stadium/concert venue, a 15-acre fairground and surface parking



necessary to accommodate all of these uses. The proposed site plan shows that the eastern edge of the Multi-Sport Park Complex will place an access road adjacent to the western property line of the Mosher Ranch property, with a large lighted parking field and sports fields in close proximity. If constructed as proposed, these uses would have an immediate negative impact to the adjacent agricultural uses on Mosher Ranch and to the historic homestead at the southwest corner of the property.

The Sacramento County General Plan Agriculture Element provides for a requirement of buffers to physically separate agricultural operations from more intensive uses. The purpose of these buffers is not only to protect urban uses from noise and dust from agricultural production, but also to reduce the inevitable pressure to cease agricultural uses when urban development is placed in immediate proximity. While the NOP recognizes that mitigation measures for the loss of agricultural land in County General Plan Policy AG-5 would be implemented, no mention is made of the need to mitigate for impacts to the adjacent Mosher Ranch property. Similarly, LAFCO policy guidance requires that LAFCO will only approve reorganizations affecting prime farmland where the proposal will have no significant effect on the physical and economic integrity of other agricultural lands. Built into this requirement is the consideration as to whether natural or man-made barriers serve to buffer nearby agricultural land from the effects of the proposed development. See Sacramento LAFCO Policy IV (E)(1).

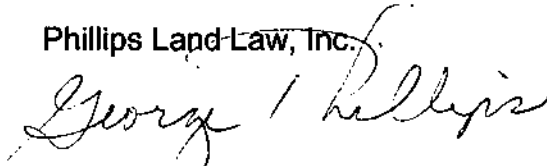
Any site plan of development for the Multi-Sport Park Complex must avoid the impacts associated with a direct interface between the proposed entertainment and recreational uses and the adjacent agricultural land at Mosher Ranch. It is a certainty that the development of a stadium/concert venue, massive parking fields and fairground uses will attract large crowds. The resulting influx of population to the project site (not to mention the expected impacts from noise, light and traffic) will severely burden the ability of the Mosher Ranch to continue agricultural use. The Mosher Ranch should not bear the burden of this impact; instead the Multi-Sport Park Complex should be designed to incorporate appropriate design features and mitigation measures on the project site. These should include, but not be limited to, setbacks, landscaping, lighting design and restrictions, and noise limitations. We appreciate the City's designation of the Mosher Ranch property as "mixed use" for purposes of the Sphere of Influence Amendment. For purposes of analyzing environmental impacts, however, the existing agricultural use of the Mosher Ranch should be respected and addressed in the EIR.

Mr. Peter Brundage  
November 23, 2015  
Page 3

We appreciate your consideration of our comments. We look forward to working with the City and LAFCO to develop measures that address our specific concerns.

Very Truly Yours,

Phillips Land Law, Inc.

A handwritten signature in cursive script that reads "George E. Phillips". The signature is written in black ink and is positioned above the printed name.

George E. Phillips

cc: Laura Gill  
Christopher Jordan  
Melba Mosher



## SACRAMENTO COUNTY FARM BUREAU

8970 Elk Grove Boulevard • Elk Grove, California 95624-1946  
(916) 685-6958 • Fax (916) 685-7125

November 23, 2015

Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836  
Attn: Mr. Peter Brundage, AICP, Executive Officer

VIA: EMAIL Peter.Brundage@saclafco.org

**SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence and Multi-Sport Park Complex Project**

Dear Mr. Brundage:

The purpose of the Sacramento County Farm Bureau (Farm Bureau) is to protect and improve the ability of farmers and ranchers engaged in production agriculture who provide a reliable supply of food and fiber through responsible stewardship of California resources.

Farm Bureau is providing the following comments on the Notice of Preparation of the Draft Environmental Impact Report for the Elk Grove Sphere of Influence.

The Environmental Document should thoroughly evaluate the significant impacts the conversion of agriculture land to non-agricultural uses will have on the economic viability of the agricultural industry. The EIR should evaluate noise and aesthetics impacts to nearby agriculture operations within a 2 miles radius. The lights and sounds of an active sports complex should not interfere with existing agriculture operations.

Thank you for the opportunity to provide comments on this phase of the review of the pending project (LAFCo File No. LAFC#04-15).

Sincerely,

Charlotte Mitchell,  
Executive Director

*To Represent and Promote Agriculture in Sacramento County*

Department of Community  
Development  
Lori A. Moss, Director



**Divisions**  
Administrative Services  
Building Permits & Inspection  
Code Enforcement  
County Engineering  
Planning & Environmental Review

November 23, 2015

Mr. Peter Brundage, AICP  
Executive Officer  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836

**Subject: Comments on Notice of Preparation of a Draft Environmental Impact Report for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project (LAFCo File No. LAFC #04-15)**

Dear Mr. Brundage:

Thank you for the opportunity to review the Notice of Preparation for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project (Project). Sacramento County's interests in the proposed Project relate to the ongoing South Sacramento Habitat Conservation Plan (SSHCP) process and a recent application (Control Number PLNP2015-00266) for a land use visioning process for approximately 1,070 acres immediately northeast of the proposed Multi-Sport Park Complex. We are providing these comments from both perspectives.

#### SSHCP

The majority of the SSHCP Covered Activities will be implemented within the region of the Plan Area designated as the Urban Development Area (UDA), the boundary of which is coterminous with the location of the County's Urban Services Boundary (USB) in the vicinity of the Project. The SSHCP effects analysis assumes that all undeveloped parcels located within the UDA boundary will be developed during the 50-year SSHCP Permit Term, with some exceptions that are not applicable to the Project. Outside the UDA boundary, the draft SSHCP contemplates a Conservation Strategy that includes provisions for habitat preservation as well as restoration activities for the benefit of covered species habitats and individuals. We appreciate the NOP's acknowledgement that the EIR for the Project will include analysis of potential impacts on the proposed SSHCP. County staff are available to assist with any information needs related to the SSHCP as it continues to move forward.

The Plan for Full Buildout of the Project (Exhibit 3 of the NOP) proposes a Fairgrounds and Agrizone Park as well as substantial Light Industrial and Heavy Industrial uses adjacent to the USB. As stated in the Sacramento County General Plan, the USB is a growth boundary intended to protect the County's natural resources from urban encroachment. Given the SSHCP and General Plan policy goals, the EIR should include an alternative plan that provides a greater buffer between urban development and the USB. This buffer could be used for habitat restoration or agricultural activities.

#### South of Grant Line (SoGL) Visioning

The County has begun a land use visioning process with property owners of approximately 1,070 acres inside the USB northeast of the Project. This planning effort is intended to permanently define the relationship of urban uses within the USB with adjacent agriculture and open space outside the USB and will attempt to ensure compatibility of land uses with the proposed Multi-Sport Park Complex.

The setting of the SoGL project site, along the edge of the Cosumnes River corridor, presents an opportunity to create a project with a unique relationship with agriculture and open space. While the SoGL visioning project has just been submitted, the applicant envisions creating high quality homes in a pastoral setting that also incorporates working agriculture and environmental buffers adjacent to the Urban Services Boundary into the project. The City of Elk Grove's planned 560-acre Multi-Sport Park Complex will introduce land uses that transform the character and land use intensity of the Grant Line Road corridor, with the potential to impact the land use planning effort currently underway for SoGL.

The first phase of the MSCP is designed to accommodate sixteen multi-purpose sports fields, practice fields, picnic areas, play areas, parking for 1,160 vehicles in a paved lot and overflow parking in gravel lot. The full-sized fields will be lighted for night play. In addition, a two-story, 100,000 square foot, indoor sports facility will feature indoor ball courts, meeting rooms and facilities that complement the Multi-Sport Park Complex. A 9,000-seat stadium is planned for tournament play and to accommodate high school sports and special events. The stadium will include locker rooms, player's lounge, medical and training facilities, offices, concessions and storage. The stadium field would be developed with a stage for concert events and will be lighted. Additional parking is planned around the stadium to accommodate 3,700 spaces for the stadium at maximum capacity. Approximately 15 acres of the Multi-Sport Park Complex is planned to support the Sacramento County Fair and will include approximately 175,000 square feet of buildings including a pavilion, arena, and exposition buildings, barn and five-acre carnival area.

The scale and uses of the proposed facilities in the Multi-Sport Park Complex dictate that the EIR include a thorough analysis of the Project's impacts associated with light and noise on the adjacent properties, given the land use context in the Project vicinity. The aesthetic impact of the Project should be given careful consideration as well.

Since the County has begun the SoGL land use visioning process, the relationship of the Project to adjacent proposed land uses is critically important. We recommend the Project incorporate appropriate design features and mitigation measures to safe guard the high-intensity land uses and the adjacent properties in the SoGL project to the northeast to guard against potential incompatibility.

The Project will result in development pressure on surrounding properties, not just on the site itself. Such impacts may be considered growth-inducing impacts, and must be addressed in the EIR. Please refer to CEQA Guidelines Section 15126.2 for more information.

CEQA requires that an EIR discuss cumulative impacts when they are significant and the project's incremental contribution is "cumulatively considerable" (CEQA Guidelines Section 15130(a)). A project's incremental contribution is cumulatively considerable if the incremental effects of the project are significant "when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065(a)(3)). The land use visioning process being undertaken to the east of the Sphere of Influence Amendment area clearly falls within the definition of "probable future projects," particularly because the City's plans for the Multi-Sport Park Complex are the driving impetus for the transition of this area from agricultural to urban uses.

Thank you for the opportunity to submit these comments. We look forward to further dialogue on the proposed Project. County staff are available to meet and discuss these comments and our interests should the need arise. Please contact Surinder Singh, Principal Planner, at [singhsu@saccounty.net](mailto:singhsu@saccounty.net) or (916) 874-5462 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Leighann Moffitt". The signature is written in a cursive style.

Leighann Moffitt, AICP  
Planning Director

November 23, 2015

**SENT VIA EMAIL**

Mr. Peter Brundage  
Executive Officer  
Sacramento Local Area Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836

**RE: Elk Grove Sphere of Influence Amendment and Multi-Sport Complex Notice of Preparation (LAF#04-15)**

Dear Mr. Brundage:

Thank you for providing an opportunity to the Sacramento Metropolitan Air Quality Management District (SMAQMD) to review and comment on the Multi-Sport Complex Sphere of Influence (SOI) project. SMAQMD comments are as follows:

1. The SMAQMD Guide to Air Quality Assessment (CEQA Guide) offers guidance for analyzing and mitigating all air quality impacts that may result from this project. The CEQA Guide can be found on our website <http://www.airquality.org/ceqa/ceqaguideupdate.shtml>
2. Analyze and disclose both construction and operational emissions, including nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), exhaust and fugitive dust particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), greenhouse gas emissions (GHG), toxic air contaminants (TAC) and odors. The SMAQMD provides thresholds to assist with significance determinations which can also be found in the CEQA Guide.
3. Exceedance of operational thresholds may require an Air Quality Mitigation Plan be prepared. Typically a 15% emission reduction plan is required as outlined by CAQ-30 in the Elk Grove General Plan. However, if analysis indicates this project was not considered in the land use assumptions for the current Metropolitan Transportation Plan forecasting and by extension not included in the SMAQMD State Implementation Plan, then the plan will need to meet a 35% emission reduction as has been approved by LAFCo on other recent sphere of influence applications.
4. Discuss the growth inducing potential that this project will likely generate. Taking into account both the sports complex and future proposed uses. With that in mind, good connections for all forms of transportation to this project should be considered.
5. Evaluate the compliance with the current Elk Grove Climate Action Plan keeping in mind timely updates that will occur during the Elk Grove General Plan that may line up with long term build out of this project.

In addition, all projects are subject to any SMAQMD rules or regulations in effect at the time of construction. A list of specific rules is attached for your reference and a complete list of all current SMAQMD rules can be found at [www.airquality.org](http://www.airquality.org).

Thank you for your consideration of these comments. If there are any questions please contact me at [cmcghee@airquality.org](mailto:cmcghee@airquality.org) or 916-874-4883.

Sincerely,

A handwritten signature in blue ink that reads "Charlene McGhee". The signature is written in a cursive style with a large, stylized "M" and "G".

Charlene McGhee  
Associate Air Quality Analyst

Attachment

c: Jessica Jordan, Planning Manager, City of Elk Grove  
Larry Robinson, Sacramento Metropolitan AQMD



## **SMAQMD Rules & Regulations Statement** (revised 3/12)

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the SMAQMD early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a permit include, but are not limited to dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

**Rule 403: Fugitive Dust.** The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

**Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour.** The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

**Rule 417: Wood Burning Appliances.** This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

**Rule 442: Architectural Coatings.** The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

**Rule 460: Adhesives and Sealants.** The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

**Rule 902: Asbestos.** The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

**Naturally Occurring Asbestos:** The developer or contractor is required to notify SMAQMD of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. Asbestos Airborne Toxic Control Measures, Section 93105 & 93106 contain specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

CDFW Comments on NOP Multi-Sport Park Complex Project (SCH#2015102067).txt  
From: Brundage, Peter <BrundageP@saccounty.net>  
Sent: Friday, November 20, 2015 11:36 AM  
To: Boucher, Peter; cjordan@elkgrovecity.org  
Subject: FW: Comments on the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project (SCH#2015102067)

From: Sheya, Tanya@Wildlife [mailto:Tanya.Sheya@wildlife.ca.gov]  
Sent: Friday, November 20, 2015 10:37 AM  
To: Brundage, Peter  
Cc: Wildlife R2 CEQA  
Subject: Comments on the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project (SCH#2015102067)

Dear Mr. Brundage:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) regarding the Draft Environmental Impact Report (DEIR) for the Elk Grove Sphere of Influence Amendment and Multi-Sport Park Complex Project (project) (SCH#2015102067).

As a trustee for California's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). CDFW may also act as a Responsible Agency (Cal. Code Regs., § 21069) for a project where it has discretionary approval power under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) and the Lake and Streambed Alteration Program (Fish & G. Code, § 1600 et seq.). CDFW also administers the Native Plant Protection Act, Natural Community Conservation Program, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

CDFW offers the following comments and recommendations for this project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA).

#### PROJECT DESCRIPTION AND ALTERNATIVE ANALYSIS

The project covers the amendment of the City of Elk Grove's Sphere of Influence (SOI) to include approximately 579 acres and constructing and operating a 100-acre Multi-Sport Park Complex within the amended SOI.

The project description in the DEIR should include the whole action as defined in the California Code of Regulations, title 14, section 15000 et seq. (CEQA Guidelines) section 15378 and should include appropriate detailed exhibits disclosing the project area including temporary impacted areas such as access roads and staging areas.

As required by section 15126.6 of the CEQA Guidelines, the DEIR should include appropriate range of reasonable and feasible alternatives that would attain most of the basic project objectives and avoid or

CDFW Comments on NOP Multi-Sport Park Complex Project (SCH#2015102067).txt  
minimize significant impacts to resources under CDFW's jurisdiction.

#### ENVIRONMENTAL SETTING

CDFW recommends that the DEIR includes a complete assessment of the existing biological conditions within the project area including but not limited to the type, quantity and locations of the habitats, flora and fauna. Adequate mapping and information regarding the survey efforts should be included within the DEIR. All surveys as well as the environmental analysis should be completed by qualified personnel with sufficient experience in the work performed for the project.

To identify a correct environmental baseline, the DEIR should include a complete and current analysis of endangered, threatened, candidate, and locally unique species. CEQA guidelines section 15125, subdivision (c) requires lead agencies to provide special emphasis to sensitive habitats and any biological resources that are rare or unique to the area. This includes, but is not limited to vernal pools, streambeds, riparian habitats, and open grasslands that are known to be present within the project boundaries or its vicinity.

CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. Recent surveys for the different species that have the potential to be present within the project limits and its vicinity shall be included within the DEIR. Additional information regarding survey protocols can be obtained by contacting CDFW.

Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be present within the project vicinity. CDFW recommends that the lead agency use survey protocols previously approved by CDFW and that an assessment for rare plants and rare natural communities follow CDFW's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document is available here:  
[http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols\\_for\\_surveying\\_and\\_evaluating\\_impacts.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf).

#### IMPACT ANALYSIS AND MITIGATION MEASURES

The DEIR should clearly identify and describe all short-term, long-term, permanent, or temporary impacts to biological resources under CDFW's jurisdiction, including all direct and foreseeable indirect impacts caused by the proposed project.

The DEIR should define the threshold of significance for each impact and describe the criteria used to determine each threshold (CEQA Guidelines, § 15064, subd. (f).) The DEIR must demonstrate that the significant environmental impacts of the project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.

CDFW is concerned that the proposed project may result in direct, indirect and cumulative adverse impacts to environmental and Public Trust resources within the project area. The project area may be impacted by reducing riparian and terrestrial habitats, including habitats for sensitive species with the system and could result in the direct "take" of State-listed species.

CDFW recommends the use of survey and monitoring protocols and guidelines available at: [http://www.dfg.ca.gov/wildlife/nongame/survey\\_monitor.html](http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html). CDFW also recommends that the environmental documentation provide scientifically supported discussion and adequate avoidance, minimization, and/or mitigation measures to address the project's impact upon fish and wildlife and their habitat. CDFW recommends that the environmental documentation identify natural habitats and provide a discussion of how the proposed project will affect their function and value.

The DEIR should discuss project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The DEIR should include a list of present, past, and probable future projects producing related impacts to resources under CDFW's jurisdiction or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects.

The DEIR should incorporate mitigation performance standards that would ensure that significant impacts are reduced as expected. Mitigation measures proposed in the DEIR should be made a condition of approval of the project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral.

**Threatened, Endangered, Candidate Species**  
The project area as shown in the NOP includes habitat for State and federally listed species. If during the environmental analysis for the project, it is determined that the project may have the potential to result in "take", as defined in the Fish and Game Code, section 86, of a State-listed species, the DEIR shall disclose an Incidental Take Permit (ITP) or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) may be required prior to starting construction activities. The DEIR must include all avoidance and minimization to reduce the impacts to a less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures shall be proposed to fully mitigate the impacts to State-listed species (Cal. Code Regs., tit. 14, § 783.2, subd. (a)(8)).

CDFW encourages early coordination to determine appropriate measures to offset

CDFW Comments on NOP Multi-Sport Park Complex Project (SCH#2015102067).txt  
project impacts and facilitate future permitting processes and to coordinate with the U.S. Fish and Wildlife Service to coordinate specific measures if federally-listed species are present within the project limits.

#### Jurisdictional Delineation and Wetlands

The DEIR should identify all the areas under CDFW's jurisdiction per section 1602 of the Fish and Game Code. These areas include all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State and any habitats supported by these features such as wetlands and riparian habitats. If these jurisdictional features are found within the project limits or its vicinity, the DEIR should identify any potential impacts to these resources. The DEIR should include a delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project including an estimate of impact to each habitat type. Please note that the CDFW definition of wetlands as well as extent of the jurisdictional areas differ from other agencies such the U.S. Army Corps of Engineers or the Regional Water Quality Control Board. The DEIR should identify the different jurisdictional areas present within the project limits under each agency.

If it is determined that the project would impact areas under CDFW's jurisdiction the DEIR must propose mitigation measures to avoid, minimize, and mitigate impacts to these resources.

#### Conservation Planning

The proposed project is located within the limits the South Sacramento HCP. The DEIR should provide a detailed analysis of how the proposed project will be consistent with all applicable policies, procedures, and goals of the HCP.

#### Migratory Birds and Birds of Prey

Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) (16 U.S.C., §§ 703-712). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Potential habitat for nesting birds and birds of prey is present within the project area. The proposed project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the project footprint and its close vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the DEIR. Measures to avoid the impacts should include species specific work windows, biological monitoring, installation of noise attenuation barriers, etc.

#### SUMMARY

The proposed project will have an impact to fish and/or wildlife habitat and should be evaluated in such a manner to reduce its impacts to biological resources. Assessment of fees under Public Resources Code

CDFW Comments on NOP Multi-Sport Park Complex Project (SCH#2015102067).txt §21089 and as defined by FGC §711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code §21092 and §21092.2, the Department requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife Region 2, 1701 Nimbus Road, Rancho Cordova, CA 95670.

Thank you for considering our concerns for the proposed project and providing the opportunity to comment on the NOP. I am available for consultation regarding biological resources and strategies to minimize impacts. If you have questions please contact me by e-mail at Tanya.Sheya@wildlife.ca.gov or by phone at (916) 358-2953.

Sincerely,

Tanya Sheya  
Environmental Scientist

North Central Region | Habitat Conservation  
1701 Nimbus Road | Rancho Cordova, CA 95670  
Phone 916.358.2953 | Fax 916.358.2912  
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