

CITY OF ELK GROVE STORM DRAINAGE MASTER PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

SCH #: 2011012035



Prepared by:

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DEVELOPMENT SERVICES-PLANNING
8401 LAGUNA PALMS WAY
ELK GROVE, CA 95758

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1.0 INTRODUCTION

This Final Environmental Impact Report (Final EIR or FEIR) was prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended, and the CEQA Guidelines. The City of Elk Grove is the lead agency for the environmental review of the proposed Elk Grove Storm Drainage Master Plan project (SDMP; Project; proposed Project) evaluated herein and has the principal responsibility for approving the Project. As required by Section 15165 of the CEQA Guidelines, this FEIR assesses the expected environmental impacts resulting from approval, construction, and operation of the proposed Elk Grove Storm Drainage Master Plan project and identifies feasible means of minimizing potential adverse environmental impacts.

1.1 PURPOSE OF THE FINAL EIR

This document, along with the Draft Environmental Impact Report (Draft EIR or DEIR), represents the Final EIR for the Project. It has been prepared in accordance with Section 15132 of the State of California CEQA Guidelines, as amended. The City of Elk Grove (City) will consider this Final EIR in its capacity as lead agency before it approves, denies, or recommends changes to the proposed Project. The findings of fact and any statement of overriding consideration would be made after the City has considered the information contained in this Final EIR. Likewise, the Mitigation Monitoring and Reporting Program (MMRP) is adopted at the time the findings are adopted and would also be included in the public record.

As required by Section 15132 of the CEQA Guidelines, a Final EIR shall consist of the following:

- The Draft EIR or a revision of the Draft EIR.
- Comments and recommendations received on the Draft EIR either verbatim or in summary.
- A list of persons, organizations, and public agencies commenting on the Draft EIR.
- The responses of the lead agency to significant environmental points raised in the review and consultation process.
- Other information deemed necessary by the lead agency.

The evaluation and response to public comments is an important part of the CEQA process as it allows the following:

- 1) The opportunity to review and comment on the methods of analysis contained within the Draft EIR.
- 2) The ability to detect any omissions which may have occurred during preparation of the Draft EIR.
- 3) The ability to check for accuracy of the analysis contained within the Draft EIR.
- 4) The ability to share expertise and the ability to discover public concerns.

1.0 INTRODUCTION

1.2 EIR PROCESS

As defined by Section 15050 of the CEQA Guidelines, the City of Elk Grove is serving as the lead agency responsible for preparing the EIR for this project. A Notice of Preparation (NOP) was prepared and circulated by the City of Elk Grove on January 12, 2011, for the required 30-day review period.

The Draft EIR was then prepared and circulated for a 45-day public review period as required by state law beginning on August 17, 2011. The 45-day public review period for the Draft EIR ended on September 30, 2011.

1.3 CONTENTS OF THE FINAL EIR

As discussed above, the primary intent of the Final EIR is to provide a forum to raise and address comments pertaining to the analysis contained within the Draft EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City of Elk Grove, as the lead agency for this Project, has reviewed and addressed all comments received on the Draft EIR prepared for the Elk Grove Storm Drainage Master Plan project. Included within the Final EIR are written comments that were submitted during the required public review period. These comments are included in the interest of providing a complete public record for the Project.

In order to adequately address the comments provided by interested agencies and the public in an organized manner, this Final EIR has been prepared in four parts.

Section 2.0, Executive Summary, provides a brief project description and presents a summary of probable environmental effects edited as a result of the comments received on the Draft EIR and minor staff edits.

Section 3.0, Comments and Responses on the Draft EIR, provides a list of commenters, topical responses, copies of written comments (coded for reference), a transcript of verbal comments (also coded for reference), and the responses to those written and verbal comments.

Section 4.0, Minor Edits to the Draft EIR, consists of minor text changes made to the Draft EIR as a result of comments raised during the public review process.

Section 5.0, Mitigation Monitoring and Reporting Program (MMRP), consists of the Mitigation Monitoring and Reporting Program, which includes the mitigation measures identified in the DEIR, the agency with monitoring responsibility, and timing of the mitigation.

2.0 EXECUTIVE SUMMARY

This section provides an overview of the project and the environmental analysis. For additional detail regarding specific issues, please consult the appropriate chapter of Section 3.0, Introduction to the Environmental Analysis and Assumptions Used, of the Draft Environmental Impact Report (Draft EIR or DEIR) for the Elk Grove Storm Drainage Master Plan project, included in this report as **Attachment A**.

2.1 PURPOSE AND SCOPE OF THE EIR

This EIR provides an analysis of the potential environmental effects associated with the implementation of the Storm Drainage Master Plan (SDMP), located throughout the City of Elk Grove (City). The EIR will serve as a source of information in the review of subsequent storm drainage improvement activities in the City.

The SDMP was developed from a broad, general perspective with goals and key concepts to a more detailed program and candidate watershed project basis. Candidate watershed projects are preliminary programs and projects identified in the SDMP in order to protect, restore, enhance, and/or promote vital watershed functions and values. The SDMP integrated multiple objectives to address deficiencies and improvements to the City's storm drainage and flood control system while addressing water quality, aquatic resources, and habitat enhancement and protection.

SDMP components are briefly described below, and full descriptions of the candidate watershed projects are included as Appendix B of the Draft EIR, corresponding to those descriptions in Chapter 7 of the SDMP.

The SDMP EIR is a program-level EIR. The program-level analysis considers the broad environmental effects of the overall proposed SDMP. The SDMP does not, in itself, enact any changes in law, regulation, or policy. Instead, the SDMP describes recommended improvements to the City's drainage system that will be necessary to (1) remedy existing flood control and drainage deficiencies and (2) accommodate the drainage needs of future growth as planned for in the City General Plan. Any subsequent actions or facility construction stemming from the programmatic improvements identified in the SDMP must be developed in compliance with CEQA and other applicable laws and regulatory processes. Additional project-level analysis consistent with State CEQA Guidelines Sections 15162 and 15168(c) will occur subsequent to this programmatic EIR, prior to the approval of individual projects, to determine if the proposed activity is within the scope of the analysis conducted in this program EIR and to identify potential impacts of the proposed SDMP that were not identified earlier.

2.2 PROJECT CHARACTERISTICS

SDMP GUIDING PRINCIPLES

Guiding Principles were developed to set a foundation and help guide the processing of the SDMP. All goals, strategies, and solutions within the SDMP were established to be consistent with the following Guiding Principles of the SDMP:

- 1) Storm drainage and flood management systems shall be designed to take maximum advantage of the natural hydrological processes of the existing landscape.
- 2) Alternative storm drainage and flood control management approaches shall be adopted, wherever and whenever feasible, to complement approaches to traditional storm drainage and flood control management systems. Alternative approaches may

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include distributed systems (e.g., low impact development systems (LIDs), flow duration control basins, and/or instream rehabilitation).

- 3) Design of storm drainage and flood control management projects shall balance considerations related to environmental effects, capital and operating costs, property rights, economic development impacts, and recreational opportunities without compromising public safety and/or property.
- 4) Storm drainage and flood control management systems shall be designed so that the volume, quality, and timing of downstream discharges will minimize impacts to downstream resources, such as the Stone Lakes National Wildlife Refuge.
- 5) The SDMP shall comply with applicable local, state, and federal laws and regulations.

SDMP PROGRAMS

SDMP programs were identified in three categories as follows:

- Storm Drainage and Flood Control Management Program
- Aquatic Resources and Water Quality Protection Management Program
- National Pollutant Discharge Elimination System (NPDES) MS4 Permit Management Program

The key aspects of these programs are described below.

Storm Drainage and Flood Control Management Program

The Storm Drainage and Flood Control Management Program is an essential component of the SDMP. This program includes elements and activities related to addressing drainage conveyance issues and deficiencies, local flooding, and managing the floodplain. Current Storm Drainage and Flood Control Management Program elements include planning, design, construction standards, and maintenance of the drainage collection system; detention to accommodate development; and floodplain mapping, floodplain regulations, floodplain information in relation to insurance requirements, flood emergency preparedness, property acquisition, flood mitigation, and capital improvements.

Aquatic Resources and Water Quality Protection Management Program

The Aquatic Resource and Water Quality Protection Management Program is an integral component of the storm drainage and flood control system within the City. This recognition reflects a shift from historically treating waterways as "conveyance channels" to protecting and restoring them as a multifunctional resource that provides many valuable services to residents of the community as well as to the environment in general.

The Aquatic Resource and Water Quality Protection Management Program protects both water quality and aquatic habitat. The goals of this program are to protect and enhance water quality and aquatic habitat when designing and constructing storm drainage and flood control projects.

NPDES MS4 Permit Management Program

The City implements a Stormwater Quality Improvement Plan (SQIP) to be in compliance with the National Pollutant Discharge Elimination System (NPDES) area-wide municipal separate storm sewer system (MS4) permit. The SQIP is a comprehensive plan that describes the framework for management of stormwater discharges. The City collaborates with the surrounding jurisdictions to address water quality issues and participates in a regional program. The City participates with the Sacramento Stormwater Quality Partnership. The partnership includes the County of Sacramento and six cities: Sacramento, Citrus Heights, Folsom, Galt, Rancho Cordova, and Elk Grove. The cities are permittees under the NPDES MS4 Permit.

The SQIP includes program activities and control measures that each permittee implements to reduce the discharge of pollutants in stormwater to the maximum extent practicable (MEP) and to effectively prohibit non-stormwater discharges into local waterways.

PROJECT GOALS

The City developed this Citywide comprehensive SDMP by establishing goals, strategies, and solutions for its drainage conveyance and flood control system to meet current and future demands. The City's primary goals for developing this SDMP are as follows:

- To provide a variety of storm drainage and flood control solutions for upgrading the existing system by identifying and analyzing the existing storm drainage and flood control deficiencies throughout the City;
- To provide a variety of storm drainage and flood control solutions to be implemented in the design and construction of future facilities required to serve the City at buildout of the General Plan;
- To establish criteria for selecting and prioritizing the range of storm drainage and flood control solutions; and
- To utilize this document for the potential development of capital drainage fee programs.

PROJECT OBJECTIVES

The overall objective of the SDMP was to develop an up-to-date plan with specific key concepts; identify new programs while recognizing and improving existing programs; identify preliminary candidate watershed projects to satisfy current local interests; accommodate changing trends, philosophies, regulations, and standards; ensure maximum effectiveness and cost efficiency; and meet evolving community goals and objectives. The specific objectives for the SDMP include:

Flood Protection: Protection, restoration, and enhancement of the flood control facilities and waterways to convey floodwaters and provide flood control services for the City;

Drainage Deficiencies: Protection, restoration, and enhancement to the drainage conveyance system to convey water and provide stormwater facilities for the City;

Water Quality: Protection, restoration, and enhancement of water quality to protect and maintain important beneficial uses upon which the community, plants, and habitat rely;

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Habitat: Protection, restoration, and enhancement of vegetation communities and aquatic resources, which provide habitat for numerous plant, wildlife, and fish species;

Education and Stewardship: Development, implementation, and promotion of important education, interpretation, and stewardship opportunities throughout the City for the enjoyment and enrichment of the public; and

Recreation: Protection, restoration, enhancement, and creation of important recreational amenities for the public to enjoy.

The SDMP presents key information that will help elected officials, City staff, property owners, and land developers understand and implement habitat-friendly development practices in the City.

2.3 PROJECT ALTERNATIVES SUMMARY

State CEQA Guidelines Section 15126.6 of Title 14 of the California Code of Regulations (Public Resources Code Sections 21002, 21002.1, 21003, and 21100) requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. Further, CEQA Guidelines Section 15126.6(e) (Public Resources Code Sections 21002, 21002.1, 21003, and 21100) requires that a “no project” alternative be evaluated in an EIR. The Draft EIR evaluates the following alternatives:

- **No Project Alternative:** CEQA Guidelines Section 15126.6(e) (Public Resources Code Sections 21002, 21002.1, 21003, and 21100) requires that a “no project” alternative be evaluated in an EIR. Under the No Project Alternative, the SDMP would not be implemented and new or expanded facilities would continue to be addressed on a project-by-project basis and constructed consistent with the City’s improvement standards.
- **Reduced Master Plan Alternative:** Alternative 2, the Reduced Master Plan Alternative, would involve implementation of a limited amount of the SDMP’s candidate watershed projects (preliminary programs and projects identified in the SDMP in order to protect, restore, enhance, and/or promote vital watershed functions and values). This subset of candidate watershed projects is limited to those developed in the early stages of the SDMP that primarily address storm drainage and flood control management objectives, and include the following:
 - School Street Alley Drainage Improvements
 - Elk Grove Creek Pipe Outfall
 - Waterman Road Culvert Repair and Replacement
 - Waterman Road Culvert Replacement
 - Elk Grove Creek Watershed Improvements (enlarge existing pipes and new detention basin)
 - 9816 Sheldon Road – Enlarge Pipes
 - Sheldon Road Drainage Project

- Sleepy Hollow Lane Drainage Improvements
- SCADA System for Stormwater Pump Station
- Elk Crest Drive Enlarge Pipes
- Laguna Creek Watershed Improvements (new pipeline and enlargement of existing pipelines)
- East Elk Grove Area /Rural Region Watershed Improvements (29 acres of new detention basins, new pipes, and new culverts and open channels)
- Whitehouse Creek Watershed Improvements (enlarge existing pipes, and install new trunk pipeline)
- Grant Line Channel Improvements (upgrade existing pump station, enlarge existing pipes and increase storage in existing detention basins)
- Deer Creek Watershed Improvements (new detention basins)
- Shed C Alternative that will differ from the Feasibility and Design of a Multi-Functional Corridor for Shed C candidate watershed project in the following respects:
 - Instead of modifying the existing agricultural Shed C channel for the purpose of a multi-functional storm drainage and flood control corridor, which will be designed to include a wider flood corridor which will convey larger flood flows and have a trail system along one side, the Shed C Alternative will rely on detention storage within the City limits to limit peak flows downstream of the City.
 - Within the City limits, each major subshed draining to the Shed C Channel will flow into a detention basin that will mitigate 100-year peak flows from proposed development into the channel to existing levels. Some enlargement of the existing channel will be necessary although not nearly to the extent of the SDMP. Specifically, the channel will range from an average of approximately 235 to 250 feet in width under the SDMP, while the channel will range from an average of approximately 130 to 180 feet in width under Alternative 2.
 - Two regional detention basins are included in the Shed C Alternative in order to allow for potential flow increase before discharging outside the City limits. The two regional detention basins will be located adjacent to the channel; one just upstream of the City limits at Bruceville Road and one just upstream of McMillan Road. The stormwater detention basins associated with the Shed C Alternative in the Reduced Master Plan Alternative are shown in Figure 5.0-1 of the DEIR.
 - The Shed C Alternative also includes a new channel that will be constructed from the south end of the Laguna Ridge Specific Plan area to the Shed C Channel.

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2.4 AREAS OF CONTROVERSY

The City was identified as the lead agency for the SDMP. In accordance with Section 15082 of the State CEQA Guidelines (Public Resources Code Sections 21080.4 and 21098), the City prepared and distributed a Notice of Preparation (NOP) and Initial Study (IS) for the SDMP that was circulated for public review in January 2011. The NOP identified that the SDMP may result in the following environmental impacts to be evaluated in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Greenhouse Gas and Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Recreation

Written comments received in response to the NOP were considered in the preparation of the Draft EIR. Summaries of issues and areas of concern related to the proposed SDMP and the Draft EIR, as presented to the City by agencies and the public during the NOP review period, are listed below. The complete text of the NOP and NOP comments are included as Appendix A to the Draft EIR.

- **California Department of Transportation (Caltrans)** – The project should not result in an increase in surface water peak runoff discharge in the State's highway right-of-way and Caltrans drainage facilities. Existing drainage must be maintained/improved and approved by Caltrans.
- **Sacramento Area Sewer District (SASD)** – Some areas within sheds inside SASD's service area have very little to no sewer infrastructure and would require additional infrastructure. Relevant improvement plans must be reviewed and approved by SASD/SRCSD.
- **Sacramento Municipal Utility District (SMUD)** – SMUD requests a review of relevant improvement plans if their electrical facilities are affected by the project and finds it necessary to coordinate with the applicant to identify possible conflicts with existing electrical facilities. Standard relocation policies will apply.
- **Walter Hoppe, resident** – The master drainage plan oversimplifies downstream drainage and does not address downstream flood problems. If the SDMP improvements increase volume or accelerate flow downstream, it will increase the flood risk to Point Pleasant. Elk Grove, in coordination with Sacramento, Rancho Cordova, and Sacramento County, need to work together to recognize their responsibility to mitigate downstream flooding.
- **Jim Gillum, local developer representative** – The EIR should not presume that previously suggested mitigation strategies should apply for all projects and sheds, as each drainage shed has different characteristics and limitations. It is possible that flood abatement in

other parts of the City may conflict with the desire to have a slower discharge of stormwater out of Shed C. If that is the case, it may be more desirable to move that water through Beach and Stone Lakes reserve prior to peak flows from other deeper sheds. The 100-year floodplain is not necessarily valuable from a biological resources standpoint. As the SDMP is intended to provide guidance to drainage solutions, it would be appropriate for the EIR to focus on the plan as it relates to drainage on a program level, not define trails and until the project level design and permitting.

Table 2.0-1 presents a summary of project impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance of each environmental impact is indicated after the application of the recommended mitigation measure(s).

For detailed discussions of all project impacts and mitigation measures, the reader is referred to topical environmental analysis sections in Section 3.0 of the DEIR.

2.0 EXECUTIVE SUMMARY

**TABLE 2.0-1
SDMP IMPACTS AND PROPOSED MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.1 AESTHETICS			
Impact 3.1.1 The proposed SDMP identifies various new program activities and preliminary Candidate watershed projects that could convert the existing visual characteristic of areas in the City and alter current views. This is a less than significant impact.	LS	None required.	LS
Impact 3.1.2 Implementation of the proposed SDMP Project in combination with other approved and proposed Projects in Sacramento County will not substantially or adversely alter the visual character in the City and the surrounding area. This is considered a less than cumulatively considerable impact.	LCC	None required.	LCC
3.2 AIR QUALITY			
Impact 3.2.1 Construction activities associated with the development of the proposed SDMP could result in a short-term increase in criteria air pollutants during construction. This will result in a potentially significant impact.	PS	MM 3.2.1a The construction contractors shall be required to implement the <u>Basic Construction Emissions Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009)</u> or other measures for mitigating short-term or construction particulate emissions recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices may include:	LS

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PS – Potentially Significant
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LS – Less Than Significant
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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>Watering all exposed surfaces, graded areas, storage piles, and haul roads at least twice daily during construction. This requirement shall be included as a note in all SDMP Project construction plans.</p> <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <ul style="list-style-type: none"> MM 3.2.1b The construction contractor shall limit limiting vehicle speed for on-site construction vehicles to 15 mph. This requirement shall be included as a note on the improvement plan submittal. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <ul style="list-style-type: none"> MM 3.2.1c The construction contractor shall wash Washing dirt off construction vehicles and equipment within the staging area prior to leaving the construction site. Wet power vacuum street sweepers shall be 	

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		<p>used to remove any visible trackout mud or dirt on adjacent public roads at least once a day. Use of dry power sweeping is prohibited. This requirement shall be noted in SDMP Project improvement plans.</p> <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <ul style="list-style-type: none"> MM 3.2.1d It shall be required, when Requirements for transporting soil or other materials by truck during construction activities, that 2 feet of freeboard be maintained by the contractor and that the materials are covered. This requirement shall be noted in SDMP Project improvement plans. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <ul style="list-style-type: none"> MM 3.2.1e The construction contractor shall minimize idling time from both on-road and off-road diesel-powered equipment, as required by California regulations, and either by shutting equipment 	

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		<p>off when not in use or reducing the time of idling to 5 minutes required by California Code of Regulations, Title 13, sections 2449(e)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</p> <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; CARB</p> <ul style="list-style-type: none"> MM 3.2.1f The construction contractor shall maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. These requirements shall be noted in subsequent SDMP project improvement plans. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <p>MM 3.2.1bg- Subsequent candidate watershed projects under the SDMP shall implement the</p>	

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		<p>Enhanced Exhaust Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction-generated ozone precursor impacts above significance criteria recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices currently require projects to include provide a plan for approval by SMAQMD demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction Project, including owned, leased, and subcontractor vehicles, will achieve a Project-wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board (CARB) fleet average. The current SMAQMD mitigation also requires that the construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after treatment products, and/or other options as they become available.</p>	

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		<p><i>Timing/Implementation:</i> Plan shall be submitted to SMAQMD for review and approval prior to approval of improvement plans and shall be implemented during all grading and construction phases of the SDMP Project.</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department; SMAQMD</p> <p>MM 3.2.1h The construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opaCity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opaCity (or Ringelmann 2.0) shall be repaired immediately. Noncompliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the Project except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede</p>	

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		<p>scheduled to coincide with known blooming periods and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, the project will not have any impacts to the species and no additional mitigation measures are necessary.</p> <p>If any of the species are found on-site and cannot be avoided, the City shall consult with United States Fish and Wildlife Service and/or California Department of Fish and Game, as applicable, to determine appropriate avoidance and mitigation measures. Mitigation measures may include participation in an agency approved mitigation bank, translocation of the plant specimen(s) into appropriate habitat, or other measures as appropriate.</p> <p><i>Timing/Implementation: Prior to any construction activities or ground disturbance</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1b</p> <p>Prior to working near sensitive areas (i.e., riparian habitat, wetlands, vernal pools, and waterways), all heavy equipment shall be closely examined for oil and fuel discharges. All equipment operated adjacent to these areas shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic or plant life.</p>	

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		<p>Petroleum from project-related activities shall be prevented from contaminating the soil and or/entering sensitive areas. Any of these materials placed within or where they may enter the sensitive areas shall be removed immediately. Regulating agencies shall be notified immediately if a spill occurs and shall provide consultation regarding cleanup procedures.</p> <p><i>Timing/Implementation: During construction activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1c Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic or plant life, resulting from project-related activities, shall be prevented from contaminating the soil and/or entering the sensitive areas. Any of these materials placed within or where they may enter these areas shall be removed immediately in a manner consistent with the requirements of chapters 15.12 and 16.44 of the City Municipal Code.</p> <p><i>Timing/Implementation: During construction activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1d Adequate erosion control and water pollution control measures shall be adopted and maintained for the duration of the</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>project in order to prevent deleterious materials from entering any sensitive areas including vernal pools, wetlands, waterways or other aquatic habitat in a manner consistent with the requirements of chapters 15.12 and 16.44 of the City Municipal Code. The siltation curtain shall be of effective design to limit and abate heavily silted material from impacting these sensitive areas.</p> <p><i>Timing/Implementation: During construction activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1e The best available technology in best management practices (BMPs) to reduce sedimentation, erosion, water pollution, and dust to the greatest extent practicable shall be employed on all work sites during construction. An Erosion and Sediment Control Plan shall be prepared by the contractor pursuant to Chapter 16.44, Land Grading and Erosion Control, City Municipal Code and submitted to Elk Grove Public Works and the Elk Grove Planning Department for approval prior to the start of project construction, including clearing and grubbing. In areas where wetlands are within 250 feet of a project footprint, erosion control measures and constructed fencing shall be employed, monitored for effectiveness, and maintained throughout the construction operations around all vernal pools and other wetlands.</p>	

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<p>Impact 3.3.2 Implementation of the SDMP may result in direct and indirect loss of habitat and individuals of endangered, threatened, rare, proposed, and candidate status, as well as California fully protected species. This will be a potentially significant impact.</p>	PS	<p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1f Prior to construction, an erosion control plan and stormwater pollution prevention plan (SWPPP) shall be prepared by the contractor and submitted to the City for approval prior to the start of construction. The SWPPP shall be designed to limit the effects of soil erosion and water degradation during construction. This plan shall be required to be prepared and implemented in accordance with permit conditions and requirements of the Central Valley Regional Water Quality Control Board, National Pollutant Discharge Elimination System permit requirements.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p>	LS
<p>Impact 3.3.2a The City shall retain a qualified biologist to identify and establish avoidance areas for elderberry shrubs (host plant of the federally threatened valley elderberry longhorn beetle) within 100 feet (the avoidance radius established in the USFWS guidelines for the beetle) of construction activities. Elderberry shrub surveys must be conducted when the shrub is identifiable (generally March to September). If elderberry shrubs</p>	PS	<p>MM 3.3.2a The City shall retain a qualified biologist to identify and establish avoidance areas for elderberry shrubs (host plant of the federally threatened valley elderberry longhorn beetle) within 100 feet (the avoidance radius established in the USFWS guidelines for the beetle) of construction activities. Elderberry shrub surveys must be conducted when the shrub is identifiable (generally March to September). If elderberry shrubs</p>	LS

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		<p>are found within 100 feet of construction activities, the City must consult with the USFWS, either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). Avoidance and protection measures shall be established using the United States Fish and Wildlife Service <i>Conservation Guidelines for the Valley Elderberry Longhorn Beetle</i> (1999a). The City will submit the avoidance and protection measures to the United States Fish and Wildlife Service for review of the adequacy of mitigation measures, including on-site avoidance practices, personnel training, exclusion fencing, and signage to approve encroachment within 100 feet of the elderberry shrubs at the project location. Typically, the United States Fish and Wildlife Service requires a minimum setback of 20 feet from the dripline of each elderberry plant to establish avoidance. If this condition cannot be met, the United States Fish and Wildlife Service may require an incidental take permit. The City shall comply with all United States Fish and Wildlife Service direction on this matter. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the federal Endangered Species Act.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning</i></p>	

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		<p>MM 3.3.2b</p> <p><i>Department</i></p> <p>United States Fish and Wildlife Service protocol-level surveys (USFWS 1996b) for special-status vernal pool species within suitable habitat areas are recommended prior to commencement of any activities that could impact this species. Otherwise, if suitable habitat is located within 250 feet of the proposed project, the City may assume presence. Protocol-level vernal pool invertebrate surveys are conducted by a United States Fish and Wildlife Service-permitted biologist when the pools are first inundated (when it holds greater than 3 centimeters of standing water 24 hours after a rain event) until the pool dries out (generally January to June, but depends on precipitation and individual site conditions). The United States Fish and Wildlife Service must be contacted a minimum of 10 days prior to conducting surveys.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2c</p> <p>If impacts to vernal pools cannot be avoided and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the</p>	

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		<p>USFWS either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). The City shall implement all measures included in the Biological Opinion issued as a result of this consultation. For every acre of habitat directly or indirectly affected, at least three vernal pool credits will be dedicated within a USFWS approved preservation bank, or based upon a USFWS evaluation of site specific conservation values, so that 3 acres of vernal pool habitat may be preserved within the proposed project site or on another non-bank site as approved by the United States Fish and Wildlife Service (3:1 mitigation ratio). Final determinations of the amount of mitigation acreage to be provided, and if mitigation will be accomplished through on-site replacement or compensatory mitigation, shall be determined during consultation with the United States Fish and Wildlife Service. Mitigation shall occur so as to achieve no net loss of vernal pool habitat, as determined by the USFWS, USACE, and RWQCB (as applicable). A comprehensive plan for avoidance, on-site mitigation, off-site mitigation, or other compensation will be developed in cooperation with relevant state and federal agencies.</p> <p>Before construction, the City shall obtain authorization from the United States Fish and Wildlife Service for incidental take of listed vernal pool crustacean species that</p>	

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		<p>have suitable habitat affected by the proposed project. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the federal ESA.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2d</p> <p>The City shall require subsequent projects under the SDMP to require the following:</p> <ol style="list-style-type: none"> 1) Schedule construction activities to avoid nesting activities, if feasible. The avian breeding window, on average, is between February 1 and August 31, which complies with the Migratory Bird Treaty Act. Construction activities should occur between September 1 and January 30. 2) If project activities cannot avoid the breeding bird season (generally February 1 through August 31), a focused survey for raptor and migratory bird nests shall be conducted by a qualified biologist within two weeks prior to the start of construction activities in order to identify active nests on site. The qualified biologist shall survey for nesting birds within 250 feet of the construction activities to determine whether the activities taking place have the potential to disturb or 	

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		<p>otherwise harm the nesting birds. For activities that occur outside the breeding bird season (generally September 1 through January 30), such surveys will not be required.</p> <p>3) If active nests are found, an exclusionary buffer zone will be established and there shall be no ingress of personnel or equipment in this zone until the nestlings have fledged (normally after September 1). The buffer zone shall be established by a qualified biologist (generally a 250-foot radius for raptor nests and a 100-foot radius for songbird nests) and confirmed by the appropriate resource agency. Construction will not resume within the buffer zone until the juveniles have fledged and there is no evidence of second nesting attempts, as determined by a qualified biologist. The perimeter of the buffer zone shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the buffer zone, except with approval of a qualified biologist. Reference to these requirements and the Migratory Bird Treaty Act shall be included in the construction specifications. If no active nests are found during the focused survey, no further mitigation will be required, but weekly surveys shall continue to ensure no nests become</p>	

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		<p>active after construction. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January). In addition, no trees with cavities potentially used for cavity-nesting birds shall be removed during the bird breeding season to avoid disturbance or mortality.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department; California Department of Fish and Game</i></p> <p>MM 3.3.2e</p> <p>To avoid impacts to nesting habitat, the removal of potential nest trees will be limited to only those necessary to construct the proposed project. For trees that must be removed to construct the proposed project, the City will target the removal of trees to occur outside the nesting season (March 1 through August 31). If trees cannot be removed outside the nesting season, pre-construction surveys will be conducted prior to tree removal to verify the absence of active raptor nests within 500 feet of construction activities in accordance with the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000). Two surveys will be conducted, at</p>	

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		<p>least one week apart, with the second survey occurring no more than two days prior to tree removal.</p> <p>If no active nests are found, tree removal may proceed. If active nests are found, California Department of Fish and Game shall be notified, and the tree shall not be removed until the nest is no longer active, as determined by a California Department of Fish and Game -approved biologist. No construction activities shall take place within a 250-foot radius of the active nest (or another distance determined appropriate during consultation with California Department of Fish and Game).</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2f</p> <p>Measures to minimize impacts to Swainson's hawk foraging habitat include restoration of foraging habitat temporarily disturbed by project construction activities. After construction is completed, all temporarily disturbed areas will be stabilized with hydro-seed and replanted with a mixture of native and non-native plants (as deemed appropriate by a California Department of Fish and Game - approved biologist).</p> <p><i>Timing/Implementation: Prior to project completion</i></p>	

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		<p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2g The City shall purchase mitigation credits from a California Department of Fish and Game -approved Swainson's Hawk Mitigation Fund at a 1:1 ratio to compensate for any permanent loss of potential foraging habitat, pursuant to the requirements of Chapter 16.130 of the City Municipal Code.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2h The City shall provide worker environmental awareness training for all employees working on the proposed project sites so that they are aware of sensitive resources in the area, required measures and practices for protecting biological resources, and contacts and procedures in case species are injured or encountered during construction.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>Implement of mitigation measures MM 3.3.1a through MM 3.3.1f.</p>	

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<p>Impact 3.3.3 Implementation of the SDMP will result in direct and indirect loss of habitat and individuals of wildlife species of concern and other non-listed special-status species. This will be a potentially significant impact.</p>	PS	<p>MM 3.3.3a A focused survey for western pond turtle shall be conducted by a qualified biologist 30 days prior to the onset of construction activities to determine presence or absence of this species within a 100-foot radius of the construction area regardless of the time of year. If construction is planned after April 1, this survey should include looking for turtle nests within a 100-foot radius of the construction area. If juvenile or adult turtles are found within the proposed construction area, the individuals shall be moved out of the construction site under consultation with California Department of Fish and Game. If a nest is found within a 100-foot radius of the construction area, construction shall not take place within 100 feet of the nest until the turtles have hatched or the eggs have been moved to an appropriate location under consultation with California Department of Fish and Game.</p> <p>Unless otherwise approved by California Department of Fish and Game, construction shall be avoided when adults and hatchlings are overwintering (October through February), due to the likelihood of turtle adults and juveniles being present in upland habitats. If construction activities must occur during this time frame, a survey for overwintering locations shall be conducted within two weeks prior to construction. If this species is found overwintering within the expansion area, den locations shall be avoided until the area</p>	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>is unoccupied, as determined by a qualified biologist.</p> <p><i>Timing/Implementation:</i> Prior to any ground disturbance</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department, with consultation from California Department of Fish and Game as needed</p> <p>MM 3.3.3b</p> <p>In the event that a turtle is found during construction activities, construction activities shall stop until the turtle moves out of harm's way or a qualified biologist, under consultation with California Department of Fish and Game, moves the turtle to a safe location outside of the construction zone.</p> <p><i>Timing/Implementation:</i> Throughout construction activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.3c</p> <p>Within 30 days prior to the onset of construction activities outside of the breeding season (September through January), a qualified biologist shall conduct a protocol-level burrowing owl survey as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) to determine if burrowing owls are present.</p> <p>All burrowing owl surveys shall be conducted according to California Department of Fish and Game protocol. The</p>	

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		<p>protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two hours after or two hours before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.</p> <p>If burrowing owls are detected, the following actions may be implemented to ensure that no owls or active burrows are inadvertently buried during construction:</p> <p>If nesting burrowing owls are found to occur within 150-meter radius, no disturbance shall occur within 50 meters of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters during the breeding season (February 1 through August 31) unless a qualified biologist approved by the California Department of Fish and Game verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent living. Avoidance requires that a minimum of 6.5 acres of foraging habitat be preserved contiguous with occupied burrow sites for each pair of breeding burrowing owls (with or without dependent</p>	

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		<p>young) or single unpaired birds. If avoidance is not an option and foraging and burrowing habitat will be lost, a minimum of 6.5 acres of foraging habitat (i.e., 100-meter radius from burrow) per pair or unpaired resident bird shall be replaced off-site. These protected replacement lands will be adjacent to occupied burrowing owl habitat and at a location acceptable to California Department of Fish and Game. If destruction of occupied burrows is unavoidable, passive relocation shall be implemented during the non-breeding season as specified in the <i>Burrowing Owl Survey Protocol and Mitigation Guidelines</i> (California Burrowing Owl Consortium 1993).</p> <p>All measures shall be determined by a qualified biologist and approved by the California Department of Fish and Game.</p> <p><i>Timing/Implementation</i> Prior to construction activities</p> <p><i>Enforcement/Monitoring</i> City of Elk Grove Planning Department; California Department of Fish and Game</p> <p>MM 3.3.3d The City shall require subsequent projects under the SDMP to complete the following:</p> <p>1) If the project site contains suitable bat roosting habitat (e.g., abandoned buildings, rock crevices, tree bark, hollow trees, culverts, bridges, or other dark crevices), then prior to initiation of construction activity, a pre-</p>	

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		<p>construction bat survey shall be performed by a wildlife biologist or other qualified professional.</p> <p>2) If bat roosts are identified on site, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed prior to maternity roosting season (typically May to August) of each construction phase prior to the onset of construction activities.</p> <p>3) If a female or maternity colony of bats are found on the project site and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in an area not planned for removal), a wildlife biologist shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 250 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (typically May to August).</p> <p>4) If an active nursery roost is known to occur on site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after August and before May to prevent the formation of</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<p>Impact 3.3.4 Implementation of the SDMP could result in the loss or modification of vernal pools, riparian, or other sensitive natural community and its associated wildlife. Implementation of the proposed project may result in disturbance, degradation, and removal of a sensitive natural community. This will be a potentially significant impact.</p>	PS	<p>maternity colonies. Non-breeding bats shall be safely evicted, under the direction of a bat specialist.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>Implement mitigation measures MM 3.3.1b through MM 3.3.1f, MM 3.3.2h, and MM 3.3.2d and MM 3.3.2e.</p> <p>MM 3.3.4 If impacts to riparian habitat are not avoidable, and on-site preservation is not possible, then habitat compensation shall be required at a 2:1 preservation to impact ratio (2 acres preserved for every one acre impacted) unless otherwise specified by California Department of Fish and Game. The City shall prepare and implement a riparian vegetation mitigation and monitoring plan for disturbed riparian habitat. The plan shall include:</p> <ul style="list-style-type: none"> • On-site and/or off-site location(s) for replacement shrubs and trees. • Protection measures for replacement shrubs and trees that shall ensure an agreed upon percentage of replacement plantings are alive three years following site revegetation according to the standard performance success criteria of USACE and CDFG and the professional opinion of City-contracted biologist. 	LS

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<p>Impact 3.3.5 Implementation of the SDMP could result in disturbance and degradation of wetlands and waters of the U.S. This will be a potentially significant impact.</p>	PS	<ul style="list-style-type: none"> Monitoring measures, including construction monitoring, by a qualified biologist, arborist, or ecologist to ensure sensitive areas are protected from construction activities. <p><i>Timing/Implementation: Prior to construction activities permits will be obtained, and during construction activities for the monitoring requirement.</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>Implement mitigation measures MM 3.2.2c, and MM 3.3.1b through MM 3.3.1f.</p>	LS
<p>Impact 3.3.5 Implementation of the SDMP could result in disturbance and degradation of wetlands and waters of the U.S. This will be a potentially significant impact.</p>	PS	<p>MM 3.3.5 The City shall comply with the U.S. Army Corps of Engineers “no net loss” policy for mitigation of wetlands under the jurisdiction of U.S. Army Corps of Engineers. The City must apply for a Section 404 permit, a Section 401 Certification permit, and a 1602 Streambed Alteration Agreement. If wetland resources are proposed to be taken, the City shall do the following:</p> <p>1. If required, apply for a Section 404 permit from U.S. Army Corps of Engineers after verification of the wetland delineation by the U.S. Army Corps of Engineers and/or RWQCB. Any waters of the U.S. or waters of the State as defined by the RWQCB that will be lost or disturbed shall be replaced or rehabilitated on a “no net</p>	LS

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		<p>loss" basis in accordance with the U.S. Army Corps of Engineers and/or RWQCB mitigation guidelines. On-site creation of wetland habitat is preferred to off-site mitigation. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to U.S. Army Corps of Engineers.</p> <p>2. Obtain a Section 401 water quality waiver of certification from Regional Water Quality Control Board.</p> <p>3. A mitigation plan shall be implemented that includes <u>one</u> of the following:</p> <p>(a) Completion of an on-site mitigation and monitoring plan that includes on-site creation/preservation of the wetlands.</p> <p>(b) Credits may be obtained at an approved mitigation bank.</p> <p><i>Timing/Implementation</i> Prior to grading or construction activities.</p> <p><i>Enforcement/Monitoring</i> City of Elk Grove Planning Department; USACE; CVRWQCB</p> <p>Implement mitigation measures MM 3.3.1b through MM 3.3.1f, and MM 3.3.4.</p>	

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SU – Significant and Unavoidable
 N – No Impact

City of Elk Grove
 November 2011

2.0 EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<p>Impact 3.3.6 Implementation of the SDMP, in combination with existing, approved, proposed, and reasonably foreseeable development, will cumulatively contribute to loss of biological resources. This impact is considered cumulatively considerable.</p>	CC	Implement mitigation measures MM 3.3.1a through f , MM 3.3.2a through h , MM 3.3.3a through d , MM 3.3.4 , and MM 3.3.5 .	LCC
3.4 GREENHOUSE GAS AND CLIMATE CHANGE			
<p>Impact 3.4.1 Implementation of the proposed SDMP may result in a net increase in greenhouse gas emissions that will conflict with the goals of AB 32 or result in a significant impact on the environment. This impact is potentially cumulatively considerable.</p>	PCC	<p>MM 3.4.1 The following emissions reduction measures shall be implemented during construction:</p> <ol style="list-style-type: none"> 1. Limit idling of construction equipment and delivery vehicles (emissions reduction range of 25–40 percent (CAPCOA 2010)); 2. Delivery of materials shall not take place during rush hours (7:00 a.m. – 9:30 a.m. and 4:30 p.m. – 6:00 p.m.), in order to increase vehicle fuel efficiency; 3. Following consultation with SMAQMD, and to the extent agreed upon by the City and SMAQMD, alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment shall be employed by at least 15 percent of the fleet if feasible (GHG emissions reduction range of 0–22 percent (CAPCOA 2010)). <p><i>Timing/Implementation: During all grading and construction phases of the Project.</i></p>	LCC

S – Significant
PS – Potentially Significant
PCC – Potentially Cumulatively Considerable
City of Elk Grove
November 2011

LS – Less Than Significant
CS – Cumulative Significant
LCC – Less than Cumulatively Considerable

SU – Significant and Unavoidable
N – No Impact

Storm Drainage Master Plan
Final Environmental Impact Report

2.0-35

2.0 EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.5 HAZARDOUS MATERIALS			
<p>Impact 3.5.1 Implementation of the proposed SDMP will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment or through the disturbance of contaminated property during the implementation of facility improvements on a site included on a list of hazardous materials sites compiled by Government Code Section 65962.5. This impact is considered less than significant.</p>	LS	None required.	LS
<p>Impact 3.5.2 Construction of the proposed SDMP along with other development and land use activities within the City will not contribute to cumulative impacts regarding the transport or accidental release of hazardous materials. This impact is considered less than cumulatively considerable.</p>	LCC	None required.	LCC

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Storm Drainage Master Plan
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City of Elk Grove
 November 2011

2.0 EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.6 HYDROLOGY AND WATER QUALITY			
Impact 3.6.1 Implementation of the proposed SDMP is not expected to result in violations of water quality standards or waste discharge requirements. This is considered a less than significant impact.	LS	None required.	LS
Impact 3.6.2 The proposed SDMP identifies various new program activities and preliminary candidate watershed projects that could result in construction-related erosion and water quality impacts from grading and vegetation removal activities. This is considered a less than significant impact due to compliance with existing water quality control standards.	LS	None required.	LS
Impact 3.6.3 Implementation of the proposed SDMP will allow for alteration of the existing drainage pattern of the Project area; however, these changes will decrease the potential for erosion and/or flooding in the City. Therefore, these impacts will be less than significant .	LS	None required.	LS
Impact 3.6.4 Implementation of the proposed SDMP would alter some existing drainage structures and add stormwater detention basins within 100-year flood hazard zones; however, these changes will not redirect or impede flood flows. Therefore, these impacts are less than significant .	LS	None required.	LS

2.0 EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 3.6.5 Implementation of the proposed SDMP will alter drainage conditions in the region; however, these changes will promote improved water quality and will decrease the potential for erosion and/or flooding in the basin. This is considered a less than cumulatively considerable impact.	LCC	None required.	LCC
3.7 RECREATION			
Impact 3.7.1 The proposed SDMP will facilitate increased recreation opportunities in the City. The environmental effects of these improvements have been addressed and mitigated in this EIR. This impact would be less than significant .	LS	None required.	LS
Impact 3.7.2 Implementation of the proposed SDMP will result in increased park and recreation facilities within the cumulative setting. Impacts will be considered less than cumulatively considerable .	LCC	None required.	LCC

S – Significant

PS – Potentially Significant

PCC – Potentially Cumulatively Considerable

Storm Drainage Master Plan

Final Environmental Impact Report

LS – Less Than Significant

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City of Elk Grove

November 2011

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

No new significant environmental impacts, beyond those already covered in the Draft Environmental Impact Report (Draft EIR or DEIR), were raised during the comment period, and the City of Elk Grove (City) acting as lead agency directed that a Final Environmental Impact Report (FEIR) be prepared. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the DEIR pursuant to CEQA Guidelines Section 15088.5.

3.2 LIST OF COMMENTERS

**TABLE 3.0-1
WRITTEN COMMENTERS TO THE EIR**

Letter	Individual or Signatory	Affiliation	Date
1	Jorge Rivas Jr.	Caltrans District 3	9/27/11
2	Ginger E. Fodge	Gibson & Skordal, LLC, Wetland Consultants	9/30/11
3	James Herota	Central Valley Flood Protection Board	8/30/11
4	Jim Gillum	Gillum Consulting	9/30/11
5	Lynn Wheat	Elk Grove Resident	9/30/11
6	Paul R. Hart, PE	McKay & Soms, Engineers, Planners, Surveyors	9/29/11
7	Donald Kennedy	Pacific Gas and Electric Company	9/7/11
8	Genevieve Sparks	Central Valley Regional Water Quality Control Board	9/28/11
9	David Brown	Sacramento-Yolo Mosquito and Vector Control District	9/27/11

3.3 COMMENTS

3.3.1 REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

State CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the significant environmental issues raised and must provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need only to respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (State CEQA Guidelines Section 15204).

State CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. State CEQA Guidelines Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Pursuant to State CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

3.0 COMMENTS AND RESPONSES

State CEQA Guidelines Section 15088 also recommends that where the response to comments results in revisions to the Draft EIR, those revisions should be noted as a revision to the Draft EIR or in a separate section of the Final EIR.

3.3.2 RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, written comment letters are coded with numbers and each issue raised in the comment letter is assigned a second number (e.g., Comment Letter 1, comment 1 is referred to as 1-1).

Comment-initiated text revisions to the Draft EIR and minor staff-initiated changes are also provided and are demarcated with revision marks in Section 4.0, Errata, of the Final EIR.

Letter 1

From: Jorge Rivas [jorge_rivas@dot.ca.gov]
Sent: Tuesday, September 27, 2011 4:55 PM
To: Darren Wilson
Cc: Eric Fredericks
Subject: City of Elk Grove Storm Drainage Master Plan SCH# 2011012035

September 27, 2011

032011SAC0040
03-SAC- 99/5 PM VAR
City of Elk Grove Storm Drainage Master Plan
Draft Environmental Impact Report

Mr. Darren Wilson
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Dear Mr. Wilson:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the City of Elk Grove Storm Drainage Master Plan. The project is a Storm Drainage Master Plan that proposes a series of drainage facility improvements to accommodate current and future storm water flows and meet project objectives including protection, restoration, and enhancement of flood control facilities, storm water drainage conveyance systems, water quality, vegetation and aquatic resources and recreational amenities. At this time Caltrans has no further comments.

However, the Department would like to request the following:

- Copies of the HEC-RAS studies for the various creeks and various detention basins and,
- A hard copy of the final Volume-2 of the Storm Drainage Master Plan.

The items requested should be mailed to 2379 Gateway Oaks Drive, Suite 150, Sacramento, CA 95833.

The Department would appreciate being kept apprised of any changes to the project description. The Department looks forward to coordinating with the City of Elk Grove on the Storm Drainage Master Plan.

If you have any questions regarding these comments, please contact me via email or at 916-274-0679.

Sincerely,
Jorge

.....
Jorge Rivas Jr.
California Department of Transportation District #3
A: 2379 Gateway Oaks Drive Ste. 150
Sacramento, CA 95833
E: jorge_rivas@dot.ca.gov
P: 916.274.0679

1-1

3.0 COMMENTS AND RESPONSES

LETTER 1 JORGE RIVAS – CALTRANS DISTRICT 3

Response 1-1

Caltrans indicates it has no comments on the DEIR, but requests the City provide Caltrans with copies of the HEC-RAS studies for the various creeks and detention basins and a hard copy of Volume 2 of the SDMP. The City Public Works Department will provide the requested reports to Caltrans.

Letter 2



Gibson & Skordal, LLC
WETLAND CONSULTANTS

September 30, 2011

Mr. Darren Wilson
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, California 95758

Subject: Draft Environmental Impact Report for the City of Elk Grove Storm Drainage Master Plan

Dear Mr. Wilson:

I am writing to provide comments on the Draft Environmental Impact Report (EIR) for the City of Elk Grove Storm Drainage Master Plan. Gibson & Skordal, LLC has assisted many project proponents in the City of Elk Grove with wetland delineations, biological resources reports, special status species surveys, and permitting under Sections 404 and 401 of the Clean Water Act and Section 1600 of the California Fish and Game Code. We have focused our review on the Biological Resources chapter of the EIR and the associated Mitigation Measures.

Our main concern with the document in general is that while the EIR is programmatic, the mitigation measures listed are very specific and don't allow for flexibility for project-specific conditions. The Mitigation Measures in the Biological Resources chapter state specific mitigation ratios and setback requirements, which may not be warranted for all projects that would occur under the Storm Drainage Master Plan.

Mitigation Measure: MM 3.3.2a

Statement: If elderberry shrubs are found within 100 feet of construction activities, the City must consult with the United States Fish and Wildlife Service.

Comment: Federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act (ESA) when projects that they are undertaking, funding, or permitting may affect federally-listed threatened and endangered species. If a federal permit is required for a project that is also being undertaken or authorized by the City of Elk Grove (such a Section 404 permit from the U.S. Army Corps of Engineers), the federal agency would consult with the USFWS and/or NMFS under Section 7 of the ESA for potential impacts to federally-listed species. The result of that consultation would be either a letter stating that the project is "not likely to adversely affect" the listed species, or a Biological Opinion (B.O.) which authorizes incidental take of the listed species and establishes mitigation requirements.

2-1

2277 Fair Oaks Boulevard, Suite 105, Sacramento, California 95825
phone: 916-569-1830 • fax: 916-569-1835

Letter 2 Continued

Mr. Darren Wilson
September 30, 2011
Page 2 of 2

The use of the word "consult" in this mitigation measure is incorrect in that the City of Elk Grove cannot consult with the USFWS and NMFS in the context of the ESA. If a project with no federal permit or funding may result in the "take" of a federally-listed species, incidental take could only occur through Section 10 of the ESA which would require development of a Habitat Conservation Plan.

2-1
cont.

Mitigation Measure: MM 3.3.2C

Statement: If impacts to vernal pools cannot be avoided, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the United States Fish and Wildlife Service.

Comment: The EIR does not make it clear that if protocol-level surveys for the vernal pool invertebrates are negative, the USFWS typically determines that the project is not likely to adversely affect the listed species. Mitigation for impacts to wetlands would then be determined by the U.S. Army Corps of Engineers and the CEQA lead agency. Mitigation in this instance is typically the purchase of seasonal wetland or vernal pool credits at an approved mitigation bank at a 1:1 ratio. We recommend that the above sentence be modified as follows:

2-2

If impacts to vernal pools cannot be avoided *and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site*, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the United States Fish and Wildlife Service.

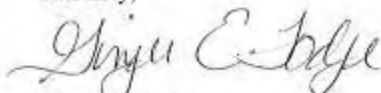
Statement: For every acre of habitat directly or indirectly affected, at least three vernal pool credits will be dedicated within a United States Fish and Wildlife Service-approved preservation bank, or based upon a United States Fish and Wildlife Service evaluation of site-specific conservation values, so that 3 acres of vernal pool habitat may be preserved within the proposed project site or another non-bank site as approved by the United States Fish and Wildlife Service (3:1 mitigation ratio).

Comment: This requirement is not consistent with the USFWS' programmatic consultation for impacts to federally-listed vernal pool invertebrates. The requirement is 1:1 vernal pool restoration for direct impacts, and 2:1 preservation for direct + indirect impacts. Furthermore, since the Corps typically does not give compensatory mitigation credits for preservation only of existing wetlands, this mitigation measure as written would not meet the requirements any 404 permit that would be required. We recommend that specific mitigation ratios not be adopted for impacts to the listed vernal pool invertebrates, since project proponents may also negotiate alternative ratios with the USFWS through a standard B.O.

2-3

Thank you for the opportunity to comment on the EIR. If you have any questions regarding these comments, please contact me at (916) 569-1830.

Sincerely,



Ginger E. Fodge
Principal

2277 Fair Oaks Boulevard, Suite 105, Sacramento, California 95825
phone: 916-569-1830 • fax: 916-569-1835

LETTER 2 GINGER E. FODGE – GIBSON & SKORDAL, LLC

Response 2-1

The commenter discusses the differences between consultation with the USFWS and the need for a Habitat Conservation Plan for elderberry shrubs found within 100 feet of construction activities. Language in mitigation measures MM 3.3.2a and MM 3.3.2c have been clarified to differentiate between when a federal nexus will provide for a Section 7 consultation and when the City would have to develop a Habitat Conservation Plan.

Mitigation measure MM 3.3.2a in the DEIR has been modified as follows:

MM 3.3.2a

The City shall retain a qualified biologist to identify and establish avoidance areas for elderberry shrubs (host plant of the federally threatened valley elderberry longhorn beetle) within 100 feet from the dripline of the plant (the avoidance radius established in the USFWS guidelines for the beetle) of construction activities. Elderberry shrub surveys must be conducted when the shrub is identifiable (generally March to September). If elderberry shrubs are found within 100 feet of construction activities, the City must consult with the USFWS, either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). Avoidance and protection measures shall be established using the USFWS *Conservation Guidelines for the Valley Elderberry Longhorn Beetle* (1999a). The City will submit the avoidance and protection measures to the USFWS for review of the adequacy of mitigation measures, including on-site avoidance practices, personnel training, exclusion fencing, and signage to approve encroachment within 100 feet of the elderberry shrubs at the project location. Typically, the USFWS requires a minimum setback of 20 feet from the dripline of each elderberry plant to establish avoidance and no direct take. If this condition cannot be met, the USFWS may require an incidental take permit. The City shall comply with all USFWS direction on this matter. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of FESA.

Timing/Implementation: Prior to construction and site grading activities

Enforcement/Monitoring: City of Elk Grove Planning Department

MM 3.3.2c

If impacts to vernal pools cannot be avoided and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the USFWS either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). The City shall implement all measures included in the Biological Opinion issued as a result of this consultation. ~~For every acre of habitat directly or indirectly affected, at least three vernal pool credits will be dedicated within a USFWS-approved preservation bank, or based upon a USFWS evaluation of site-specific conservation values, so that 3 acres of vernal pool habitat may be preserved within the proposed project site or on another non-bank site as~~

3.0 COMMENTS AND RESPONSES

~~approved by the USFWS (3:1 mitigation ratio) (USFWS 1996b).~~ Final determinations of the amount of mitigation acreage to be provided, and if mitigation will be accomplished through on-site replacement or compensatory mitigation, shall be determined during consultation with the USFWS. Mitigation shall occur so as to achieve no net loss of vernal pool habitat, as determined by the USFWS, USACE and RWQCB (as applicable). A comprehensive plan for avoidance, on-site mitigation, off-site mitigation, or other compensation will be developed in cooperation with relevant State and federal agencies.

Before construction, the City shall obtain authorization from the USFWS for incidental take of listed vernal pool crustacean species that have suitable habitat affected by the proposed project. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the FESA.

Timing/Implementation: *Prior to construction and site grading activities*

Enforcement/Monitoring: *City of Elk Grove Planning Department*

Response 2-2

The commenter indicates that mitigation measure MM 3.3.2C should specify that protocol-level surveys for vernal pool invertebrates are negative for the site, and therefore, the USFWS will not require mitigation for habitat loss, thereby limiting determination of mitigation to the USACE and the CEQA lead agency.

Mitigation measure MM 3.3.2c in the DEIR has been modified as follows:

MM 3.3.2c

If impacts to vernal pools cannot be avoided and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the USFWS either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). The City shall implement all measures included in the Biological Opinion issued as a result of this consultation. ~~For every acre of habitat directly or indirectly affected, at least three vernal pool credits will be dedicated within a USFWS-approved preservation bank, or based upon a USFWS evaluation of site-specific conservation values, so that 3 acres of vernal pool habitat may be preserved within the proposed project site or on another non-bank site as approved by the USFWS (3:1 mitigation ratio) (USFWS 1996b).~~ Final determinations of the amount of mitigation acreage to be provided, and if mitigation will be accomplished through on-site replacement or compensatory mitigation, shall be determined during consultation with the USFWS. Mitigation shall occur so as to achieve no net loss of vernal pool habitat, as determined by the USFWS, USACE, and RWQCB (as applicable). A comprehensive plan for avoidance, on-site mitigation, off-site mitigation, or other compensation will be developed in cooperation with relevant State and federal agencies.

Before construction, the City shall obtain authorization from the USFWS for incidental take of listed vernal pool crustacean species that have suitable habitat affected by the proposed project. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the FESA.

Timing/Implementation: *Prior to construction and site grading activities*

Enforcement/Monitoring: *City of Elk Grove Planning Department*

Response 2-3

The commenter states that mitigation measure 3.3.2C is not consistent with the USFWS' programmatic consultation for impacts to federally listed vernal pool invertebrates. The commenter recommends eliminating specific mitigation ratios from the document to allow for project-level negotiations with the USFWS.

Mitigation measure MM 3.3.2c of the DEIR has been modified as shown in **Response 2-2** above.

Letter 3 Continued

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0582
PERMITS: (916) 574-2380 FAX: (916) 574-0682



August 30, 2011

Darren Wilson
City of Elk Grove Public Works
8401 Laguna Palms Way
Elk Grove, California 95758



Subject: Response to the Draft Environmental Impact Report for the City of Elk Grove Storm Drainage Master Plan (SCH# 2011012035)

Dear Mr. Wilson;

Staff of the Central Valley Flood Protection Board has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be utilized within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (CCR Section 131).

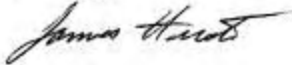
3-1

Letter 3 Continued

Mr. Darren Wilson
August 30, 2011
Page 2 of 2

If you have any questions, please contact me at (916) 574-0651, or via email at jherota@water.ca.gov.

Sincerely,



James Herota
Staff Environmental Scientist
Flood Projects Improvement Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

3.0 COMMENTS AND RESPONSES

LETTER 3 JAMES HEROTA – CENTRAL VALLEY FLOOD PROTECTION BOARD

Response 3-1

The commenter indicates that the Project is within the CVFPB jurisdiction and specifies under what circumstances a Board permit would be required and that if vegetation is proposed to be planted in areas under the Board's jurisdiction, vegetation planting plans, vegetation types, irrigation methods, and vegetation maintenance management plans must be submitted to the Board for review. The letter does not specifically comment on the adequacy of the DEIR.

The City will review project-level plans for proposed SDMP candidate watershed projects to determine if they are within the CVFPB's jurisdiction and will coordinate and consult with the CVFPB during the project-specific design phase.

Letter 4



Darren Wilson, Engineering Services Manager
City of Elk Grove Public Works
8401 Laguna Palms Way
Elk Grove, CA 95758
Transmitted via e-mail to: dwilson@elkgrovecity.org

Friday, September 30, 2011

RE: Storm Drainage Master Plan Draft Environmental Impact Report SCH #: 2011012035

Dear Mr. Wilson,

The Storm Drainage Master Plan (SDMP) appears to have two distinctly different types of projects. The first type is planning for the rehabilitation and modification of existing drainage facilities in order to provide for adequate flood control for existing residents. These modifications to the existing system could include components that enhance the storm drainage system in ways that achieve other "Goals," of the SDMP. The second type of project would occur in new development areas where future drainage improvements have fewer existing constraints.

While it is recognized that within new development areas the City will have greater opportunity to achieve some of recreational and habitat goals set forth in the SDMP, it should be noted that these facilities will require additional land and increased project construction costs. While the land requirements can be estimated for broad planning purposes, the implementation/construction costs of the SDMP have not been evaluated or estimated. The breadth of the goals this plan has set forth and the scope of the improvements contemplated are significant. Many of the water quality mitigation strategies are not commonly used and could create excessively high implementation costs. Development of a fee to fund these SDMP improvements could become problematic if these costs are too burdensome. This cost evaluation should be done and the STMP should be evaluated with the full understanding of how much each of the "Goals," costs to achieve.

4-1

Furthermore, some of the facilities contemplated in this master plan are not necessary for the creation of adequate drainage facilities. They appear to provide for extra mitigation, over and above mitigation for the impacts associated with rechannelizing the existing drainage courses. For instance the habitat mitigation areas proposed within the Shed C channel appear to provide for significant open space and areas where wetland creation could occur. If there is opportunity to accommodate wetland creation in excess of that required for mitigation for the existing channel, dedicating developers should be allowed to utilize this area to offset their project impacts thus reducing the overall cost to the project. If the City intends to require projects to install facilities that relate to recreation, such as trails and open space; these facilities should be considered as having broader recreational benefit and should serve as an offset for park requirements or should be funded by a broader mechanism.

4-2

The SDMP is a long term planning document that will likely survive changes to the regulatory environment that cannot be foreseen. The mitigation measures within the DEIR appear to prejudge what the various responsible agencies might require when a project is ready for implementation. The City should work with the Regional Water Quality Control Board, the Department of Fish and Game, the

4-3

1632 Weinreich Court, Folsom, California 95630
Phone 916-388-8900 Fax 916-388-9889

Letter 4 Continued

Storm Drainage Master Plan Draft Environmental Impact Report SCH #: 2011012035

US Fish and Wildlife Service and the US Army Corps of Engineers to apply their regulations based upon site specific evaluation. This document should not set mitigation ratios and other mitigation requirements when those issues are to be determined by these independent agencies.

4-3
cont.

When considering flood control options, the SDMP should evaluate the effects that each shed has on the system as a whole and implement solutions that work within that broader context. Within the guiding principles (Page ES-1, ES 2-SDMP Guiding Principals) the following statement should be amended in order to allow for these broader impacts to be considered. "2) Alternative storm drainage and flood control management approaches shall be adopted, wherever and whenever feasibly, (emphasis added) to complement approaches to traditional storm drainage and flood control management systems. Alternative approaches may include distributed systems (e.g. low impact development systems (LIDs), flow duration control basins, and/or instream rehabilitation;" In the text above the word "adopted" is emphasized and should be substituted with the word "considered" and the word "feasibly" should be corrected to be "feasible." The words "and appropriate," should be added after the emphasized text in order to allow the department of Public works to make determinations about benefits of such alternative designs. Traditional drainage practices have been developed over many years and today address most if not all valid environmental concerns. Wetlands and special status plants and species are either preserved or fully mitigated for. This document should not require alternative methods of conveying storm water unless those methods are practical and offer real benefits to the community as a whole.

4-4

The description of the City limits in 3.1.1 EXISTING SETTING is inaccurate and should be corrected. "The City is bisected (emphasis added) by Interstate 5 (I-5) on the west and State Route (SR) 99 on the east." The City not bisected, but rather it is bordered by Interstate 5. This description could lead a reader to believe that the City has jurisdiction within the Beach and Stone Lakes NWR areas and that misstatement should be corrected.

4-5

While we have further comments about the Storm Drainage Master Plan itself, we will reserve those for hearings on the plan. We do however respectfully request that the City prepare and publish a cost estimate for the proposed projects with enough detail to understand the cost of achieving each of the "goals," set forth in the draft SDMP. This will allow for the Planning Commission and City Council to have meaningful and informed dialog about the Storm Drainage Master Plan.

Thank you for your consideration of our comments.

Respectfully,


Jim Gillum
Gillum Consulting, Inc.

LETTER 4 JIM GILLUM – GILLUM CONSULTING

Response 4-1

The commenter indicates that some of the recreational and habitat goals and strategies set forth in the SDMP could create excessively high implementation costs and that development of a fee to fund these SDMP improvements could become problematic if these costs are too burdensome. The commenter recommends that a cost evaluation should be done to evaluate how much each of the “goals” will cost to achieve.

This comment does not concern the adequacy of the DEIR, as the economic feasibility of the SDMP's project description is not a physical change in the environment, as defined in CEQA Guidelines section 15360, that is required to be analyzed under CEQA. The SDMP is a programmatic document that incorporates proposed candidate watershed projects that meet the guiding principles, goals, and objectives as determined by the City, with significant input and recommendations from the public and stakeholders during an extended public comment period and extensive consideration by the Expert Advisory Committee (EAC). Candidate watershed projects will be identified and evaluated at a project level for future improvements. Each specific candidate watershed project will be analyzed to provide alternatives, which can incorporate various key concepts to help select a preferred solution for the project. As discussed in Section 8.5 of the SDMP, a Triple Bottom Line (TBL) assessment approach, which involves evaluating not only the economic costs and benefits of a project, but also the social and environmental, may be used to examine the broad environmental effects for future improvements proposed under the SDMP, when feasible and appropriate and if a preferred solution is not obvious.

Response 4-2

The commenter indicates that some of the proposed SDMP candidate watershed projects are not necessary for the creation of adequate drainage facilities and that developers who dedicate extra land for the creation of open space, habitat creation, or recreation associated with these proposed projects should be allowed to utilize these dedicated areas and project-created habitat to offset their project's impacts and the City's park requirements.

This comment does not concern the adequacy of the DEIR, as relates to developer dedication of land for creation of open space, habitat and recreational facilities and it does not address a physical change in the environment, as defined in CEQA Guidelines section 15360. The comment recommends that the SDMP include a discussion of project-specific funding portions, allocations, and responsibilities. The SDMP is a programmatic document that proposes candidate watershed projects that meet the key concepts, general principles, and goals that have been developed based on the City's needs, regulatory requirements, and stakeholders' interests. Chapter 8.2 of the SDMP discusses possible funding sources and programs for the candidate watershed projects at a programmatic level, including the possibility of establishing supplemental drainage fee areas where there are costs associated with trunk drainage that are not covered by Zone 11A, such as environmental mitigation and channel rights-of-way. Costs and allocations, and the potential for developer offsets for projects that can demonstrate a nexus for payments due to their development, will be analyzed and discussed at the project level when determining funding mechanisms and overall project benefits and economic feasibility.

3.0 COMMENTS AND RESPONSES

Response 4-3

The commenter recommends that the document not set mitigation ratios and other mitigation requirements when resource impacts have yet to be defined by agencies such as the Regional Water Quality Control Board, California Department of Fish and Game, US Fish and Wildlife Service, and US Army Corps of Engineers.

Mitigation measure MM 3.3.2C in the DEIR has been modified as shown in **Response 2-2** above; however, other mitigation measures are standard mitigation to determine what resources may be affected by the proposed projects.

Response 4-4

The commenter recommends changes to the language in the SDMP and DEIR Executive Summary section, as follows:

Within the EIR's Executive Summary under SDMP Guiding Principles (page ES-1, ES2 Project Summary), the following statement should be amended to allow for broader impacts to the entire drainage system as a whole to be considered: 2) Alternative storm drainage and flood control management approaches shall be adopted, wherever and whenever feasibly, to complement approaches to traditional storm drainage and flood control management systems.

In the above sentence, the commenter recommends substituting the word "adopted" with "considered," to correct the word "feasibly" to "feasible," and to add the phrase "and appropriate" after the word "feasible."

The City notes that the word "feasibly" in this sentence is grammatically incorrect and will change the DEIR text to read "feasible." Please see the text edits in Section 4.0 of this FEIR.

The other comments regarding language changes are noted. However, the City will not change this language because it was agreed upon after considerable discussion during the City's public outreach and EAC process in developing the Guiding Principles language for the SDMP.

DEIR Section ES, Executive Summary, page ES-1, has been modified as follows:

SDMP GUIDING PRINCIPLES

Guiding Principles were developed to set a foundation and help guide the processing of the SDMP. All goals, strategies, and solutions within the SDMP were established to be consistent with the following Guiding Principles of the SDMP:

- 1) Storm drainage and flood management systems shall be designed to take maximum advantage of the natural hydrological processes of the existing landscape;
- 2) Alternative storm drainage and flood control management approaches shall be adopted, wherever and whenever feasible, to complement approaches to traditional storm drainage and flood control management systems. Alternative approaches may include distributed systems (e.g. low impact development systems (LIDs), flow duration control basins, and/or instream rehabilitation;

Response 4-5

The commenter indicates that the language in the description of the City limits in the second paragraph of Section 3.1, Aesthetics, subsection 3.1.1, Existing Setting, of the DEIR is inaccurate and should be corrected to replace the word "bisected" by the word "bordered" to be technically accurate, as suggested in the commenter's suggested text:

The City is bisected by Interstate 5 (I-5) on the west and State Route (SR) 99 on the east.

The commenter is correct that the City is bordered by Interstate 5 on the west and not bisected. Therefore the City will change this word to be technically accurate in the DEIR, as shown here and in Section 4.0 of this FEIR.

The City is bordered ~~bisected~~ by Interstate 5 (I-5) on the west and State Route (SR) 99 on the east.

Letter 5

From: lynn wheat [wheat91@yahoo.com]
Sent: Friday, September 30, 2011 10:52 AM
To: Darren Wilson
Subject: Draft EIR Storm Water Drainage Master Plan

September 29, 2011

To: Darren Wilson

Subject: Draft Environmental Impact Report for the Proposed Storm Water Drainage Master Plan

I request the following information and comments be submitted to the record for response.

Figure 3.3-2

Fails to note species of concern published in previous county records and documented site surveys for Bond and Waterman area. For example; Swainson Hawk, White- tailed Kite, Tri- Colored Black Bird. Are there other species of concern that need to be identified?

5-1

Figure 3.6-2

The map needs to include the proposed modified FEMA Flood Plain. Has this been considered in this draft EIR? How has it been addressed?

5-2

Page 3.7-2

This needs a recreational trail map to support the statement that the trail system includes Whitehouse Creek. Map needs to show existing/proposed trail system to support and justify the conclusion that recreational opportunities will be enhanced.

5-3

Aesthetics

Whitehouse Creek will be impacted and the natural appearance of this creek area will be changed. Are there before diagrams and pictures? Are there after project diagrams showing the possible new look of the area?

5-4

Hazardous Materials

There is a potential hazardous waste situation. According to a 1993 EIR report in the vicinity of Bond and Waterman potential site contamination exists. Is there documentation demonstrating the site to be free of contaminants?

5-5

Hydrology and Water Quality

Sheldon area groundwater/ water table depletion will occur as the watershed will be shifted from the area. Risk of flooding with the creek changes and proposed developments will be an impact of significance. Have the future developments with the loss of open land been included in analysis of water quality? What impact will this have on well water users? What guarantees/assurances are in place that this will prevent flooding of properties during storm events?

5-6

Vernal Pools and Mitigation

Are there enough mitigation banks to address the loss within Elk Grove? Can better methods to preserve the remaining vernal pools within Elk Grove be identified in this Storm Water Drainage Master Plan?

5-7

Respectfully submitted,

Lynn Wheat
9136 Quail Terrace Ct.
Elk Grove, Ca 95624

LETTER 5 LYNN WHEAT – ELK GROVE RESIDENT

Response 5-1

The commenter notes that Figure 3.3-2 fails to document site surveys for a County project conducted near the Bond Road and Waterman Road intersection. The commenter specifically requests the addition of Swainson's hawk, white-tailed kite, and tri-colored blackbird to the figure and is concerned that other species of concern may need to be identified.

Figure 3.3-2 illustrates previously recorded occurrences of special-status species within 1 mile of the SDMP project area that have been recorded through the California Department of Fish and Game's (CDFG) California Natural Diversity Database (CNDDDB). This map figure is not exhaustive and would not include the County survey unless the County registered their findings with the CDFG. The EIR further states that a special-status species may occur in an area where it was not previously documented, if the area meets the ecological requirements of the species.

All species in question (Swainson's hawk, white-tailed kite, and tri-colored blackbird) were included as having potential to occur within the SDMP project area and have been considered in the EIR. These species will need to be considered during a project-level analysis if suitable habitat occurs within the project site.

No changes to the DEIR have been made.

Response 5-2

The commenter recommends that Figure 3.6-2, FEMA Floodplain Map for the City of Elk Grove, include the proposed modified FEMA floodplain and asks whether the modified floodplain has been considered in this DEIR.

The City has added language to Section 4.6, Flood Control Regulations (Federal), in the SDMP indicating that the City has participated in the Map Moderation Project under the Code of Federal Regulations, Title 44, Section 65.10 to update the City's floodplain boundary to be current and to be reflected on FEMA's FIRM and that FEMA will be adopting the new FIRM in the near future. Because these floodplain modifications have not yet been approved and could be altered based on FEMA review and recommendations, the map shown on Figure 3.6-2 in the DEIR is the most recent, approved FEMA floodplain map and will not be changed, as CEQA requires the analysis of existing conditions of the project area, pursuant to CEQA Guidelines section 15125(a). Upon FEMA approval of the City's floodplain modifications, subsequent updates of the SDMP will include the updated FEMA Floodplain Map. SDMP candidate watershed projects will be designed and evaluated on a project-level basis with consideration of the most recent FEMA-approved floodplain maps. The currently proposed floodplain modifications under review by FEMA will not change the significance of impacts discussed under Impact 3.6.4 in the DEIR regarding placement of structures within a 100-year floodplain that may impede flood flows.

No changes to the DEIR have been made.

Response 5-3

The commenter recommends that a recreational trail map be included on page 3.7-2 in Section 3.7, Recreation, of the DEIR to support the statement that the trail system includes Whitehouse

3.0 COMMENTS AND RESPONSES

Creek and to support and justify the conclusion that recreational opportunities will be enhanced.

The City will add a reference to Figure 4 of the Elk Grove Trails Master Plan at the beginning of the paragraph under "Trails" on page 3.7-2. The City will also delete the words "Elk Grove" and "Whitehouse" from the sentence in this paragraph describing Laguna Creek Parkway as one of the more prominent connected trail systems because the proposed trail connections to these creeks have not been completed to date. Please see the edits to the DEIR below and in Section 4.0 of this FEIR.

Trails

According to Figure 4, Elk Grove Trails Master Plan Map (January 2007), As of 2007, there were approximately 23 miles of existing off-street multi-use trails in the City. The great majority of these trails are owned and all are maintained by the CCSD. Many of these trails provide views of parkland and creeks or have well-maintained landscaping. These existing trails are also reasonably well distributed across the City, although there are gaps in the trail system that reduce connectivity. One of the more prominent connected trail systems is Laguna Creek Parkway, which features an off-street trail system that parallels and traverses the flow of ~~the Elk Grove, Laguna, and Whitehouse~~ Creeks. The Laguna Creek Parkway trail takes users from the equestrian staging area on Waterman Road to parks, retail centers, residential neighborhoods, and currently ends at the north end of the Camden Lake.

The City will add a sentence under Impact 3.7.1 as shown below and in Section 4.0 of this FEIR to clarify that many of the proposed trails shown on Elk Grove Trails Master Plan Figure 4 are incorporated into the candidate watershed project designs, thus progressing toward completion of the regional and City planned trail system that will enhance recreational opportunities.

Construction and Expansion of Recreational Facilities (Standard of Significance 2)

Impact 3.7.1 The proposed SDMP will facilitate increased recreation opportunities in the City. The environmental effects of these improvements have been addressed and mitigated in this EIR. This impact would be **less than significant**.

The proposed SDMP will provide improved recreational/trail opportunities within the City by incorporating recreational facilities into some of its candidate watershed projects designed to meet one or more of the other SDMP objectives to create multi-functional facilities that will benefit the environment while accommodating the City's planned flood control and storm water drainage system. The environmental effects of constructing these facilities have been programmatically addressed in the technical sections of this Draft EIR and can be mitigated to a less than significant level through the application of identified mitigation measures. The SDMP's proposed recreational facilities have been designed in accordance with the City's and regional trails master plans. Several of the SDMP's candidate watershed projects include proposed connector trails shown on Figure 4 of the EGTMP, thus extending the City and regional trails system and enhancing recreational opportunities. Thus, the long-term, operation of the SDMP recreational facilities are not expected to have an adverse physical effect on the environment.

Response 5-4

The commenter asks if there are before and after project diagrams showing the changes to the natural appearance of Whitehouse Creek.

Because this is a programmatic EIR, the City is basing its aesthetics impact evaluation on the limited project descriptions provided in Section 7 of the SDMP. The City will analyze aesthetic impacts to Whitehouse Creek caused by the Laguna Creek and Whitehouse Creek Multi-functional Corridor Enhancements Project and Whitehouse Creek Watershed Improvements Project during the project-specific CEQA evaluation when further design details and alternatives are proposed.

No changes to the DEIR text have been made.

Response 5-5

The commenter indicates potential site contamination exists near the corner of Waterman and Bond Roads according to a 1993 EIR report and asks if there is documentation demonstrating that this site is free of contaminants.

Table 3.5-2, Facility Locations, related to hazardous materials sites on regulatory databases in Section 3.5, Hazardous Materials, in the DEIR identifies Sheriff South Station at 9250 Bond Road as being associated with a release of hazardous materials from a former disposal site near the Waterman and Bond Road intersection. The closest SDMP candidate watershed project to this location is approximately one-half mile to the northwest near a small lake (Whitehouse Creek Watershed Improvements Project). For this programmatic EIR, there is no evidence from the City's regulatory database search to suggest a potentially significant hazardous materials impact from this site on the nearest SDMP candidate watershed project located approximately one-half mile away. Project-level environmental analysis will address site-specific impacts resulting from the development and operation of the individual projects closest to this area, including a more detailed investigation of potential impacts from this former hazardous materials release site at Waterman and Bond Roads.

No changes to the DEIR text have been made.

Response 5-6

The commenter asks if loss of open land in the Sheldon area associated with future planned development has been included in the DEIR's analysis of water quality, water well use, and property flooding during storm events.

The candidate watershed projects as described in the SDMP will not significantly impact flooding or surface water or groundwater quality in the Sheldon area. As discussed in Section 3.6, Hydrology and Water Quality, subsection 3.6.4, Cumulative Setting, Impacts, and Mitigation Measures, of the DEIR, the SDMP is a programmatic document that was developed to identify and remedy existing drainage conveyance and flood control deficiencies, as well as to define the major facilities required to accommodate and offset impacts of future development already anticipated in the City under buildout conditions projected in the City's General Plan.

Impacts to water quality and water supply (including groundwater table depletion) due to Citywide development, which includes the Sheldon Area and the Lower Laguna Creek Drainage Master Plan area, were adequately addressed in the City of Elk Grove General Plan

3.0 COMMENTS AND RESPONSES

EIR under Section 4.8 Hydrology and Water Quality. General Plan EIR, Impact 4.8.2 concludes that Implementation of the proposed General Plan would result in direct and indirect operational water quality impacts that would be considered less than significant with implementation of General Plan Policies CAQ-5, CAQ-11, CAQ-12, CAQ-14, and CAQ-26 and their associated action items. General Plan EIR, Impact 4.8.5 concludes that Implementation of the proposed General Plan would increase demand for water supply to the City requiring increased groundwater production and the use of surface water supplies and is considered a significant and unavoidable impact. The proposed SDMP would not substantially worsen or change the impacts already identified in the General Plan EIR.

The subsequent individual project actions and facility construction identified in the SDMP will maintain and improve water quality via LID systems and practices, flow duration control basins, or in-stream rehabilitation, thus reducing pollutants entering waterways and reducing flooding and erosion impacts to the basin. It should be noted that any subsequent actions or facility construction stemming from the programmatic improvements identified in the SDMP would be required to be developed in compliance with all federal, State, and local regulatory requirements, including the requirements of the City's MS4 permit (NPDES Permit No. CAS082597), the City's Stormwater Management and Discharge Control Chapter (Elk Grove Municipal Code, Chapter 15.12), Land Grading and Erosion Control Chapter (Elk Grove Municipal Code, Chapter 16.44), and Floodplain Management Policy (Resolution No. 2001-48), as described in DEIR Section 3.6, Hydrology and Water Quality. In addition, all subsequent candidate watershed projects will be analyzed for impacts to flooding and surface water and groundwater quality during the project-level CEQA analysis.

With regard to impacts to groundwater well users in the Sheldon area from future development, this issue is largely outside the scope of this DEIR, as it involves the City's drinking water supply, which would not be impacted by the SDMP's proposed improvements. In fact, the SDMP's Groundwater Recharge Feasibility Project is designed to increase stormwater infiltration to the groundwater table with the use of dry wells within existing and planned stormwater detention basins throughout the City. Future residential and commercial developments proposed in the Sheldon area of the City will include CEQA analysis of project-level and cumulative impacts to water supply, including groundwater wells.

No changes to the DEIR text have been made.

Response 5-7

The commenter would like to know if there are enough mitigation banks to address the loss of vernal pools within Elk Grove.

The SDMP is a programmatic document and does not define impacts to vernal pools or other sensitive habitat at a project level. Each project would be assessed on a project-level basis to determine impacts to biological resources prior to implementation of each specified project, and adequate mitigation ratios for vernal pool resources would be identified through project consultation with the U.S. Fish and Wildlife Service. It should also be noted that it is unknown when mitigation banks and credits will become available in relation to the onset of projects proposed in the SDMP. Consultation with the U.S. Fish and Wildlife Service for future projects, and obtaining and following a Biological Opinion issued by them, as identified in mitigation measure MM 3.3.2c, constitutes feasible and adequate mitigation to reduce this impact to a less than significant level.

No additional changes to the DEIR text have been made in response to this comment.

Letter 6



18000-00

September 29, 2011

Mr. Darren Wilson
 Sacramento County DWR
dwilson@elkgrovecity.org
 8401 Laguna Palms Way
 Elk Grove, CA 95758

RE: Comments on Draft EIR for Storm Drain Master Plan

Dear Darren:

We are writing at the request of the city to comment on the draft Storm Drain Master Plan (SDMP) dated August 2011 and the Draft Environmental Impact Report (DEIR) for the SDMP dated August 2011. We appreciate the effort the city has taken to solicit input on the Draft SDMP from the development community. As a member of the Expert Advisory Committee (EAC) I can attest to the effort that has been put into the preparation of the DMP.

Our comments are focused on the DEIR that has been prepared for the SDMP. We feel that the SDMP itself serves as a guiding document, and that the programmatic approach allows for additional study for candidate projects and general drainage design within the City of Elk Grove. We do have concerns on the DEIR analysis of the SDMP and the impacts that the proposed mitigation measures will have in proposed development area. I submit our concerns as follows:

ES Executive Summary – Table ES – 1 / SDMP Impacts and Proposed Mitigation Measures

3.2 Air Quality

The mitigation measures identified are too specific for a programmatic level document. To identify the number of times haul roads are to be watered, the speed limit on project sites, vehicle emissions, etc. at this point does not allow flexibility for varying site conditions or potential special project considerations that are not known at this time. This section contains many specific mitigation measures that are more suited to a project level EIR or condition of approval. We request that these mitigation measures be made more generic to allow flexibility for project development.

6-1

3.3 Biological Resources

The mitigation measures identified are too specific for a programmatic level document. This section identifies surveys that are required prior to certain activities, special species status, inspection of equipment, specific direction on erosion control measures and BMP's, vernal pool mitigation ratios, etc.. This section contains many specific mitigation measures that are more suited to a project level EIR or condition of approval. We request that these mitigation measures be made more generic to allow flexibility for project development.

6-2

1552 Eureka Road, Suite 100 ROSEVILLE, CALIFORNIA 95661 PHONE (916) 7783-1189 FAX (916) 773-2595
 OFFICES: PLEASANTON ROSEVILLE

Letter 6 Continued

September 29, 2011
Page 2 of 2

Our same concerns apply to Section 3.4 (Greenhouse Gas and Climate Change).

Thank you for allowing us to provide these comments on the Storm Drain Master Plan. We look forward to a response in the near future.

Please call if you have any questions.

Sincerely,
Mackay & Soms Civil Engineers, Inc.



Paul R. Hart, PE

6-3

LETTER 6 PAUL R. HART, PE – MCKAY & SOMPS

Response 6-1

The commenter believes that the mitigation measures in DEIR Section 3.2, Air Quality, and repeated in ES, Executive Summary, Table ES-1 are too specific for a programmatic-level document and do not allow flexibility for varying site conditions or potential special project considerations that are not known at this time. The commenter requests that these mitigation measures be made more generic to allow flexibility for project development.

Because SMAQMD or other regulatory agency mitigation requirements may partially or completely replace the current SMAQMD mitigation requirements by the time of SDMP candidate watershed project construction, and to allow for project-specific site conditions, the City has edited the mitigation measures in Section 3.2 of the DEIR pertaining to short-term air quality impacts to remove the verbatim procedural and numeric details of the Basic Construction Emissions Control Practices and Enhanced Exhaust Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009). The revised mitigation measures will reference the currently applicable sections of this SMAQMD document but state that these mitigation measures may be replaced by different mitigation recommended by SMAQMD or other applicable local, State, or federal air regulations and recommended mitigation measures in place at the time of project-level CEQA analysis.

Mitigation measures MM 3.2.1a and MM 3.2.1b of the DEIR and Executive Summary Table ES-1 have been modified as follows:

PROJECT IMPACTS AND MITIGATION MEASURES

Short-Term or Construction-Related Air Quality Impacts (Standards of Significance 1 and 2)

Impact 3.2.1 Construction activities associated with the development of the proposed SDMP could result in a short-term increase in criteria air pollutants during construction. This will result in a **potentially significant** impact.

Although the potential to locally exceed the PM₁₀ California ambient air quality standard exists with the proposed SDMP Project, SMAQMD has no established daily thresholds for PM₁₀ during construction activities due to the temporary generation of this emission. While construction impacts are temporary and will cease once construction is completed, they nevertheless will have a substantial effect on particulate matter emissions while such activities occur. Implementation of mitigation measures **MM 3.2.1a** ~~through~~ and **MM 3.2.1b** below is required in order to reduce SDMP construction-related emissions.

Mitigation Measures

MM 3.2.1a The construction contractors shall be required to implement the Basic Construction Emissions Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction particulate emissions recommended by local, State, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices may include:

3.0 COMMENTS AND RESPONSES

- ~~• Watering all exposed surfaces, graded areas, storage piles, and haul roads at least twice daily during construction. This requirement shall be included as a note in all SDMP Project construction plans.~~

~~Timing/Implementation: — During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: — City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1b** — The construction contractor shall limit Limiting vehicle speed for on-site construction vehicles, to 15 mph. This requirement shall be included as a note on the improvement plan submittal.~~

~~Timing/Implementation: — During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: — City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1c** — The construction contractor shall wash Washing dirt off construction vehicles and equipment within the staging area prior to leaving the construction site. Wet power vacuum street sweepers shall be used to remove any visible trackout mud or dirt on adjacent public roads at least once a day. Use of dry power sweeping is prohibited. This requirement shall be noted in SDMP Project improvement plans.~~

~~Timing/Implementation: — During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: — City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1d** — It shall be required, when Requirements for transporting soil or other materials by truck during construction activities, that 2 feet of freeboard be maintained by the contractor and that the materials are covered. This requirement shall be noted in SDMP Project improvement plans.~~

~~Timing/Implementation: — During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: — City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1e** — The construction contractor shall minimize Minimizing idling time from both on-road and off-road diesel-powered equipment, as required by California regulations, either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.~~

~~Timing/Implementation: — During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: — City of Elk Grove Planning Department; CARB~~

- ~~MM 3.2.1f~~ The construction contractor shall maintain Maintaining all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. These requirements shall be noted in subsequent SDMP project improvement plans.

Timing/Implementation: During all grading and construction phases of the SDMP Project

Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD

MM 3.2.1bg Subsequent candidate watershed projects under the SDMP shall implement the Enhanced Exhaust Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction-generated ozone precursor impacts above significance criteria recommended by local, State, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices currently require the project to include provide a plan for approval by SMAQMD demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction Project, including owned, leased, and subcontractor vehicles, will achieve a Project-wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board (CARB) fleet average. The current SMAQMD mitigation also requires that the construction contractor shall ensure that emissions from all off-road diesel-powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

Timing/Implementation: Plan shall be submitted to SMAQMD for review and approval prior to approval of improvement plans and shall be implemented during all grading and construction phases of the SDMP Project.

Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD

~~MM 3.2.1h~~ The construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opaCity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opaCity (or Ringelmann 2.0) shall be repaired immediately. Noncompliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the Project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other District or State rules or regulations.

~~Timing/Implementation:~~ During all grading and construction phases of the SDMP Project

3.0 COMMENTS AND RESPONSES

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

Implementation of mitigation measures **MM 3.2.1a** through and **MM 3.2.1h** would reduce the proposed SDMP Project's air quality construction impacts for nuisance conditions in accordance with current SMAQMD regulations by requiring individual Project construction activities to perform dust control measures to prevent the emissions of fugitive airborne dust and the required utilization of lower-emission construction vehicles. The above mitigation measures will require construction activities for each future individual Project proposed under the SDMP to comply with Rule 402 and 403 of the SMAQMD. With implementation of the above mitigation measures, construction-related air quality impacts will be considered **less than significant**.

Response 6-2

The commenter recommends that the document not set mitigation ratios and other mitigation requirements since the document is designed as a programmatic-level document.

Mitigation measure MM 3.3.2C of the DEIR has been modified as shown in **Response 2-2**; however, other mitigation measures are standard mitigation to determine what resources may be affected by the proposed projects.

Response 6-3

The commenter feels that the mitigation measures in DEIR Section 3.4, Greenhouse Gas and Climate Change, and repeated in Section ES, Executive Summary, Table ES-1 are too specific for a programmatic-level document and do not allow flexibility for varying site conditions or potential special project considerations that are not known at this time. The commenter requests that these mitigation measures be made more generic to allow flexibility for project development.

Comment noted. The City believes that mitigation measure MM 3.4.1 as written is based on the most current applicable regulations and guidelines (CAPCOA and SMAQMD guidance) regarding greenhouse gases and climate change and is the most feasible and effective mitigation for this Project. Therefore, no changes will be made to this mitigation measure.

In the paragraph following mitigation measure MM 3.4.1 in the DEIR, the reference to mitigation measures MM 3.2.1e through MM 3.2.1h will be modified to MM 3.2.1a and MM 3.2.1b to reflect deletions of specific mitigation measures in DEIR Section 3.2, as outlined in **Response 6-1** and FEIR Section 4.0.

PROJECT IMPACTS AND MITIGATION MEASURES

GHG Emissions (Standards of Significance 1 and 2)

SMAQMD recommends addressing the potential impacts of Project-generated GHG emissions by including a description of the existing environmental conditions or setting, a discussion of the existing regulatory environment pertaining to GHGs, a discussion of the GHG emission sources associated with potential construction and operational activities, and a discussion of feasible construction and operational mitigation necessary to reduce potential impacts. Implementation of mitigation measure **MM 3.4.1** will fulfill SMAQMD recommendations for addressing GHG emissions resulting from future construction of the proposed candidate watershed projects of the SDMP by providing emissions-reducing

mitigation. Furthermore, certain elements in mitigation measures **MM 3.2.1a** and **MM 3.2.1b** through ~~**MM 3.2.1h**~~ (see Section 3.2 of this EIR) will also provide GHG reduction by minimizing emissions from the idling of construction equipment and requiring efficient and well-tuned construction equipment. In addition, GHG emissions resulting from operations of the proposed SDMP will be negligible as by the nature of the Project little to zero GHG emissions will be emitted by proposed infrastructure-enhancing candidate watershed projects. Also, fuel efficiency standards for light-duty vehicles and implementation of the Low-Carbon Fuel Standard (discussed in the Regulatory Framework subsection above) will likely reduce GHG emissions generated from future City maintenance activities that involve driving. Thus, this impact is **less than cumulatively considerable**.

Letter 7

Pacific Gas and Electric Company
Land Services Office
343 Sacramento Street
Auburn, CA 95603

Direct: (530) 889-5089
Fax: (530) 889-3392
Email: dlkn@pge.com



September 7, 2011

City of Elk Grove
Attn: Darren Wilson
8401 Laguna Palms Way
Elk Grove, CA 95758

RE: Notice of Availability – City of Elk Grove Storm Drainage Master Plan
Draft Environmental Impact Report
State Clearinghouse No. 2011012035

Dear Mr. Wilson:

Thank you for giving PG&E the opportunity to comment of the DEIR on the City of Elk Grove Storm Drainage Master Plan.

PG&E owns and operates gas transmission and distribution facilities which are located within the project area. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

Please note that PG&E standby personnel is required when potholing gas transmission facilities to confirm depths and/or when construction activities are taking place within 5 feet of the gas line. Prior to potholing or any excavation near the gas transmission facilities;

1. Excavator to call USA when requesting PG&E to locate and mark gas pipe. Request field meeting with PG&E Locator (via the USA comment section) to discuss the proposed work and to confirm PG&E contact number for standby.
2. A PG&E standby person is required to be on site whenever excavation is within 5-foot from the edge of the pipe. Excavator to call PG&E at (916) 386-5153, 48-hours in advance to request inspector to standby.

Letter 7 Continued

3. Prior to using any power operated equipment, the approximate location of the pipe must first be determined by hand excavation or careful probing. Probe at right angles to the pipe at a depth of 24 inches and at spacing no greater than 5 inches. If it is determined that the depth of the pipeline is greater than the initial probing or hand excavation, then excavation by power-operated equipment will be permitted to a depth 12 inches less than the actual probing or hand dug depth. Hand digging is required within 12 inches from the pipe. Please note that PG&E standby must be present.

PG&E also operates and maintains electric transmission facilities within the project area. **Land use is restricted within the easement.** One of PG&E's concerns is for continued access to the structures and lines with heavy equipment for maintenance and repair of the towers, insulators, and wires. Another is for adequate ground clearance from the wires as set forth in California Public Utilities Commission General Order No. 95 for the proposed improvements. General Order No. 95 of the California Public Utilities Commission sets forth certain clearance requirements for the construction and operation of electric lines. Therefore, you must control your excavation and digging, including spoils, in such a manner as not to decrease the ground-to-conductor clearance below thirty feet.

Should PG&E's gas and/or electric facilities be affected, PG&E requests that the City send improvement plans with accurate potholed depths to ensure consistent uses around PG&E's facilities and easement areas. Please work closely with PG&E on your improvement plans around PG&E facilities to minimize impacts. **PG&E requests that the City obtain a no objection letter from PG&E prior to any construction activities taking place to ensure the safety of the public and consistent uses around PG&E's facilities.**

7-1

We would like to recommend that environmental documents for your proposed project include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve the project, any possible relocations, and any potential environmental issues associated with extending utility service to the area. This will assure the projects compliance with CEQA and reduce potential delays to the project schedule.

7-2

Any potential conflicts shall be identified as soon as possible because facility relocation's require long lead times and are not always feasible, the requesting party should be encouraged to consult with PG&E as early in their planning stages as possible. We would also appreciate being copied on future correspondence regarding this subject as the project develops.

Please contact me with any questions at (530) 889-5089 or at dlkn@pge.com.

Sincerely,



Donald Kennedy
Land Agent

3.0 COMMENTS AND RESPONSES

LETTER 7 DONALD KENNEDY – PACIFIC GAS AND ELECTRIC COMPANY

Response 7-1

The commenter summarizes the regulations, restrictions, and requirements for any work involving its electric and gas transmission facilities within the City of Elk Grove and requests that the City send improvement plans with accurate potholed depths for work around PG&E's facilities and easement areas. PG&E requests that the City obtain a no objection letter from PG&E prior to any construction activities.

This is a request for City coordination and provision of plans and information to PG&E prior to project construction; it is not a direct comment on the adequacy of the DEIR. The City will coordinate with PG&E and abide by its recommendations and requirements during the project-level design and construction phases of each SDMP candidate watershed project.

Response 7-2

The commenter recommends that environmental documents for the proposed project include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve the project and any possible relocations, and any potential environmental issues associated with extending utility service to the area.

The SDMP includes several candidate watershed projects that may involve excavation of existing drainage facilities and construction of new drainage features and improvements that may involve utility relocations. Because the SDMP is a programmatic document, proposed utility relocations will be evaluated at the project level when more detailed preliminary plans are available. As project design and plans progress prior to construction, the City Public Works Department will coordinate with PG&E and other utilities to minimize potential environmental and safety impacts and local service interruptions from utility relocations within individual candidate watershed project footprints. Utility relocations associated with the SDMP would not involve expansion of gas or electric facilities, and any potential increases in demand for electric utility service primarily associated with the proposed SCADA System for Stormwater Pump Stations and possible lighting for soccer fields for the Strawberry Creek Stormwater Detention Basin Retrofit project will be evaluated in subsequent project-level environmental documents. Therefore, the cumulative effects on PG&E utilities would be less than significant.

Letter 8



Matthew Rodriguez
Secretary for
Environmental Protection

**California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair**

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114
(916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>



Edmund G. Brown Jr.
Governor

28 September 2011

Darren Wilson
City of Elk Grove Public Works Department
8401 Laguna Palms Way
Elk Grove, CA 95758

CERTIFIED MAIL
7010 1670 0002 0652 8793

**COMMENTS TO DRAFT ENVIRONMENTAL IMPACT REPORT, CITY OF ELK GROVE
STORM DRAINAGE MASTER PLAN PROJECT, SCH NO. 2011012035,
SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 17 August 2011 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Draft Environmental Impact Report* for the City of Elk Grove Storm Drainage Master Plan 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.

Hydrology and water quality are addressed in Chapter 3, under Sections 3.3 and 3.6.

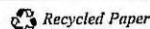
1. Regulatory Setting

Basin Plan

A discussion on water quality control plans is contained within Chapter 3, Section 3.6 (pages 3.6-11, 3.6-14, and 3.6-15).

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 Code of Federal Regulations (CFR) Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

California Environmental Protection Agency



Letter 8 Continued

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The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, surface and groundwater 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/.

The Final Environmental Impact Report should provide an expanded discussion on the Proposed Project's consistency with the Basin Plan, in terms of protecting surface and ground water quality in, and downstream of, the project area.

8-1

Statement of Policy With Respect to Maintaining High Quality of Waters in California (State Water Board Resolution 68-16)

The Draft Environmental Impact Report does not contain a discussion on the State's Antidegradation Policy.

A key policy of California's water quality program is the State's Antidegradation Policy. This policy, formally known as the *Statement of Policy with Respect to Maintaining High Quality Waters in California* (State Water Board Resolution No. 68-16), restricts degradation of surface and ground waters. In particular, this policy protects water bodies where existing quality is higher than necessary for the protection of beneficial uses. Under the Antidegradation Policy, any actions that can adversely affect water quality in all surface and ground waters must:

1. meet Waste Discharge Requirements which will result in the best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained;
2. not unreasonably affect present and anticipated beneficial use of the water; and
3. not result in water quality less than that prescribed in water quality plans and policies,

Furthermore, any actions that can adversely affect surface waters are also subject to the Federal Antidegradation Policy (40 CFR Section 131.12) developed under the Clean Water Act.

For more information on this policy, please visit our website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1968/rs68_016.pdf.

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The Final Environmental Impact Report should provide an expanded discussion on the Proposed Project's consistency with the State's Antidegradation Policy, in terms of protecting surface and ground water quality in, and downstream of, the project area.

8-2

Clean Water Act 303(d) Listed for Impaired Water Bodies

The discussion on Clean Water Act 303(d) provided in Chapter 3, Section 3.6 (pages 3.6-8 and 3.6-13) should provide a comprehensive listing of all Clean Water Act 303(d) listed for impaired water bodies within the project area.

The analysis in the Draft Environmental Impact Report is based on the 2006 Clean Water Act 303(d) list for impaired water bodies. Please use the 2010 Clean Water Act 303(d) list for impaired water bodies, which can be located at http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml

The Final Environmental Impact Report should provide a comprehensive list of all water bodies located within, and downstream of, the Proposed Project area which (a) are included on the 2010 Clean Water Act 303(d) list for impaired water bodies, and the constituent(s) or parameter(s) each water body or water body segment is listed for.

8-3

Diazinon and Chlorpyrifos for Sacramento Urban Area Creeks Total Maximum Daily Load and Implementation Plan

The discussion on Total Maximum Daily Loads is provided in Chapter 3, Section 3.6 (pages 3.6-8, 3.6-13 and 3.6-14). This discussion on page 3.6-8 should clarify that Elk Grove Creek is Clean Water Act 303(d) listed for diazinon and chlorpyrifos.

In September 2004, the Central Valley Water Board adopted a Basin Plan Amendment containing a Total Maximum Daily Load and implementation plan for chlorpyrifos and diazinon within Arcade Creek, Elder Creek, Elk Grove Creek, Morrison Creek, Chicken Ranch Slough, and Strong Ranch Slough within the Sacramento urban area. The Clean Water Act 303(d) list for impaired water bodies indicates the sources of chlorpyrifos in Elk Grove Creek are agriculture, urban runoff and storm sewers.

For more information on the diazinon and chlorpyrifos for Sacramento Urban Creeks Total Maximum Daily Load and implementation plan for Sacramento Urban Area Creeks, please visit our website at: http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/urban_creeks/index.shtml#EPA

The Final Environmental Impact Report should provide a comprehensive list of all water bodies located within, and downstream of, the Proposed Project area for which a Total Maximum Daily Load has been developed, is under development, or is planned for development.

8-4

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2. Permitting Requirements

Construction Storm Water General Permit

The discussion pertaining to the Construction Storm Water General Permit is provided in Chapter 3, Section 3.6 (page 3.6-15), indicating that construction activity affecting 1 acre or more needs to obtain coverage under the General Construction Activity Storm Water Permit.

Dischargers whose project disturbs 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.

The Construction General Permit requires under Provision XIII Post-Construction Standards, that all applicable construction activities comply with the runoff reduction requirements set forth in the Construction General Permit. All dischargers shall implement post-construction Best Management Practices to reduce pollutants in storm water discharges that are reasonably foreseeable after all construction phases have been completed at the site.

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

The Final Environmental Impact Report should clarify that this permit is applicable to dischargers whose proposed project disturbs one or more acres of soil or a proposed project disturbs less than one acre but is part of a larger common plan of development that in total disturbs one or more acres.

8-5

Industrial Storm Water General Permit

The Draft Environmental Impact Report does not contain a discussion on the 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. 97-03-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.

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The Final Environmental Impact Report should clarify whether this permit is applicable to any subsequent project, and if applicable, provide the relevancy to the proposed project.

8-6

Clean Water Act Section 404 Permit

The discussion on Clean Water Act Section 404 permits is provided in Chapter 3, Section 3.3, including, but not limited to, pages 3.3-11 and 3.3-25, and Impact and Mitigation Measure 3.3.5.

If the project will involve the discharge of dredged or fill material in a navigable water body or wetlands, or "waters of the United States", as determined by the United States Army Corps of Engineers (USACOE), a permit pursuant to Section 404 of the Clean Water Act may be required.

If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards and/or impact waters of the State. "Waters of the State" are defined more broadly than jurisdictional "waters of the United States" and include (a) "any surface water or groundwater, including saline waters, within boundaries of the State" (California Water Code §13050(e)). Waters of the State is broadly construed to include all waters within the State's boundaries, whether private or public, including waters in both natural and artificial channels, and territorial seas.

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.

The Final Environmental Impact Report should clarify the requirements for this permit for subsequent projects on pages 3.3-12 and 3.3-25 and Impact and Mitigation Measure 3.3-5.

8-7

Clean Water Act Section 401 Permit – Water Quality Certification

The discussion on Clean Water Act Section 401 Water Quality Certifications is provided in Chapter 3, Section 3.3, including, but not limited to, page 3.3-25, and Impact and Mitigation 3.3-5.

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a 401 Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. The 401 Water Quality Certification must be obtained prior to initiation of project activities.

There are no waivers for 401 Water Quality Certifications. Compensatory mitigation can be required by the Central Valley Water Board for impacts to waters of the State.

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The Final Environmental Impact Report should clarify the requirements for this permit on page 3.3-35. The Final Environmental Impact Report should clarify that there are no waivers for 401 Water Quality Certifications and compensatory mitigation can be required by the Central Valley Water Board for impacts to waters of the State in Mitigation Measure 3.3-5.

8-8

Waste Discharge Requirements

The Draft Environmental Impact Report does not contain a discussion on the applicability of a Waste Discharge Requirement (WDR) when only waters of the State are impacted by the Proposed Project.

If USACOE or any other federal permitting agency, 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 will require a WDR permit to be issued by the 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, such as vernal pools, 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/water_issues/water_quality_certification/

In the discussion under Impact and Mitigation 3.3-5, and as applicable throughout the Final Environmental Impact Report, it should be clarified that a WDR is applicable when the USACOE or other federal permitting agency determines that only non-jurisdictional waters of the State are present in the proposed project area.

8-9

3. General Requirements for Issuing 401 Water Quality Certifications or Waste Discharge Requirements

In order to issue a 401 Water Quality Certification or Waste Discharge Requirements for subsequent projects discussed in Table 2.0-1 of the Draft Environmental Impact Report, the following items are required at a minimum. Mitigation Measure 3.3.5 should be expanded to include the following minimum requirements for a 401 Water Quality Certification or Waste Discharge Requirement on any subsequent project.

- a) A signed and dated Central Valley Regional Water Quality Control Board Section 401 Water Quality Certification Application Form, completed as instructed in each section of the form. The Section 401 Water Quality Certification Application can be located at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml
- b) A finalized project description detailing all project activities, including, but not limited to, all permanent and temporary impacts to waters of the State or waters of the United States, such as fill types and volumes, excavation types and volumes, and locations of culvert or other in-water work, diversions, dewatering, and potential habitat or water quality impacts.

8-10

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- c) A description of any other steps that have been or will be taken to avoid, minimize, or compensate for loss of significant adverse impacts to beneficial uses of the waters of the State by the project proponent.
- d) If the proposed project is exempt from CEQA, a copy of the final, signed, dated and approved Notice of Exemption.
- e) If the proposed project is not exempt from CEQA, a project specific CEQA environmental document will need to be prepared. A copy of the Notice of Determination, Draft and Final Environmental Impact Reports, Mitigation Monitoring and Reporting Plan, Resolution adopting the CEQA environmental documentation, and Statement of Overriding Consideration.
- f) A copy of the signed, dated and completed Department of Fish and Game (DFG) Streambed Alteration Agreement application, including any attachments, or written correspondence/email from DFG stating this permit is not required for the proposed project.
- g) A copy of the signed, dated and completed USACOE 404 permit application, including any attachments, or written correspondence from the USACOE stating this permit is not required for the Proposed Project.
- h) A wetland delineation is referenced in Chapter 3, Section 3.3 (page 3.3-11) and a draft wetland delineation entitled, *Draft City of Elk Grove Routine Channel Maintenance Program Delineation of Waters of the United States, Including Wetlands*, dated 4 March 2005, was included as Appendix C to the Biological Resources Assessment.

A copy of a current or updated comprehensive preliminary wetland delineation is required. A current wetland delineation should include, but not be limited to, all waters of the State and waters of the United States located within the proposed project area. Waters of the State and/or waters of the United States, may include, but not be limited to, all permanent and temporary water bodies, isolated and non-isolated waters, jurisdictional and non-jurisdictional waters such as rivers, creeks, streams, lakes, reservoirs, vernal pools, playas, potholes, wet meadows, marshes, mudflats, sandflats, fens, natural ponds, swamps, seasonal wetlands, riparian woodlands, sloughs, floodplains, and bogs located within the entire proposed project area. The wetland delineation should contain a map or series of maps covering the entire proposed project area illustrating the location(s) of all permanent and temporary impacts to waters of the State and waters of the United States.

Copies of a comprehensive preliminary wetland delineation and any other documentation submitted to any state or federal agency delineating waters of the State and/or waters of the United States should be submitted as part of the 401 Water Quality Certification application package.

- i) A copy of the jurisdiction wetland delineation determination letter from the USACOE.

**8-10
cont.**

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j) Photos and maps of the proposed project site illustrating the proposed project area and any locations where permanent or temporary impacts to waters of the State or waters of the United States will occur, including, but not limited to, culvert, pipe, bridge, fill and excavation locations.

k) A minimum processing fee is required; however, additional fees in accordance with Title 23 CCR § 2200 (a)(2) may also be required. Please use the fee calculator at http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/dredgefillfeecalculator.xls to determine the total fee.

A copy of the fee calculator sheet should be submitted with the application package and check.

Please include a check payable to the State Water Resources Control Board.

l) If compensatory mitigation is required by any state or federal agency, compliance with compensatory mitigation requirements is required, or a USACOE approved mitigation plan.

m) If the USACOE conducts an Endangered Species Section 7 consultation with the National Oceanic Atmospheric Administration fisheries and/or the United States Fish and Wildlife Service, a copy of the Biological Opinion(s) or concurrence letter(s) from these federal agencies is required.

n) The Central Valley Regional Water Quality Control Board will require specific information on any installed, removed, replaced or abandoned culverts, pipes, bridges or other infrastructure within the proposed project area. Necessary information includes a detailed description and map of the locations of the infrastructure work, the dimensions and type of the infrastructure, and associated structure (i.e., headwalls, wingwalls, flared ends).

The type and volume (cubic yards) of fill (i.e., riprap, concrete, clean soil, asphalt), and volume of excavated material (cubic yards) below the ordinary high water mark will need to be provided and should be consistent with the map of culvert locations throughout the Proposed Project Area.

o) For any non-infrastructure work requiring fill or excavation, the volume (cubic yards) and type of material that will be installed and/or removed below the ordinary high water mark in waters of the State or waters of the United States is required. Volumes and material types should be provided for each individual impacted location within the proposed project area.

p) A pre-certification meeting at the Central Valley Water Board may be required for the proposed project.

q) The Central Valley Water Board may require additional compensatory mitigation for impacts to the waters of the State.

**8-10
cont.**

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r) A site visit may be required for the proposed project.

8-10
 cont.

4. General Comments

Demonstration of Meeting Water Quality and Habitat Project Objectives in Subsequent Projects

The project objectives for the Proposed Project are described in Chapter 2, pages 2.0-11 through 12. Subsequent projects are listed in Table 2.0-1, categorized by project objectives.

The Final Environmental Impact Report should provide an expanded discussion on how each of the subsequent projects listed on Table 2.0-1 meet the indicated project objectives, specifically water quality and habitat.

8-11

Vernal Pool Impacts and Mitigation Measures

The Proposed Project's vernal pool impacts and mitigation measures are described in Chapter 3, Section 3.3, Impacts and Mitigation Measures 3.3.1, 3.3.2 and 3.3.4.

Vernal pools within the Proposed Project Area may be isolated waters of the State, and would be under the jurisdiction of the Central Valley Water Board.

The Final Environmental Impact Report should include an expanded discussion on avoiding vernal pools under Mitigation Measures 3.3.1, 3.3.2, and 3.3.4. Loss of vernal pools would not result in a less than significant impact, especially as they serve as habitat for endangered species.

8-12

Wetland Impacts and Mitigation Measures

The Proposed Project's wetland impacts and mitigations are described in Chapter 3, Section 3.3, Impacts and Mitigation Measures 3.3.5.

Mitigation Measure 3.3.5 should be expanded to include reference to the State of California's Executive Order W-59-93 established the *California Wetland Conservation Policy* for the state in 1993. Primary goals described in this Policy, included, but were not limited to, ensuring a policy of "no net loss" for the State of California.

8-13

Mitigation Measure 3.3.5 should clarify that compensatory mitigation occurs as a result of temporary or permanent impacts to wetlands occurs, not when they "are proposed to be taken..."

8-14

Hydrology and Water Quality Impacts and Mitigation Measures

The Proposed Project's hydrology and water quality impacts and mitigation measures are described in Chapter 3, Section 3.6, Impacts and Mitigation Measures 3.6.3 and 3.6.5.

The discussion provided under each impact provides inadequate evidence to support a less than significant finding without implementation of mitigation measures. The explanations provided for each impact do not describe what actions beyond compliance with local, state or federal permits the project proponent could take. Some proposed

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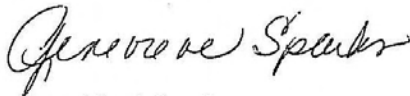
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projects may yield a net water quality benefit, but others appear to yield a net water supply benefit instead. As stated on page 3.6-22, the *Draft Storm Drainage Master Plan* only encourages the use of low impact development practices to reduce storm water runoff, rather than requiring these practices be incorporated in each proposed project. Each of the subsequent projects could result in significant, potentially significant or potentially cumulatively considerable hydrological and water quality impacts.

The Final Environmental Impact Report should provide an expanded discussion identifying appropriate, adequate and effective mitigation measures to be incorporated in subsequent projects to avoid or minimize hydrological and water quality impacts to less than significant or less than cumulatively considerable.

8-15

If you have questions regarding these comments, please contact me at (916) 464-4745 or gsparks@waterboards.ca.gov.



Genevieve (Gen) Sparks
Environmental Scientist
401 Water Quality Certification Program

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

LETTER 8 GENEVIEVE SPARKS – CENTRAL VALLEY RWQCB

Response 8-1

The commenter summarizes the regulatory background, components, and the CVRWQCB's role in adopting the Water Quality Control Plan, Fourth Edition, for the Sacramento and San Joaquin River Basins (Basin Plan) and indicates that the FEIR should provide an expanded discussion on the Project's consistency with the Basin Plan.

The City's MS4 NPDES Permit (WDR Order No. R5-2008-0142) specifies under Statutory and Regulatory Considerations, Number 44, "The Regional Water Board adopted the *Water Quality Control Plan, Fourth Edition, for the Sacramento and San Joaquin River Basins* (hereafter Basin Plan). The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters of the Basin. This Order implements the Basin Plan."

Also, the City's Stormwater Quality Improvement Plan (SQIP), described in DEIR Section 3.6, Hydrology and Water Quality, subsection 3.6.2, Regulatory Framework/State/CVRWQCB, lists goals and objectives that relate to the Basin Plan.

Text in DEIR Section 3.6, subsection 3.6.2, Regulatory Framework, Regional, has been modified as follows to better demonstrate that the SDMP will comply with the City's MS4 Permit (including the SQIP) that is specifically designed to be consistent with the CVRWQCB's Basin Plan and the State's Antidegradation Policy.

Municipal Stormwater Permitting Program

Discharges from municipal separate storm sewer systems (MS4s) are regulated because of concern over the high concentration of pollutants found in those discharges. MS4 permits were issued by the various RWQCBs in two phases.

Under Phase I, which started in 1990, the RWQCBs have adopted NPDES General Permit stormwater permits for medium (serving between 100,000 and 250,000 people) and large (serving 250,000 people) municipalities. Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. These permits are reissued as the permits expire.

As part of Phase II, the SWRCB adopted a General Permit for the Discharge of Storm Water from Small MS4s (WQ Order No. 2003-0005-DWQ) to provide permit coverage for smaller municipalities, including non-traditional Small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes.

The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the CWA. The management programs specify what best management practices will be used to address certain Program areas. The Program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations. In general, medium and large municipalities are required to conduct chemical monitoring, though small municipalities are not.

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The City, along with the cities of Sacramento, Rancho Cordova, Citrus Heights, Folsom, Galt, and the County, operate and are co-permittees under NPDES Permit No. CAS082597; Waste Discharge Order No. R5-2008-0142, originally established in 1990 and most recently renewed in December 2008, to discharge urban runoff from MS4s in their municipal jurisdictions. These MS4 permittees established the Sacramento Stormwater Quality Partnership (SSQP) to coordinate NPDES permit compliance activities throughout their jurisdictional areas, with the objective of improving water quality in receiving waters identified in the permit, including urban creeks, the Sacramento River, and the American River. The MS4 permit specifies under Statutory and Regulatory Considerations, Number 44, that this order implements the Basin Plan. Also, the MS4 permit indicates under Condition Number 68 that it complies with the antidegradation provisions of 40 CFR 131.12 and the State Water Board's Antidegradation Policy (Resolution 68-16). The permittees entered into a memorandum of understanding (MOU) that formalizes the manner in which common issues are addressed, promotes consistency among each permittees' stormwater programs, coordinates resources related to regional activities, and plans and coordinates activities required to comply with the NPDES permit, such as the preparation and submittal of the Stormwater Quality Design Manual, the Stormwater Quality Improvement Plan (SQIP), and the Development Standards Plan (DSP), (discussed below).

Stormwater Quality Improvement Plan (SQIP)

The Stormwater Quality Improvement Plan (SQIP) (SSQP, 2009) is required by, and is an enforceable part of the compliance activities required by NPDES Permit No. CAS082597. As previously mentioned, the SQIP has been prepared by the MS4 permittees, under their Sacramento Stormwater Quality Partnership (Partnership). The SQIP describes activities for a fourth permit term (2008–2013) and is intended to reduce the discharge of pollutants to the Partnership's municipal separate storm sewer systems and local receiving waters to the MEP, and in doing so, protect water quality and watershed health and satisfy State and federal regulations. Thus, the SQIP outlines how the MS4 partners, including the City, will implement the MS4 permit conditions to comply with the Basin Plan and the State's Antidegradation Policy.

The overall goals of the SQIP, as identified in the Stormwater Permit, are to (a) reduce the degradation of waters of the State and waters of the United States by urban runoff and protect their beneficial uses; and (b) develop and implement an effective SQIP that is well understood and broadly supported by regional stakeholders. The core objectives of the SQIP are to:

- Identify and control those pollutants in urban runoff that pose significant threats to the waters of the State and waters of the U.S. and their beneficial uses;
- Comply with the federal regulations to eliminate or control, to the MEP, the discharge of pollutants from urban runoff associated with the storm drain system;
- Achieve compliance with water quality standards;
- Develop a cost-effective program which focuses on preventing pollution of urban stormwater;
- Seek cost-effective alternative solutions where prevention is not a practical solution for a significant problem; and

- Coordinate implementation of control measures with other agencies.

The SQIP is a comprehensive plan that describes the MS4 permittees' Stormwater Management Program. It outlines tasks that will be conducted by the permittees to satisfy NPDES permit provisions, program milestones and schedules, and methods for assessing program effectiveness to identify areas for improvement and demonstrate progress toward meeting program goals. In many cases, however, it is difficult to determine implementation details years in advance because so many variables are involved. For that reason, a greater level of detail is included in annual work plans and annual reports that the MS4 permittees submit to the RWQCB by May 1 and October 1 of each year, respectively. Annual work plans provide information on the proposed activities for the upcoming fiscal year (July 1 to June 30), while annual reports describe activities implemented in the previous fiscal year and effectiveness assessments of those activities. Annual reports may also propose modifications to the SQIP (SSQP 2010, p. ES-2).

Response 8-2

The comment summarizes the regulatory background, components, and the CVRWQCB's role in adopting the State's Antidegradation Policy (State Water Board Resolution 68-16) and indicates that the FEIR should provide an expanded discussion on the Project's consistency with the Basin Plan.

The City's MS4 NPDES Permit (WDR Order No. R5-2008-0142) specifies under Stormwater Quality Improvement Plan, Number 68, that the proposed discharge complies with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution 68-16. Thus, because the SDMP is consistent with the MS4 permit (including the SQIP), it is inherently consistent with the State's Antidegradation Policy.

Text in DEIR Section 3.6, subsection 3.6.2 Regulatory Framework, State, CVRWQCB, has been modified to include the State's Antidegradation Policy, as follows:

REGIONAL

Regional Water Quality Control Board, Central Valley Region (RWQCB)

The Central Valley Region RWQCB provides planning, monitoring, and enforcement techniques for surface and groundwater quality in the SJ Valley, including the project area. A basin plan provides more specific information for specific waterways in the region, in terms of establishing monitoring techniques to control pollutant levels in the waterways. The RWQCB also monitors stormwater quality from construction activities through a NPDES permitting process. The RWQCB is responsible for establishing water quality standards and objectives that protect the beneficial uses of various waters. In the county, the RWQCB is responsible for protecting surface and groundwater from both point and nonpoint sources of pollution.

Central Valley Regional Water Quality Control Plan (Basin Plan)

The Central Valley Regional Water Quality Control Plan, also known as the Basin Plan, covers all the drainage basin areas for the Sacramento and San Joaquin rivers, extending approximately 400 miles from the California-Oregon border to the headwaters of the San Joaquin River. This plan describes the beneficial uses to be protected in these

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waterways, water quality objectives to protect those uses, and implementation measures to make sure those objectives are achieved.

Statement of Policy with Respect to Maintaining the High Quality of Waters in California (State Water Board Resolution 68-16)

A key policy of California's water quality program is the State's Antidegradation Policy. This policy, formally known as the Statement of Policy with Respect to Maintaining High Quality Waters in California (State Water Board Resolution No. 68-16), restricts degradation of surface and ground waters. In particular, this policy protects water bodies where existing quality is higher than necessary for the protection of beneficial uses. Under the Antidegradation Policy, any actions that can adversely affect water quality in all surface and ground waters must:

- Meet Waste Discharge Requirements which will result in the best practicable treatment of control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained;
- Not unreasonably affect present and anticipated beneficial uses of the water; and
- Not result in water quality less than that prescribed in water quality plans and policies.

Response 8-3

The commenter indicates that the FEIR should provide a comprehensive list of all water bodies located within, and downstream of, the proposed Project area which are included on the 2010 Clean Water Act 303(d) list for impaired water bodies, and the constituents or parameters each water body segment is listed for.

The text in DEIR Section 3.6, Hydrology and Water Quality, subsection 3.6.1, Existing Setting, Water Quality, has been modified with the following information from the Final 2010 Integrated Report (303(d) List/305(b) Report) (SWRCB 2010).

WATER QUALITY

Surface Water

The federal Clean Water Act (CWA), which is discussed further under the Regulatory Framework subsection below, requires states to identify and make a list of surface water bodies that are polluted. These water bodies, referred to as water quality limited segments, do not meet water quality standards even after discharges of wastes from point sources have been treated by the minimum required levels of pollution control technology. Wastewater treatment plants, a City's storm drain system, or boat yards are a few examples of point sources that discharge wastes to surface waters. States are required to compile these water bodies into a list, referred to as the Clean Water Act Section 303(d) List of Water Quality Limited Segments. The most recent 303(d) list is included in the 2010 Integrated Report [Clean Water Act Section 303(d) List/305(b) Report] by SWRCB, April 2010 (2010 Integrated Report).

Of the drainage and flood improvement projects included in the SDMP (Laguna Creek, Elk Grove Creek, East Elk Grove Area/Rural Region, Whitehouse Creek, Strawberry Creek, Laguna West Channel, Laguna West Lakes, Lakeside, Laguna Stonelake, Shed A, Shed B, Shed C, Grant Line Channel, and Deer Creek), only Elk Grove Creek and Deer Creek are

identified on the most recent 303(d) List (SWRCB, 2006/10). Approximately 6.9 miles of Elk Grove Creek is listed as impaired by Diazinon from aerial deposition in agricultural areas, and chlorpyrifos from agriculture, urban runoff, and storm sewers. A USEPA-approved Total Maximum Daily Loads (TMDL) for diazinon and chlorpyrifos has been in place on this segment of Elk Grove Creek since 2004. Twelve miles of Deer Creek is affected by iron from an unknown source. A TMDL is in process and scheduled for completion in 2019 (SWRCB 2010/CVRWQCB 2007, p. 4).

Water bodies located downstream of creeks within the Project area that are listed on the SWRCB's 303(d) list include Morrison Creek, to which Laguna Creek and Elk Grove Creek are tributaries, the Cosumnes River, to which Deer Creek is a tributary, and the Sacramento River adjacent to and downstream of the City, to which Morrison Creek, Beach Stone Lakes, and Cosumnes River are tributaries. The 2010 Integrated Report identifies this portion of the Sacramento River as included in its designation "Delta Waterways, Northern Portion" for the 303(d) list.

Morrison Creek, including the segment downstream of its confluence with Laguna Creek, is included on the 303(d) list for Diazinon, for which a USEPA-approved TMDL was established in 2006 as part of the Sacramento Urban Creeks TMDLs (same as for Elk Grove Creek). Three additional pollutants, pentachlorophenol (PCP), pyrethroids, and sediment toxicity, are also on the 303(d) list categorized as TMDL-required, with planned TMDLs expected by Year 2021.

The Cosumnes River, Lower (below Michigan Bar, partly in Delta waters, eastern portion) is included on the 303(d) list for *Escherichia coli* (*E. coli*), sediment toxicity, and invasive species (particularly green sunfish and redeye bass degrading native species populations in warm, freshwater habitat). All of these 303(d) listings are categorized as TMDL-required, signifying that TMDLs are planned for development by Year 2019 (invasive species only) or 2021.

Delta waterways (northern portion) 303(d) listings include chlorpyrifos and Diazinon, for which TMDLs were approved by the USEPA in 2007; DDT (dichlorodiphenyltrichloroethane), Group A pesticides, chlordane, dieldrin, on the TMDL-required category with TMDLs under development and expected in Year 2011; mercury, on the TMDL-required list with a TMDL expected date of 2009; and PCBs, unknown toxicity, and invasive species (Asian clam degrading native species populations in warm, freshwater habitat) on the TMDL-required category, with TMDLs planned for Year 2019.

This report reference has also been updated in the References subsection at the end of DEIR Section 3.6.

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Response 8-4

The commenter indicates that the FEIR should provide a comprehensive list of all water bodies located within, and downstream of, the proposed Project area for which a Total Maximum Daily Load has been developed, is under development, or is planned for development.

See **Response 8-3** for text modifications to DEIR Section 3.6, Hydrology and Water Quality, subsection 3.6.1, Existing Setting, Water Quality, from the Final 2010 Integrated Report (303(d) List/305(b) Report) (SWRCB 2010).

Response 8-5

The commenter indicates that the FEIR should clarify that the Construction General Permit is applicable to dischargers whose proposed project disturbs one or more acres of soil or a proposed project disturbs less than one acre but is part of a larger common plan of development that in total disturbs one or more acres.

Text in DEIR Section 3.6, Hydrology and Water Quality, subsection 3.6.2, Regulatory Framework, has been modified as follows;

REGIONAL

Regional Water Quality Control Board, Central Valley Region (RWQCB)

General Construction Activity Storm Water Permits (General Permit) and Stormwater Pollution Prevention Plans (SWPPPs)

In accordance with NPDES regulations, the State requires that any construction activity affecting 1 acre or more of soil, or a project disturbing less than 1 acre but that is part of a larger common plan of development, obtain coverage under the General Construction Activity Storm Water Permit (General Permit) to minimize the potential effects of construction runoff on receiving water quality. Performance standards for obtaining and complying with the General Permit are described in NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ adopted September 2, 2009, and effective as of July 1, 2010.

Text in subsection 3.6.3, Impacts and Mitigation Measures, of the DEIR has also been edited based on this information, as follows:

Construction-Related Water Quality Impacts and Violations (Standard of Significance 1)

Impact 3.6.2 The proposed SDMP identifies various new program activities and preliminary candidate watershed projects that could result in construction-related erosion and water quality impacts from grading and vegetation removal activities. This is

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considered a **less than significant** impact due to compliance with existing water quality control standards.

As discussed under Impact 3.6.1, the SDMP is a programmatic document that will allow for the future implementation of various new program activities and preliminary candidate watershed projects that could result in future construction activities, as described in Section 2.0, Project Description. Future construction of proposed candidate watershed projects could include grading and vegetation removal activities that will expose raw soil materials to the natural elements (wind, rain, etc.), thus temporarily increasing soil erosion rates on the areas proposed for development. Areas with uncontrolled concentrated flow would experience loss of material within the graded areas and could potentially impact downstream water quality. In addition, the refueling and parking of construction equipment and other vehicles on-site during construction could result in spills of oil, grease, or related pollutants that may discharge into Project area drainages.

As discussed previously under the Regulatory Framework subsection, the State General Construction Activity Storm Water Permit is implemented and enforced by the Central Valley Region RWQCB and applies to construction activities that disturb 1 acre or more, or disturb less than 1 acre but are part of a larger plan of development. Therefore, subsequent facility construction of ~~1 acre or more~~ stemming from the programmatic improvements identified in the SDMP, even if less than 1 acre of disturbed soil, will be required to prepare and implement a SWPPP that identifies best management practices to minimize pollutants from discharging from construction sites to the maximum extent practicable. BMPs are effective, practical, structural, or nonstructural methods that prevent or reduce the movement of sediment, nutrients, pesticides, and other pollutants from the land to surface water or groundwater, or which otherwise protect water quality from potential adverse effects of development activities. The adoption and use of BMPs provide the mechanism for reducing the volume of surface runoff originating from an area of development disturbance and running directly into surface water. Generally, SWPPPs describe the site, erosion and sediment controls, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, water quality monitoring and reporting during storm events, corrective actions for identified water quality problems, and non-stormwater management controls. SWPPPs also address spill prevention and a countermeasure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. Standard BMPs are available in the California Stormwater Quality Association handbooks and include, but are not limited to, scheduling or limiting construction activities to certain times of year, prohibitions of practices, maintenance procedures, installation of silt fences, hydroseeding, hydraulic mulch, soil binders, straw mulch, fiber rolls, earthen dikes and drainage swales, velocity dissipation devices, sediment traps, inlet filters, and tire washes. The California Stormwater Quality Association has recognized that these and other standard BMPs are effective in mitigating water quality impacts resulting from construction impacts (California Stormwater Quality Association 2003).

~~Although some candidate watershed projects included in the SDMP may not meet the 1-acre criteria for compliance with the State General Construction Activity Storm Water Permit, these~~ The SDMP's candidate watershed Pprojects must ~~still~~ also comply with the general conditions and requirements contained in the City's MS4 NPDES permit and the City's Stormwater Management and Discharge Control Chapter of the Municipal Code, as well as water quality conditions and BMPs contained in any other project-level

environmental permits required for the specific project, such as a 404 permit issued by USACE, 401 Water Quality Certification issued by RWQCB, and Streambed Alteration issued by CDFG.

Response 8-6

The commenter states that the FEIR should clarify whether an Industrial Storm Water General Permit is applicable to the SDMP.

The SDMP is not associated with any type of industrial storm water facilities and will not require an Industrial Storm Water General Permit; therefore, no changes to the document have been made.

Response 8-7

The comment is pertaining to the Clean Water Act Section 404 Permit. The Regional Water Quality Board would like language added to clarify that if a Section 404 permit is required by the US Army Corps of Engineers, the Central Valley Regional Water Quality Control Board will review the permit application to ensure that discharge will not violate water quality standards and/or impact waters of the State.

The following modifications were made to mitigation measure MM 3.3.5 in Section 3.3, Biological Resources, of the DEIR:

Mitigation Measures

MM 3.3.5 The City shall comply with the USACE “no net loss” policy for mitigation of wetlands under the jurisdiction of USACE. The City must apply for a Section 404 permit, a Section 401 Certification ~~permit~~, and a 1602 Streambed Alteration Agreement. If jurisdictional features are proposed to be taken, the City shall do the following:

1. If required, apply for a Section 404 permit from USACE after verification of the wetland delineation by the USACE and/or RWQCB. Any waters of the U.S. or waters of the State as defined by the RWQCB that will be lost or disturbed shall be replaced or rehabilitated on a “no net loss” basis in accordance with the USACE and/or RWQCB mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.
2. Obtain a Section 401 water quality ~~waiver~~ of certification from RWQCB.
3. A mitigation plan shall be implemented that includes one of the following:
 - (a) Completion of an on-site mitigation and monitoring plan that includes on-site creation/preservation of the wetlands.
 - (b) Credits may be obtained at an approved mitigation bank.

Timing/Implementation: Prior to project grading or construction activities.

Enforcement/Monitoring: City of Elk Grove Planning Department; USACE; Central Valley RWQCB

3.0 COMMENTS AND RESPONSES

Under subsequent projects, the City will be required to apply for a Section 404 Certificate permit, a Section 401 permit, and a 1602 Streambed Alteration Agreement as appropriate. Adherence to the federal and State permitting requirements as well as to mitigation measure **MM 3.3.5**, mitigation measures **MM 3.3.1b** through **MM 3.3.1f** (protection of water quality), and **MM 3.3.4** (riparian replacement) will ensure that impacts to wetlands and waters of the U.S. will be **less than significant**.

Response 8-8

The comment is in regard to the Clean Water Act Section 401, Water Quality Certification. The RWQCB would like clarification on permit requirements regarding mitigation for 401 Water Quality Certificates. Clarification that no waivers for Water Quality Certifications are issued and mitigation may be required was requested in the comment.

The following modifications were made to Section 3.3, Biological Resources, of the DEIR:

Porter-Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This act requires a Report of Waste Discharge for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface waters and/or groundwater of the State. It predates the CWA and regulates discharges to waters of the State. Waters of the State include more than just waters of the U.S., such as groundwater and surface waters not considered waters of the U.S. Additionally, the act prohibits discharges of waste as defined, and this definition is broader than the CWA definition of a pollutant. Discharges under the Porter-Cologne Act are permitted by waste discharge requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and for regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan. States designate beneficial uses for all water body segments and then set criteria necessary to protect these uses. Consequently, the water quality standards developed for particular water segments are based on the designated use and vary depending on such use. In addition, each state identifies waters failing to meet standards for specific pollutants, which are then State-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source controls, the CWA requires the establishment of total maximum daily loads, which specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

State Water Resources Control Board and Regional Water Quality Control Boards

The SWRCB administers water rights, water pollution control, and water quality functions throughout the State. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

Also, the same text modifications made under Response 8-7 to DEIR Section 3.3, Biological Resources, mitigation measure MM 3.3.5 apply to this comment response.

Response 8-9

The comment is in regard to Waste Discharge Requirements (WDR). The commenter would like language added to the FEIR to clarify that a WDR is applicable when the US Army Corps of Engineers or other federal permitting agency determines that only non-jurisdictional waters of the State are present in the proposed project area.

The same text modifications made under Response 8-8 to Section 3.3, Biological Resources, pertinent to State Requirements: Porter-Cologne Water Quality Control Act and mitigation measure MM 3.3.5 of the DEIR also apply to this comment response.

Response 8-10

The comments are in regard to issuance of 401 Water Quality Certifications or Waste Discharge Requirements. The commenter outlined 18 (minimum) 401 Water Quality Certification or Waste Discharge Requirement requirements for project-level application submittals. The commenter asked to have mitigation measure MM 3.3.5 in the DEIR expanded to include the 18 requirements listed in the comment letter.

The SDMP is a program-level document. All projects that may be implemented in the future will be required to be analyzed at a project level. During the project-level analysis, specific details regarding impact analysis will be conducted to determine effects to biological resources. Details regarding specific permit application requirements will be required during the permitting process for each project, and may include some or all of the 18 requirements outlined in Comment 8-10.

In regards to requirement (h) within Comment 8-10 the commenter suggests that an updated comprehensive preliminary wetland delineation is required.

The SDMP is a program-level document. The wetland delineation referenced in Chapter 3 of the DEIR is existing information developed for a regional general Section 404 permit application and is utilized as a reference to help establish the existing conditions of the SDMP project area. Use of this delineation map was sufficient to meet the requirements of CEQA section 15125(a), which requires the description of the environmental setting provide "an understanding of the significant effects of the proposed project and its alternatives." Updating the comprehensive wetland delineation would not result in a substantial change in the EIR's description of the project area's existing conditions, nor would it better inform the reader's understanding of the significant effect of the proposed project. It should be noted that all projects that may be implemented in the future will be required to be analyzed at a project level. During the project-level analysis, specific details regarding impact analysis will be conducted to determine effects to biological resources, including wetlands, waters of the U.S., and waters of the State.

No changes to the document were made.

Response 8-11

The comment recommends that the FEIR should provide an expanded discussion on how each of the subsequent projects listed on Table 2.0-1 meet the indicated project objectives, specifically water quality and habitat.

The SDMP candidate watershed projects listed in Table 2.0-1 are described in more detail in Appendix B of the DEIR. This level of project description is adequate for a programmatic CEQA analysis. The subsequent individual project actions and facility construction identified in the

3.0 COMMENTS AND RESPONSES

SDMP will maintain and improve water quality via LID systems and practices, BMPs, flow duration control basins, or in-stream rehabilitation, thus reducing pollutants entering waterways and reducing flooding and erosion impacts to the basin. These practices and designs often involve modifying existing channelized streambeds and water features to increase their effectiveness in achieving water quality and flood storage by increasing the acreage of wetland and riparian habitat. Subsequent project-level CEQA analysis will include a more detailed evaluation of how and to what extent the project design details will be expected to meet SDMP water quality and habitat objectives.

No changes to the document have been made.

Response 8-12

The comment is in regard to mitigation measures MM 3.3.1, MM 3.3.2, and MM 3.3.4. The commenter would like an expanded discussion on avoidance of vernal pools.

Each mitigation measure (MM 3.3.1, MM 3.3.2, and MM 3.3.4) specifically discusses avoidance measures to help reduce impacts to vernal pool plants, vernal pool invertebrates, and vernal pool habitat.

No changes were made to the document.

Response 8-13

The comment is in regard to mitigation measure MM 3.3.5. The commenter would like the language to include "no net loss" for the State of California.

The same text modifications made under Response 8-7 to Section 3.3, Biological Resources, mitigation measure MM 3.3.5 of the DEIR also apply to this comment response.

Response 8-14

The comment is in regard to compensatory mitigation that would be required as a result of impacts.

The same text modifications made under Response 8-7 to Section 3.3, Biological Resources, mitigation measure MM 3.3.5 of the DEIR also apply to this comment response.

Response 8-15

The comment indicates that the FEIR should provide an expanded discussion identifying appropriate, adequate, and effective mitigation measures to be incorporated in subsequent projects to avoid or minimize hydrological and water quality impacts to less than significant or less than cumulatively considerable levels.

The SDMP's objectives include not only providing adequate storm drainage improvements by maintaining and upgrading current facilities to accommodate planned growth that has been described and evaluated in the City's General Plan, but to improve local hydrology and surface water and groundwater quality and create biological habitat and recreational opportunities where feasible. In addition to designing projects in compliance with all local, State, and federal rules and regulations, the SDMP process and subsequent candidate watershed projects involve considerable review and input from public and private stakeholders and regulatory agencies that will influence project designs. Any subsequent project-specific plans, actions, or facility construction stemming from the programmatic improvements identified in the proposed SDMP

will be required to be evaluated under Sections 15162 and 15168 of the CEQA Guidelines to determine whether their project-specific effects had been adequately analyzed in the programmatic EIR. The limited details presented in the SDMP, coupled with the SDMP's overall goals and objectives of maintaining or improving hydrology and water quality within the City and its downstream water resources while remaining in compliance with water quality laws and regulations, do not suggest significant water quality or hydrologic impacts at the programmatic level.

The comment is noted. No changes to the DEIR have been made.

Letter 9

City of Elk Grove
Darren Wilson
8401 Laguna Palms Way
Elk Grove, Ca 95758

September 27, 2011

Re: Draft Storm Drain Master Plan and Draft EIR

Darren Wilson,

The Sacramento-Yolo Mosquito and Vector Control District (District) appreciates this opportunity to comment on the Draft Storm Drain Master Plan (SDMP) and Draft EIR for the City of Elk Grove. The District is responsible for protecting the public from mosquito and other vector borne diseases within the city of Elk Grove and surrounding areas within Sacramento and Yolo Counties. The City of Elk Grove and the District have a long history of working together to address mosquito breeding in creeks and storm channels and understands the complexity of managing such systems in an urban and agricultural environment.

The SDMP and Draft EIR are comprehensive documents that detail specific drainage improvements and future design criteria to meet existing and future expansion while improving flood control and habitat standards. Of primary concern to the District is the absence of any language detailing the importance of controlling mosquito production within stream or channels, wetland and riparian habitats as an integral aspect of protecting public health and disease prevention within the City of Elk Grove. While flood control and environmental protections are at the forefront of the SDMP and Draft EIR, preventing mosquito production is ultimately the responsibility of the property owner such as the city as defined by the California Health and Safety Code §2060, and subject to abatement by the District.

Comments listed below are District responses that should be considered in the final revisions of the SDMP and Draft EIR.

As stated in the SDMP, much of the City of Elk Grove is built out with outlying areas remaining available for expansion. The existing drainage system has now been subjected to various flow scenarios and is representative of long term conditions. As recent as the summer of 2011, increased mosquitoes within various storm drain channels were identified to be infected with West Nile virus, prompting immediate chemical responses by the District. Much of the stagnant water and subsequent mosquito production could be eliminated with routine maintenance; however it is recognized this will require a shift in management criteria.

The District has developed a Mosquito Reducing Best Management Practices manual which can be downloaded from the District's website at http://www.fightthebite.net/download/ecomangement/SYMVCD_BMP_Manual.pdf. The California Department of Public Health, Vector Borne Disease Section (CDPH) has also adopted a Best management Practices for Mosquito Control in California manual

Letter 9 Continued

which can also be downloaded at <http://www.westnile.ca.gov/resources.php>. Additional storm water design literature is also available for review and may be downloaded from the CDPH website.

The Draft Storm Drain Master Plan must include a mandate to implement Mosquito Reducing BMPs which are designed to eliminate or minimize mosquito production in an effort to protect public health. BMPs incorporate mosquito reducing site specific practices that integrate with existing stormwater designs and criteria to reduce mosquito production. All future site specific stormwater or treatment projects must incorporate Mosquito Reducing BMPs and must include a long term management plan.

9-1

All project designs including drainage or treatment system improvements, new construction, compensatory mitigation, and habitat management designs must be sent to the District for review. The District also requests that any site specific management plans also be sent for review. Communication between the City staff and the District is crucial to implementing effective Mosquito Reducing BMPs and ensuring protection of public health.

9-2

The SDMP addresses existing hydrologic conditions, habitats, endangered species and future development in all main drainages and tributaries with general recommendations for improvements as required. The Draft SDMP fails to detail routine maintenance as an annual requirement to maintain low season flows to ensure City and District personnel access, and to prevent stagnating water in vegetated areas during peak mosquito producing months.

9-3

The Draft Storm Drain Master Plan Programmatic Environmental Impact Report (Draft EIR) similarly fails to address public health as an impact from stormwater management criteria. The effects of the SDMP on Public Health are absent and need to be addressed with the EIR. While many of the effects to public health may be addressed in the SDMP with the implementation of Mosquito Reducing BMPs, it must be recognized that adverse effects to public health may exist with compensatory mitigation, storm drainage "improvements" and habitat preservation. The District should be consulted with any changes to existing drainages and with new design features.

9-4

Beginning October 31, 2011 all mosquito and vector control chemical applications over Jurisdictional Waters of the U.S. are subject to National Pollutant Discharge Elimination System (NPDES) permitting and Clean Water Act compliance. The California State Water Resource Control Board (SWRCB) adopted the NPDES for Vector Control permit which contains specific BMP, application, and water quality guidelines that must be followed. The permit details requirements for vector control districts to pursue mosquito reducing BMPs and sound IPM as an integral portion of mosquito control activities. Included is a prohibition of chemical applications over jurisdictional waters that are a 303(d) listed impaired waterway for that chemical family. This requirement significantly reduces the District's ability to effectively control mosquitoes and reduce the threat of West Nile virus and other diseases within the City of Elk Grove.

Letter 9 Continued

The District is facing new challenges with shrinking budgets coupled with the costs of NPDES, ESA and other environmental compliancy issues. To ensure compliance with NPDES permit requirements, protection of the public from vector borne diseases, and reduction of pesticide applications, it is crucial that all designed and managed, restored aquatic habitats, drainages and facilities be properly designed and maintained to prevent mosquito production. The District remains a resource and is available to City staff to assist with the design and management plans of all stormwater drainage, habitat and treatment systems.

Sincerely,



David Brown
Manager,
Sacramento-Yolo Mosquito and Vector Control District

LETTER 9 DAVID BROWN – SACRAMENTO-YOLO MOSQUITO AND VECTOR CONTROL DISTRICT

Response 9-1

The commenter indicates that the SDMP must include a mandate to implement mosquito-reducing BMPs which are designed to eliminate or minimize mosquito production in an effort to protect human health, and that all future site-specific projects must incorporate these BMPs and include a long-term management plan.

This comment does not pertain to the adequacy of the EIR. Language has been added to Section 6.6, Proposed Future Activities, in the SDMP to indicate that the City is developing a comprehensive Flood Control Operation and Maintenance Manual for the City's levees, pump stations, internal drainage systems, and other flood control structures to replace the currently used Levee Owner's Manual for Non-Federal Flood Control Works published by the USACE. The City's Flood Control O&M Manual will include a mosquito abatement component with inspections criteria and will discuss working with the Sacramento-Yolo Mosquito and Vector Control District with inspection criteria for mosquito abatement.

Response 9-2

The commenter recommends that all project designs including drainage or treatment system improvements, new construction, compensatory mitigation, habitat management designs, and site-specific management plans must be sent to the District for review.

This comment does not pertain to the adequacy of the EIR. The City will make these designs and plans available to the District for review prior to plan approval. The City's Flood Control O&M Manual will discuss the procedures and process regarding the District's review of these plans.

Response 9-3

The commenter states that the Draft SDMP fails to detail routine maintenance as an annual requirement to maintain low season flows to ensure City and District personnel access and to prevent stagnating water in vegetated areas during peak mosquito-producing months.

Comment noted. The City's proposed Flood Control O&M Manual will discuss this issue. See Response 9-1.

Response 9-4

The commenter indicates that the DEIR fails to address public health as an impact from stormwater management criteria and that the effects of the SDMP on public health are absent and need to be addressed with the EIR.

Comment noted. Mosquito abatement issues and concerns within the City's storm drainage facilities are a pre-existing condition within the City's current storm drainage facilities to development of the SDMP. The cumulative impacts to mosquito abatement and public health from the SDMP are not greater than the existing facilities. Future SDMP candidate watershed projects will consider this issue during project-specific CEQA analysis that will be based in part on the City's proposed Flood Control O&M Manual which will address mosquito abatement. No changes were made to the DEIR.

3.0 COMMENTS AND RESPONSES

3.3.3 RESPONSES TO COMMENTS FROM PUBLIC MEETING

Verbal comments expressed by Planning Commission members or the public during the SDMP EIR public comment meeting as part of the Planning Commission meeting on September 15, 2011, are coded by assigning each separate speaker the letters PC and a number. Each issue raised by that speaker is assigned a number (e.g., Speaker PC-1, comment 1 is referred to as PC1-1). A complete unedited videotape of the Planning Commission meeting is available at the City of Elk Grove's Planning Department's website at: http://elkgrove.granicus.com/ViewPublisher.php?view_id=6.

**TABLE 3.0-2
VERBAL COMMENTERS ON THE EIR AT SEPTEMBER 15, 2011, PLANNING COMMISSION MEETING**

Speaker #	Individual or Signatory	Affiliation	Date
PC1	George Murphy	Elk Grove Planning Commission Chair	9/15/11
PC2	Frank Maita	Elk Grove Planning Commission Member	9/15/11
PC3	Fedolia Harris	Elk Grove Planning Commission member	9/15/11
PC4	Nancy Meyers	Elk Grove Resident	9/15/11
PC5	Barbara Washburn	Laguna Watershed Council President, SDMP EAC member	9/15/11

No changes to the Draft EIR text result from responding to verbal comments at the public meeting.

Comment PC1-1 – George Murphy, Elk Grove Planning Commission Chairman

Chairman Murphy asked if the SDMP considers upstream sources of stormwater runoff (i.e., Sacramento County's planned development) and how they impact the SDMP.

Response PC1-1

During the meeting, Darren Wilson, the City's Drainage Manager, replied that memorandums of understanding (MOUs) are in place between the cities participating in the MS4 permit regarding maximum volumes discharged beyond their City's borders pursuant to the permit conditions. This information is found in the SDMP under Section 4.5, Water Quality Regulation (Federal and State). Volume II of the SDMP considered upstream stormwater sources and flow regimes for creek systems upstream of the City when developing hydraulic models and estimating the City's storm water needs and requirements. DEIR Section 3.6, Hydrology and Water Quality, considers the regional hydrology and surface drainage systems within the larger Morrison Creek Stream Group Drainage Basin in the existing setting. Also, one of the SDMP candidate watershed projects proposes to install surface water quality monitoring stations along several creeks entering the City limits to compare water quality entering and exiting the City limits.

Comment PC2-1 – Frank Maita, Elk Grove Planning Commission Member

Commission member Maita asked how the creation of new biological habitat as proposed in the SDMP would affect future development, such as limitations or denials of development applications on adjacent properties due to expanded buffer zones.

Response PC2-1

City Planning Director Taro Echiburu answered during the meeting that this issue will be discussed among the developers, the City, and applicable regulatory agencies during the project-level design stage for each project. Projects will strive to balance creation of habitat versus development limitations, possibly resulting in written agreements, easements, and additions to City municipal codes. SDMP Section 8.5, Funding and Implementation Strategies for Candidate Watershed Projects, discusses the possible use of a Triple Bottom Line (TBL) assessment approach whenever feasible during the project-level analysis to evaluate not only the economic costs and benefits of a project, but also the social and environmental aspects, and involving all project stakeholders and landowners.

Comment PC3-1 – Fedolia Harris, Elk Grove Planning Commission Vice-Chairman

Vice-Chairman Harris asked why the geology and soils EIR topic category was scoped out of the EIR during the NOP stage.

Response PC3-1

Taro Echiburu explained during the meeting that the category was scoped out of the EIR because there are no major grade elevation changes or subsurface disturbance associated with the Project at the programmatic level. Subsequent project-level CEQA analysis will include this topic category, especially for projects that will involve extensive grading, cutting, filling, and subsurface drilling (e.g., constructing stormwater detention basins and drilling dry wells).

Comment PC3-2 – Fedolia Harris, Elk Grove Planning Commission Vice-Chairman

Vice-Chairman Harris asked if the City is tracking/recording what SDMP projects are needed in the near future versus what has already been built according to the City's General Plan buildout assumptions.

Response PC3-2

Darren Wilson answered during the meeting that the City has not performed this comparison to date, but that the SDMP is a living document that will change over time based on new information or development assumptions and pace. Candidate watershed projects will be continually updated, and the overall SDMP will be updated at least every five years.

Comment PC4-1 – Nancy Meyers, Elk Grove Resident

Ms. Meyers thanked the City Public Works Department for the high quality of the public involvement process during the SDMP development.

Response PC4-1

This comment does not pertain to the adequacy of the EIR and is noted.

Comment PC5-1 – Barbara Washburn, EAC Member and President of the Laguna Watershed Council

Ms. Washburn commended the EAC process for the SDMP and indicated it should be an exemplary model for community involvement. She indicated that it is the Planning Commission's

3.0 COMMENTS AND RESPONSES

and Planning Department's responsibility to approve and promote the SDMP goals, objectives, and projects, and to incorporate LID principles and techniques into other development plans. She presented some approaches and examples of decreasing surface runoff, minimizing impervious surfaces, and implementing LIDs techniques and hydromodification based on reports and projects in other California cities.

Response PC5-1

This comment does not pertain to the adequacy of the EIR and is noted.

4.0 ERRATA

4.1 INTRODUCTION

This section includes minor edits to the DEIR. These modifications resulted from responses to comments received during the DEIR public review period.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text) and are organized by section of the DEIR.

4.2 CHANGES AND EDITS TO THE DEIR

EXECUTIVE SUMMARY

The following text has been modified in DEIR Executive Summary, page ES-1:

SDMP GUIDING PRINCIPLES

Guiding Principles were developed to set a foundation and help guide the processing of the SDMP. All goals, strategies and solutions within the SDMP were established to be consistent with the following *Guiding Principles* of the SDMP:

- 1) Storm drainage and flood management systems shall be designed to take maximum advantage of the natural hydrological processes of the existing landscape.
- 2) Alternative storm drainage and flood control management approaches shall be adopted, wherever and whenever feasible, to complement approaches to traditional storm drainage and flood control management systems. Alternative approaches may include distributed systems (e.g. low impact development systems (LIDs), flow duration control basins, and/or instream rehabilitation.

4.0 ERRATA

The Executive Summary Table (**Table ES-1**) has been modified as follows:

**TABLE 4.0-1
EXECUTIVE SUMMARY TABLE**

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.1 AESTHETICS			
Impact 3.1.1 The proposed SDMP identifies various new program activities and preliminary Candidate watershed projects that could convert the existing visual characteristic of areas in the City and alter current views. This is a less than significant impact.	LS	None required.	LS
Impact 3.1.2 Implementation of the proposed SDMP Project in combination with other approved and proposed Projects in Sacramento County will not substantially or adversely alter the visual character in the City and the surrounding area. This is considered a less than cumulatively considerable impact.	LCC	None required.	LCC
3.2 AIR QUALITY			
Impact 3.2.1 Construction activities associated with the development of the proposed SDMP could result in a short-term increase in criteria air pollutants during construction. This will result in a potentially significant impact.	PS	MM 3.2.1a The construction contractors shall be required to implement the <u>Basic Construction Emissions Control Practices</u> as listed in the current <u>SMAQMD CEQA Guide to Air Quality Assessment</u> in Sacramento County (<u>SMAQMD 2009</u>) or other measures for <u>mitigating short-term or construction particulate emissions</u> recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. <u>These practices may include:</u>	LS

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<ul style="list-style-type: none"> Watering all exposed surfaces, graded areas, storage piles, and haul roads at least twice daily during construction. This requirement shall be included as a note in all SDMP Project construction plans. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> MM 3.2.1b The construction contractor shall limit limiting vehicle speed for on-site construction vehicles to 15 mph. This requirement shall be included as a note on the improvement plan submittal. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> MM 3.2.1c The construction contractor shall wash Washing dirt off construction vehicles and equipment within the staging area prior to leaving the construction site. Wet power vacuum street sweepers shall be used to remove any 	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>visible trackout mud or dirt on adjacent public roads at least once a day. Use of dry power sweeping is prohibited. This requirement shall be noted in SDMP Project improvement plans.</p> <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <ul style="list-style-type: none"> MM 3.2.1d It shall be required, when Requirements for transporting soil or other materials by truck during construction activities, that 2 feet of freeboard be maintained by the contractor and that the materials are covered. This requirement shall be noted in SDMP Project improvement plans. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <ul style="list-style-type: none"> MM 3.2.1e The construction contractor shall minimize idling time from both on-road and off-road diesel-powered equipment, as required by California regulations, and either by shutting equipment 	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>off when not in use or reducing the time of idling to 5 minutes required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</p> <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; CARB</p> <ul style="list-style-type: none"> MM-3.2.1f The construction contractor shall maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. These requirements shall be noted in subsequent SDMP project improvement plans. <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>MM 3.2.1bg-</p> <p>Subsequent candidate watershed projects under the SDMP shall implement the Enhanced Exhaust Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction-generated ozone precursor impacts above significance criteria recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices currently require the project to include provide a plan for approval by SMAQMD demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction Project, including owned, leased, and subcontractor vehicles, will achieve a Project-wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board (CARB) fleet average. The current SMAQMD mitigation also requires that the construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>retrofit technology, after treatment products, and/or other options as they become available.</p> <p>Timing/Implementation: Plan shall be submitted to SMAQMD for review and approval prior to approval of improvement plans and shall be implemented during all grading and construction phases of the SDMP Project.</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p> <p>MM 3.2.1h The construction contractor shall ensure that emissions from all off-road diesel-powered equipment used on the Project site do not exceed 40 percent opacCity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacCity (or Ringelmann 2.0) shall be repaired immediately. Noncompliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the Project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD and/or other officials may conduct periodic site</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>inspections to determine compliance. Nothing in this section shall supersede other District or State rules or regulations.</p> <p>Timing/Implementation: During all grading and construction phases of the SDMP Project</p> <p>Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD</p>	
<p>Impact 3.2.2 Implementation of the proposed SDMP will not result in long-term increases in criteria air pollutants. This impact is considered less than significant.</p>	LS	None required.	LS
<p>Impact 3.2.3 Implementation of the proposed SDMP Project in combination with growth throughout the air basin will not exacerbate existing regional problems with ozone and particulate matter. This is considered a less than cumulatively considerable impact.</p>	LCC	None required.	LCC
3.3 BIOLOGICAL RESOURCES			
<p>Impact 3.3.1 Implementation of the SDMP may result in the loss of habitat and direct mortality of special-status plant species. This impact is potentially significant.</p>	PS	<p>MM 3.3.1a Prior to any vegetation removal or ground-disturbing activities, focused surveys shall be conducted to determine the presence of special-status plant species with potential to occur in the SDMP Project area. Surveys shall be conducted in accordance with California Department of Fish and Game <i>Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities</i> (2000). These guidelines require rare plant surveys to be conducted at the proper</p>	LS

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, the project will not have any impacts to the species and no additional mitigation measures are necessary.</p> <p>If any of the species are found on-site and cannot be avoided, the City shall consult with United States Fish and Wildlife Service and/or California Department of Fish and Game, as applicable, to determine appropriate avoidance and mitigation measures. Mitigation measures may include participation in an agency approved mitigation bank, translocation of the plant specimen(s) into appropriate habitat, or other measures as appropriate.</p> <p><i>Timing/Implementation: Prior to any construction activities or ground disturbance</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1b</p> <p>Prior to working near sensitive areas (i.e., riparian habitat, wetlands, vernal pools, and waterways), all heavy equipment shall be closely examined for oil and fuel discharges. All equipment operated adjacent to these areas shall be checked and maintained daily to prevent leaks of materials that,</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>if introduced to water, could be deleterious to aquatic or plant life. Petroleum from project-related activities shall be prevented from contaminating the soil and or/entering sensitive areas. Any of these materials placed within or where they may enter the sensitive areas shall be removed immediately. Regulating agencies shall be notified immediately if a spill occurs and shall provide consultation regarding cleanup procedures.</p> <p><i>Timing/Implementation: During construction activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1c</p> <p>Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic or plant life, resulting from project-related activities, shall be prevented from contaminating the soil and/or entering the sensitive areas. Any of these materials placed within or where they may enter these areas shall be removed immediately in a manner consistent with the requirements of chapters 15.12 and 16.44 of the City Municipal Code.</p> <p><i>Timing/Implementation: During construction activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1d</p> <p>Adequate erosion control and water pollution control measures shall be adopted and maintained for the</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>duration of the project in order to prevent deleterious materials from entering any sensitive areas including vernal pools, wetlands, waterways or other aquatic habitat in a manner consistent with the requirements of chapters 15.12 and 16.44 of the City Municipal Code. The siltation curtain shall be of effective design to limit and abate heavily silted material from impacting these sensitive areas.</p> <p><i>Timing/Implementation: During construction activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1e The best available technology in best management practices (BMPs) to reduce sedimentation, erosion, water pollution, and dust to the greatest extent practicable shall be employed on all work sites during construction. An Erosion and Sediment Control Plan shall be prepared by the contractor pursuant to Chapter 16.44, Land Grading and Erosion Control, City Municipal Code and submitted to Elk Grove Public Works and the Elk Grove Planning Department for approval prior to the start of project construction, including clearing and grubbing. In areas where wetlands are within 250 feet of a project footprint, erosion control measures and construction fencing shall be replaced, monitored for effectiveness, and maintained throughout the construction operations around all vernal pools and other wetlands.</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p><i>Timing/Implementation: Prior to construction and site grading activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.1f Prior to construction, an erosion control plan and stormwater pollution prevention plan (SWPPP) shall be prepared by the contractor and submitted to the City for approval prior to the start of construction. The SWPPP shall be designed to limit the effects of soil erosion and water degradation during construction. This plan shall be required to be prepared and implemented in accordance with permit conditions and requirements of the Central Valley Regional Water Quality Control Board, National Pollutant Discharge Elimination System permit requirements.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p>	
<p>Impact 3.3.2 Implementation of the SDMP may result in direct and indirect loss of habitat and individuals of endangered, threatened, rare, proposed, and candidate status, as well as California fully protected species. This will be a potentially significant impact.</p>	PS	<p>MM 3.3.2a The City shall retain a qualified biologist to identify and establish avoidance areas for elderberry shrubs (host plant of the federally threatened valley elderberry longhorn beetle) within 100 feet (the avoidance radius established in the United States Fish and Wildlife Service guidelines for the beetle) of construction activities. Elderberry shrub surveys must be conducted when the shrub is identifiable (generally March to</p>	LS

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>September). If elderberry shrubs are found within 100 feet of construction activities, the City must consult with the United States Fish and Wildlife Service, either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). Avoidance and protection measures shall be established using the United States Fish and Wildlife Service <i>Conservation Guidelines for the Valley Elderberry Longhorn Beetle</i> (1999a). The City will submit the avoidance and protection measures to the United States Fish and Wildlife Service for review of the adequacy of mitigation measures, including on-site avoidance practices, personnel training, exclusion fencing, and signage to approve encroachment within 100 feet of the elderberry shrubs at the project location. Typically, the United States Fish and Wildlife Service requires a minimum setback of 20 feet from the dripline of each elderberry plant to establish avoidance. If this condition cannot be met, the United States Fish and Wildlife Service may require an incidental take permit. The City shall comply with all United States Fish and Wildlife Service direction on this matter. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the federal Endangered Species Act.</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p><i>Timing/Implementation:</i> Prior to construction and site grading activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.2b United States Fish and Wildlife Service protocol-level surveys (USFWS 1996b) for special-status vernal pool species within suitable habitat areas are recommended prior to commencement of any activities that could impact this species. Otherwise, if suitable habitat is located within 250 feet of the proposed project, the City may assume presence. Protocol-level vernal pool invertebrate surveys are conducted by a United States Fish and Wildlife Service -permitted biologist when the pools are first inundated (when it holds greater than 3 centimeters of standing water 24 hours after a rain event) until the pool dries out (generally January to June, but depends on precipitation and individual site conditions). The United States Fish and Wildlife Service must be contacted a minimum of 10 days prior to conducting surveys.</p> <p><i>Timing/Implementation:</i> Prior to construction and site grading activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.2c If impacts to vernal pools cannot be avoided and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site, the City shall compensate for direct and/or indirect</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>effects to listed vernal pool species through consultation with the United States Fish and Wildlife Service either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). The City shall implement all measures included in the Biological Opinion issued as a result of this consultation. For every acre of habitat directly or indirectly affected, at least three vernal pool credits will be dedicated within a United States Fish and Wildlife Service approved preservation bank, or based upon a United States Fish and Wildlife Service evaluation of site-specific conservation values, so that 3 acres of vernal pool habitat may be preserved within the proposed project site or on another non-bank site as approved by the United States Fish and Wildlife Service (3:1 mitigation ratio). Final determinations of the amount of mitigation acreage to be provided, and if mitigation will be accomplished through on-site replacement or compensatory mitigation, shall be determined during consultation with the United States Fish and Wildlife Service. Mitigation shall occur so as to achieve no net loss of vernal pool habitat, as determined by the United States Fish and Wildlife Service, USACE, and RWQCB (as applicable). A comprehensive plan for avoidance, on-site mitigation, off-site mitigation, or other compensation will be developed in cooperation with relevant state and</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>federal agencies.</p> <p>Before construction, the City shall obtain authorization from the United States Fish and Wildlife Service for incidental take of listed vernal pool crustacean species that have suitable habitat affected by the proposed project. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the federal ESA.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2d</p> <p>The City shall require subsequent projects under the SDMP to require the following:</p> <ol style="list-style-type: none"> 1) Schedule construction activities to avoid nesting activities, if feasible. The avian breeding window, on average, is between February 1 and August 31, which complies with the Migratory Bird Treaty Act. Construction activities should occur between September 1 and January 30. 2) If project activities cannot avoid the breeding bird season (generally February 1 through August 31), a focused survey for raptor and migratory bird nests shall be conducted by a qualified biologist within two weeks prior to the start of construction activities in order to identify active 	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>nests on site. The qualified biologist shall survey for nesting birds within 250 feet of the construction activities to determine whether the activities taking place have the potential to disturb or otherwise harm the nesting birds. For activities that occur outside the breeding bird season (generally September 1 through January 30), such surveys will not be required.</p> <p>3) If active nests are found, an exclusionary buffer zone will be established and there shall be no ingress of personnel or equipment in this zone until the nestlings have fledged (normally after September 1). The buffer zone shall be established by a qualified biologist (generally a 250-foot radius for raptor nests and a 100-foot radius for songbird nests) and confirmed by the appropriate resource agency. Construction will not resume within the buffer zone until the juveniles have fledged and there is no evidence of second nesting attempts, as determined by a qualified biologist. The perimeter of the buffer zone shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the buffer zone, except with approval of a qualified biologist. Reference to</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>these requirements and the Migratory Bird Treaty Act shall be included in the construction specifications. If no active nests are found during the focused survey, no further mitigation will be required, but weekly surveys shall continue to ensure no nests become active after construction. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January). In addition, no trees with cavities potentially used for cavity-nesting birds shall be removed during the bird breeding season to avoid disturbance or mortality.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department; California Department of Fish and Game</i></p> <p>MM 3.3.2e</p> <p>To avoid impacts to nesting habitat, the removal of potential nest trees will be limited to only those necessary to construct the proposed project. For trees that must be removed to construct the proposed project, the City will target the removal of trees to occur outside the nesting season (March 1 through August 31). If trees cannot be removed outside the nesting season, pre-construction surveys will be conducted prior to tree removal to verify the absence of active raptor nests</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>within 500 feet of construction activities in accordance with the Swainson's Hawk Technical Advisory Committee's <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i> (2000). Two surveys will be conducted, at least one week apart, with the second survey occurring no more than two days prior to tree removal.</p> <p>If no active nests are found, tree removal may proceed. If active nests are found, California Department of Fish and Game shall be notified, and the tree shall not be removed until the nest is no longer active, as determined by a California Department of Fish and Game -approved biologist. No construction activities shall take place within a 250-foot radius of the active nest (or another distance determined appropriate during consultation with California Department of Fish and Game).</p> <p><i>Timing/Implementation:</i> Prior to construction and site grading activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.2f</p> <p>Measures to minimize impacts to Swainson's hawk foraging habitat include restoration of foraging habitat temporarily disturbed by project construction activities. After construction is completed, all temporarily disturbed areas will be stabilized with hydro-seed and</p>	

4.0 ERRATA

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>replanted with a mixture of native and non-native plants (as deemed appropriate by a California Department of Fish and Game -approved biologist).</p> <p><i>Timing/Implementation: Prior to project completion</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2g</p> <p>The City shall purchase mitigation credits from a California Department of Fish and Game -approved Swainson's Hawk Mitigation Fund at a 1:1 ratio to compensate for any permanent loss of potential foraging habitat, pursuant to the requirements of Chapter 16.130 of the City Municipal Code.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2h</p> <p>The City shall provide worker environmental awareness training for all employees working on the proposed project sites so that they are aware of sensitive resources in the area, required measures and practices for protecting biological resources, and contacts and procedures in case species are injured or encountered during construction.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i> <i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>Implement of mitigation measures MM 3.3.1a through MM 3.3.1f.</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<p>Impact 3.3.3 Implementation of the SDMP will result in direct and indirect loss of habitat and individuals of wildlife species of concern and other non-listed special-status species. This will be a potentially significant impact.</p>	<p>PS</p>	<p>MM 3.3.3a A focused survey for western pond turtle shall be conducted by a qualified biologist 30 days prior to the onset of construction activities to determine presence or absence of this species within a 100-foot radius of the construction area regardless of the time of year. If construction is planned after April 1, this survey should include looking for turtle nests within a 100-foot radius of the construction area. If juvenile or adult turtles are found within the proposed construction area, the individuals shall be moved out of the construction site under consultation with California Department of Fish and Game. If a nest is found within a 100-foot radius of the construction area, construction shall not take place within 100 feet of the nest until the turtles have hatched or the eggs have been moved to an appropriate location under consultation with California Department of Fish and Game. Unless otherwise approved by California Department of Fish and Game, construction shall be avoided when adults and hatchlings are overwintering (October through February), due to the likelihood of turtle adults and juveniles being present in upland habitats. If construction activities must occur during this time frame, a survey for overwintering locations shall be conducted within two weeks prior to</p>	<p>LS</p>

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>construction. If this species is found overwintering within the expansion area, den locations shall be avoided until the area is unoccupied, as determined by a qualified biologist.</p> <p><i>Timing/Implementation: Prior to any ground disturbance</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department, with consultation from California Department of Fish and Game as needed</i></p> <p>MM 3.3.3b</p> <p>In the event that a turtle is found during construction activities, the turtle moves out of harm's way or a qualified biologist, under consultation with California Department of Fish and Game, moves the turtle to a safe location outside of the construction zone.</p> <p><i>Timing/Implementation: Throughout construction activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.3c</p> <p>Within 30 days prior to the onset of construction activities outside of the breeding season (September through January), a qualified biologist shall conduct a protocol-level burrowing owl survey as outlined in the <i>Burrowing Owl Survey Protocol and Mitigation Guidelines</i> (California Burrowing Owl Consortium 1993) to determine if burrowing owls are present.</p> <p>All burrowing owl surveys shall be conducted according to California Department of Fish and Game</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>protocol. The protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two hours after or two hours before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.</p> <p>If burrowing owls are detected, the following actions may be implemented to ensure that no owls or active burrows are inadvertently buried during construction:</p> <p>If nesting burrowing owls are found to occur within 150-meter radius, no disturbance shall occur within 50 meters of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters during the breeding season (February 1 through August 31) unless a qualified biologist approved by the California Department of Fish and Game verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent living. Avoidance requires that a minimum of 6.5 acres of foraging habitat be preserved contiguous with occupied</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>burrow sites for each pair of breeding burrowing owls (with or without dependent young) or single unpaired birds. If avoidance is not an option and foraging and burrowing habitat will be lost, a minimum of 6.5 acres of foraging habitat (i.e., 100-meter radius from burrow) per pair or unpaired resident bird shall be replaced off-site. These protected replacement lands will be adjacent to occupied burrowing owl habitat and at a location acceptable to California Department of Fish and Game. If destruction of occupied burrows is unavoidable, passive relocation shall be implemented during the non-breeding season as specified in the <i>Burrowing Owl Survey Protocol and Mitigation Guidelines</i> (California Burrowing Owl Consortium 1993).</p> <p>All measures shall be determined by a qualified biologist and approved by the California Department of Fish and Game.</p> <p><i>Timing/Implementation</i> Prior to construction activities</p> <p><i>Enforcement/Monitoring</i> City of Elk Grove Planning Department; California Department of Fish and Game</p> <p>MM 3.3.3d</p> <p>The City shall require subsequent projects under the SDMP to complete the following:</p> <ol style="list-style-type: none"> 1) If the project site contains suitable bat roosting habitat (e.g., abandoned buildings, rock crevices, tree bark, hollow trees, 	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>culverts, bridges, or other dark crevices), then prior to initiation of construction activity, a pre-construction bat survey shall be performed by a wildlife biologist or other qualified professional.</p> <p>2) If bat roosts are identified on site, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed prior to maternity roosting season (typically May to August) of each construction phase prior to the onset of construction activities.</p> <p>3) If a female or maternity colony of bats are found on the project site and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in an area not planned for removal), a wildlife biologist shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 250 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (typically May to August).</p> <p>4) If an active nursery roost is known to occur on site and the project cannot be conducted outside of the maternity roosting season, bats</p>	

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<p>Impact 3.3.4 Implementation of the SDMP could result in the loss or modification of vernal pools, riparian, or other sensitive natural community and its associated wildlife. Implementation of the proposed project may result in disturbance, degradation, and removal of a sensitive natural community. This will be a potentially significant impact.</p>	<p>PS</p>	<p>shall be excluded from the site after August and before May to prevent the formation of maternity colonies. Non-breeding bats shall be safely evicted, under the direction of a bat specialist.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>City of Elk Grove Planning Enforcement/Monitoring: Department</i></p> <p>Implement mitigation measures MM 3.3.1b through MM 3.3.1f, MM 3.3.2h, and MM 3.3.2d and MM 3.3.2e.</p> <p>MM 3.3.4 If impacts to riparian habitat are not avoidable, and on-site preservation is not possible, then habitat compensation shall be required at a 2:1 preservation to impact ratio (2 acres preserved for every one acre impacted) unless otherwise specified by California Department of Fish and Game. The City shall prepare and implement a riparian vegetation mitigation and monitoring plan for disturbed riparian habitat. The plan shall include:</p> <ul style="list-style-type: none"> • On-site and/or off-site location(s) for replacement shrubs and trees. • Protection measures for replacement shrubs and trees that shall ensure an agreed upon percentage of replacement plantings are alive three years following site revegetation according to the standard performance success criteria of USACE and CDFG and the 	<p>LS</p>

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<p>Impact 3.3.5 Implementation of the SDMP could result in disturbance and degradation of wetlands and waters of the U.S. This will be a potentially significant impact.</p>	<p>PS</p>	<p>professional opinion of City-contracted biologist.</p> <ul style="list-style-type: none"> Monitoring measures, including construction monitoring, by a qualified biologist, arborist, or ecologist to ensure sensitive areas are protected from construction activities. <p><i>Timing/Implementation: Prior to construction activities permits will be obtained, and during construction activities for the monitoring requirement.</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>Implement mitigation measures MM 3.2.2c, and MM 3.3.1b through MM 3.3.1f.</p> <p>MM 3.3.5 The City shall comply with the USACE “no net loss” policy for mitigation of wetlands under the jurisdiction of USACE. The City must apply for a Section 404 permit, a Section 401 Certification permit, and a 1602 Streambed Alteration Agreement. If wetland resources are proposed to be taken, the City shall do the following:</p> <ol style="list-style-type: none"> If required, apply for a Section 404 permit from USACE after verification of the wetland delineation by the USACE and/or RWQCB. Any waters of the U.S. or waters of the State as defined by the RWQCB that will be lost or disturbed shall be replaced or rehabilitated on a “no net loss” basis in accordance with the USACE and/or RWQCB mitigation 	<p>LS</p>

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<p>guidelines. On-site creation of wetland habitat is preferred to off-site mitigation. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.</p> <p>2. Obtain a Section 401 water quality wavier certification from RWQCB.</p> <p>3. A mitigation plan shall be implemented that includes <u>one</u> of the following:</p> <p>(a) Completion of an on-site mitigation and monitoring plan that includes on-site creation/preservation of the wetlands.</p> <p>(b) Credits may be obtained at an approved mitigation bank.</p> <p><i>Timing/Implementation</i> <i>Prior to grading or construction activities.</i> <i>City of Elk Grove Planning Department; USACE; Central Valley RWQCB</i></p> <p>Implement mitigation measures MM 3.3.1b through MM 3.3.1f, and MM 3.3.4.</p>	
<p>Impact 3.3.6 Implementation of the SDMP, in combination with existing, approved, proposed, and reasonably foreseeable development, will cumulatively contribute to loss of biological resources. This impact is considered cumulatively considerable.</p>	CC	<p>Implement mitigation measures MM 3.3.1a through f, MM 3.3.2a through h, MM 3.3.3a through d, MM 3.3.4, and MM 3.3.5.</p>	LCC

1.0 INTRODUCTION

No text modifications have been made.

2.0 PROJECT DESCRIPTION

No text modifications have been made.

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

No text modifications have been made.

3.1 AESTHETICS

The following text has been modified in DEIR Section 3.1, Aesthetics, subsection 3.1.1, Existing Setting, page 3.1-1:

The City is bordered ~~bisected~~ by Interstate 5 (I-5) on the west and State Route (SR) 99 on the east.

3.2 AIR QUALITY

In the DEIR, mitigation measures MM 3.2.1a through MM 3.2.1h on pages 3.2-15, 16, and 17, and Executive Summary Table ES-1 have been modified as follows:

Short-Term or Construction-Related Air Quality Impacts (Standards of Significance 1 and 2)

Impact 3.2.1 Construction activities associated with the development of the proposed SDMP could result in a short-term increase in criteria air pollutants during construction. This will result in a **potentially significant** impact.

Although the potential to locally exceed the PM₁₀ California ambient air quality standard exists with the proposed SDMP Project, SMAQMD has no established daily thresholds for PM₁₀ during construction activities due to the temporary generation of this emission. While construction impacts are temporary and will cease once construction is completed, they nevertheless will have a substantial effect on particulate matter emissions while such activities occur. Implementation of mitigation measures **MM 3.2.1a** through **MM 3.2.1h** below is required in order to reduce SDMP construction-related emissions.

Mitigation Measures

MM 3.2.1a The construction contractors shall be required to implement the Basic Construction Emissions Control Practices as listed in the current SMAQMD's CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction particulate emissions recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices may include:

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- ~~• Watering all exposed surfaces, graded areas, storage piles, and haul roads at least twice daily during construction. This requirement shall be included as a note in all SDMP Project construction plans.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1b** The construction contractor shall limit Limiting vehicle speed for on-site construction vehicles, to 15 mph. This requirement shall be included as a note on the improvement plan submittal.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1c** The construction contractor shall wash Washing dirt off construction vehicles and equipment within the staging area prior to leaving the construction site. Wet power vacuum street sweepers shall be used to remove any visible trackout mud or dirt on adjacent public roads at least once a day. Use of dry power sweeping is prohibited. This requirement shall be noted in SDMP Project improvement plans.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1d** It shall be required, when Requirements for transporting soil or other materials by truck during construction activities, that 2 feet of freeboard be maintained by the contractor and that the materials are covered. This requirement shall be noted in SDMP Project improvement plans.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

- ~~• **MM 3.2.1e** The construction contractor shall minimize Minimizing idling time from both on-road and off-road diesel-powered equipment, as required by California regulations. either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; CARB~~

- ~~• **MM 3.2.1f** The construction contractor shall maintain Maintaining all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. These requirements shall be noted in subsequent SDMP project improvement plans.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

MM 3.2.1bg

Subsequent candidate watershed projects under the SDMP shall implement the Enhanced Exhaust Control Practices as listed in the current SMAQMD's CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction-generated ozone precursor impacts above significance criteria recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices currently require the project to include—provide a plan for approval by SMAQMD demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction Project, including owned, leased, and subcontractor vehicles, will achieve a Project-wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board (CARB) fleet average. The current SMAQMD mitigation also requires that the construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Acceptable options for reducing emissions may include use of late model engines, low emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

~~Timing/Implementation: Plan shall be submitted to SMAQMD for review and approval prior to approval of improvement plans and shall be implemented during all grading and construction phases of the SDMP Project.~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

~~**MM 3.2.1h** The construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opaCity for more than three minutes in any one hour. Any equipment found~~

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~~to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Noncompliant equipment will be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the Project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other District or State rules or regulations.~~

~~Timing/Implementation: During all grading and construction phases of the SDMP Project~~

~~Enforcement/Monitoring: City of Elk Grove Planning Department; SMAQMD~~

Implementation of mitigation measures **MM 3.2.1a** through and **MM 3.2.1hb** will reduce the proposed SDMP Project's air quality construction impacts for nuisance conditions in accordance with current SMAQMD regulations by requiring individual Project construction activities to perform dust control measures to prevent the emissions of fugitive airborne dust and the required utilization of lower-emission construction vehicles. The above mitigation measures will require construction activities for each future individual Project proposed under the SDMP to comply with Rule 402 and 403 of the SMAQMD. With implementation of the above mitigation measures, construction-related air quality impacts will be considered **less than significant**.

3.3 BIOLOGICAL RESOURCES

Mitigation measure MM 3.3.2a on DEIR page 3.3-38 has been modified as follows:

MM 3.3.2a The City shall retain a qualified biologist to identify and establish avoidance areas for elderberry shrubs (host plant of the federally threatened valley elderberry longhorn beetle) within 100 feet from the dripline of the plant (the avoidance radius established in the USFWS guidelines for the beetle) of construction activities. Elderberry shrub surveys must be conducted when the shrub is identifiable (generally March to September). If elderberry shrubs are found within 100 feet of construction activities, the City must consult with the USFWS, either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). Avoidance and protection measures shall be established using the USFWS *Conservation Guidelines for the Valley Elderberry Longhorn Beetle* (1999a). The City will submit the avoidance and protection measures to the USFWS for review of the adequacy of mitigation measures, including on-site avoidance practices, personnel training, exclusion fencing, and signage to approve encroachment within 100 feet of the elderberry shrubs at the project location. Typically, the USFWS requires a minimum setback of 20 feet from the dripline of each elderberry plant to establish avoidance and no direct take. If this condition cannot be met, the USFWS may require an incidental take permit. The City shall comply with all USFWS direction on this matter. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of FESA.

Timing/Implementation: Prior to construction and site grading activities

Enforcement/Monitoring: City of Elk Grove Planning Department

Mitigation measure MM 3.3.2c in the DEIR on page 3.3-39 has been modified as follows:

MM 3.3.2c If impacts to vernal pools cannot be avoided and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the USFWS either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). The City shall implement all measures included in the Biological Opinion issued as a result of this consultation. ~~For every acre of habitat directly or indirectly affected, at least three vernal pool credits will be dedicated within a USFWS approved preservation bank, or based upon a USFWS evaluation of site specific conservation values, so that 3 acres of vernal pool habitat may be preserved within the proposed project site or on another non-bank site as approved by the USFWS (3:1 mitigation ratio) (USFWS 1996b).~~ Final determinations of the amount of mitigation acreage to be provided, and if mitigation will be accomplished through on-site replacement or compensatory mitigation, shall be determined during consultation with the USFWS. Mitigation shall occur so as to achieve no net loss of vernal pool habitat, as determined by the USFWS, USACE, and RWQCB (as applicable). A comprehensive plan for avoidance, on-site mitigation, off-site mitigation, or other compensation will be developed in cooperation with relevant state and federal agencies.

Before construction, the City shall obtain authorization from the USFWS for incidental take of listed vernal pool crustacean species that have suitable habitat affected by the proposed project. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the FESA.

Timing/Implementation: Prior to construction and site grading activities

Enforcement/Monitoring: City of Elk Grove Planning Department

Mitigation measure MM 3.3.5 in the DEIR on pages 3.3-49 and 3.3-50 has been modified as follows:

Mitigation Measures

MM 3.3.5 The City shall comply with the USACE "no net loss" policy for mitigation of wetlands under the jurisdiction of USACE. The City must apply for a Section 404 permit, a Section 401 Certification ~~permit~~, and a 1602 Streambed Alteration Agreement. If jurisdictional features are proposed to be taken, the City shall do the following:

1. If required, apply for a Section 404 permit from USACE after verification of the wetland delineation by the USACE and/or RWQCB. Any waters of the U.S. or waters of the State as defined by the RWQCB that will be lost or

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disturbed shall be replaced or rehabilitated on a “no net loss” basis in accordance with the USACE and/or RWQCB mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.

2. Obtain a Section 401 water quality ~~waiver~~ of certification from RWQCB.
3. A mitigation plan shall be implemented that includes one of the following:
 - (a) Completion of an on-site mitigation and monitoring plan that includes on-site creation/preservation of the wetlands.
 - (b) Credits may be obtained at an approved mitigation bank.

Timing/Implementation *Prior to project grading or construction activities.*

Enforcement/Monitoring *City of Elk Grove Planning Department; USACE; Central Valley RWQCB*

Under subsequent projects, the City will be required to apply for a Section 404 Certificate permit, a Section 401 permit, and a 1602 Streambed Alteration Agreement as appropriate. Adherence to the federal and State permitting requirements as well as to mitigation measure **MM 3.3.5**, mitigation measures **MM 3.3.1b** through **MM 3.3.1f** (protection of water quality), and **MM 3.3.4** (riparian replacement) will ensure that impacts to wetlands and waters of the U.S. will be **less than significant**.

The following subsections have been added to subsection 3.3.3, Regulatory Framework, State, after page 3.3-27 in the DEIR:

Porter-Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This act requires a Report of Waste Discharge for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface waters and/or groundwater of the State. It predates the CWA and regulates discharges to waters of the State. Waters of the State include more than just waters of the U.S., such as groundwater and surface waters not considered waters of the U.S. Additionally, the act prohibits discharges of waste as defined, and this definition is broader than the CWA definition of a pollutant. Discharges under the Porter-Cologne Act are permitted by waste discharge requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and for regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan. States designate beneficial uses for all water body segments and then set criteria necessary to protect these uses. Consequently, the water quality standards developed for particular water segments are based on the designated use and vary depending on such use. In addition, each state identifies waters failing to meet standards for specific pollutants, which are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one

or more constituents and the standards cannot be met through point source controls, the CWA requires the establishment of total maximum daily loads, which specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

State Water Resources Control Board and Regional Water Quality Control Boards

The SWRCB administers water rights, water pollution control, and water quality functions throughout the state. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

3.4 GREENHOUSE GAS AND CLIMATE CHANGE

Text referencing air quality mitigation measure MM 3.2.1 in the first paragraph following mitigation measure MM 3.4.1 in the DEIR on page 3.4-14, and Executive Summary Table ES-1 has been modified as follows:

PROJECT IMPACTS AND MITIGATION MEASURES

GHG Emissions (Standards of Significance 1 and 2)

SMAQMD recommends addressing the potential impacts of Project-generated GHG emissions by including a description of the existing environmental conditions or setting, a discussion of the existing regulatory environment pertaining to GHGs, a discussion of the GHG emission sources associated with potential construction and operational activities, and a discussion of feasible construction and operational mitigation necessary to reduce potential impacts. Implementation of mitigation measure **MM 3.4.1** will fulfill SMAQMD recommendations for addressing GHG emissions resulting from future construction of the proposed candidate watershed projects of the SDMP by providing emissions-reducing mitigation. Furthermore, certain elements in mitigation measures **MM 3.2.1a** and **MM 3.2.1b** ~~to through **MM 3.2.1h**~~ (see Section 3.2 of this EIR) will also provide GHG reduction by minimizing emissions from the idling of construction equipment and requiring efficient and well-tune construction equipment. In addition, GHG emissions resulting from operations of the proposed SDMP will be negligible as by the nature of the Project little to zero GHG emissions will be emitted by proposed infrastructure-enhancing candidate watershed projects. Also, fuel efficiency standards for light-duty vehicles and implementation of the Low-Carbon Fuel Standard (discussed in the Regulatory Framework subsection above) will likely reduce GHG emissions generated from future City maintenance activities that involve driving. Thus, this impact is **less than cumulatively considerable**.

3.5 HAZARDOUS MATERIALS

No text modifications have been made.

3.6 HYDROLOGY AND WATER QUALITY

The following text has been modified in subsection 3.6.1, Existing Setting, Water Quality, on page 3.6-8 of the DEIR, as follows:

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WATER QUALITY

Surface Water

The federal Clean Water Act (CWA), which is discussed further under the Regulatory Framework subsection below, requires states to identify and make a list of surface water bodies that are polluted. These water bodies, referred to as water quality limited segments, do not meet water quality standards even after discharges of wastes from point sources have been treated by the minimum required levels of pollution control technology. Wastewater treatment plants, a City's storm drain system, or boat yards are a few examples of point sources that discharge wastes to surface waters. States are required to compile these water bodies into a list, referred to as the Clean Water Act Section 303(d) List of Water Quality Limited Segments. The most recent 303(d) list is included in the 2010 Integrated Report [Clean water Act Section 303(d) List/305(b) Report] by SWRCB, April 2010 (2010 Integrated Report).

Of the drainage and flood improvement projects included in the SDMP (Laguna Creek, Elk Grove Creek, East Elk Grove Area/Rural Region, Whitehouse Creek, Strawberry Creek, Laguna West Channel, Laguna West Lakes, Lakeside, Laguna Stonelake, Shed A, Shed B, Shed C, Grant Line Channel, and Deer Creek), only Elk Grove Creek and Deer Creek are identified on the most recent 303(d) List (SWRCB, 2006/10). Approximately 6.9 miles of Elk Grove Creek is listed as impaired by Diazinon from aerial deposition in agricultural areas, and chlorpyrifos from agriculture, urban runoff, and storm sewers. A USEPA-approved Total Maximum Daily Loads (TMDL) for diazinon and chlorpyrifos ~~has~~ have been in place on this segment of Elk Grove eCreek since 2004. Twelve miles of Deer Creek ~~is~~ are affected by iron from an unknown source. A TMDL is in process and scheduled for completion in 2019 (SWRCB 2010CVRWQCB-2007, p. 4).

Water bodies located downstream of creeks within the Project area that are listed on the SWRCB's 303(d) list include Morrison Creek, to which Laguna Creek and Elk Grove Creek are tributaries, the Cosumnes River, to which Deer Creek is a tributary, and the Sacramento River adjacent to and downstream of the City, to which Morrison Creek, Beach Stone Lakes, and Cosumnes River are tributaries. The 2010 Integrated Report identifies this portion of the Sacramento River as included in its designation " Delta Waterways, Northern Portion" for the 303(d) list.

Morrison Creek, including the segment downstream of its confluence with Laguna Creek, is included on the 303(d) list for Diazinon, for which a USEPA-approved TMDL was established in 2006 as part of the Sacramento Urban Creeks TMDLs (same as for Elk Grove Creek). Three additional pollutants, pentachlorophenol (PCP), pyrethroids, and sediment toxicity, are also on the 303(d) list categorized as TMDL-required, with planned TMDLs expected by Year 2021.

The Cosumnes River, Lower (below Michigan Bar, partly in Delta waters, eastern portion) is included on the 303(d) list for *Escherichia coli* (*E. coli*), sediment toxicity, and invasive species (particularly green sunfish and redeye bass degrading native species populations in warm, freshwater habitat). All of these 303(d) listings are categorized as TMDL-required, signifying that TMDLs are planned for development by Year 2019 (Invasive species only) or 2021.

Delta waterways (northern portion) 303(d) listings include chloropyrifos and Diazinon, for which TMDLs were approved by the USEPA in 2007; DDT (dichlorodiphenyltrichloroethane), Group A pesticides, chlordane, dieldrin, on the TMDL-required category with TMDLs under development and expected in Year 2011; mercury, on the TMDL-required list with a TMDL expected date of 2009; and PCBs, unknown toxicity, and invasive species (Asian clam degrading native species

populations in warm, freshwater habitat) on the TMDL-required category with TMDLs planned for Year 2019.

The following text has been modified in subsection 3.6.2, Regulatory Framework, on pages 3.6-15 through 3.6-17 of the DEIR as follows:

REGIONAL

Regional Water Quality Control Board, Central Valley Region (RWQCB)

The Central Valley Region RWQCB provides planning, monitoring, and enforcement techniques for surface and groundwater quality in the SJ Valley, including the project area. A basin plan provides more specific information for specific waterways in the region, in terms of establishing monitoring techniques to control pollutant levels in the waterways. The RWQCB also monitors stormwater quality from construction activities through a NPDES permitting process. The RWQCB is responsible for establishing water quality standards and objectives that protect the beneficial uses of various waters. In the county, the RWQCB is responsible for protecting surface and groundwater from both point and nonpoint sources of pollution.

Central Valley Regional Water Quality Control Plan (Basin Plan)

The Central Valley Regional Water Quality Control Plan, also known as the Basin Plan, covers all the drainage basin areas for the Sacramento and San Joaquin rivers, extending approximately 400 miles from the California-Oregon border to the headwaters of the San Joaquin River. This plan describes the beneficial uses to be protected in these waterways, water quality objectives to protect those uses, and implementation measures to make sure those objectives are achieved.

Statement of Policy with Respect to Maintaining the High Quality of Waters in California (State Water Board Resolution 68-16)

A key policy of California's water quality program is the State's Antidegradation Policy. This policy, formally known as the Statement of Policy with Respect to Maintaining High Quality Waters in California (State Water Board Resolution No. 68-16)(Antidegradation Policy), restricts degradation of surface and ground waters. In particular, the Antidegradation Policy protects water bodies where existing quality is higher than necessary for the protection of beneficial uses. Under the Antidegradation Policy, any actions that can adversely affect water quality in all surface and ground waters must:

- Meet Waste Discharge Requirements which will result in the best practicable treatment of control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained;
- Not unreasonably affect present and anticipated beneficial uses of the water; and
- Not result in water quality less than that prescribed in water quality plans and policies.

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General Construction Activity Storm Water Permits (General Permit) and Stormwater Pollution Prevention Plans (SWPPPs)

In accordance with NPDES regulations, the State requires that any construction activity affecting 1 acre or more of soil, or a project disturbing less than one acre but that is part of a larger common plan of development obtain coverage under the General Construction Activity Storm Water Permit (General Permit) to minimize the potential effects of construction runoff on receiving water quality. Performance standards for obtaining and complying with the General Permit are described in NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ adopted September 2, 2009, and effective as of July 1, 2010.

Municipal Stormwater Permitting Program

Discharges from municipal separate storm sewer systems (MS4s) are regulated because of concern over the high concentration of pollutants found in those discharges. MS4 permits were issued by the various RWQCBs in two phases.

Under Phase I, which started in 1990, the RWQCBs have adopted NPDES General Permit stormwater permits for medium (serving between 100,000 and 250,000 people) and large (serving 250,000 people) municipalities. Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. These permits are reissued as the permits expire.

As part of Phase II, the SWRCB adopted a General Permit for the Discharge of Storm Water from Small MS4s (WQ Order No. 2003-0005-DWQ) to provide permit coverage for smaller municipalities, including non-traditional Small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes.

The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the CWA. The management programs specify what best management practices will be used to address certain Program areas. The Program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations. In general, medium and large municipalities are required to conduct chemical monitoring, though small municipalities are not.

The City, along with the cities of Sacramento, Rancho Cordova, Citrus Heights, Folsom, Galt, and the County, operate and are co-permittees under NPDES Permit No. CAS082597; Waste Discharge Order No. R5-2008-0142, originally established in 1990 and most recently renewed in December 2008, to discharge urban runoff from MS4s in their municipal jurisdictions. These MS4 permittees established the Sacramento Stormwater Quality Partnership (SSQP) to coordinate NPDES permit compliance activities throughout their jurisdictional areas, with the objective of improving water quality in receiving waters identified in the permit, including urban creeks, the Sacramento River, and the American River. The MS4 Permit specifies under Statutory and Regulatory Considerations, Number 44, that this order implements the Basin Plan. Also, the MS4 permit indicates under Condition Number 68 that it complies with the antidegradation provisions of 40 CFR 131.12 and the State Water Board's Antidegradation Policy (Resolution 68-16). The permittees entered into a memorandum of understanding (MOU) that formalizes the manner in which common issues are addressed, promotes consistency among each permittees' stormwater programs, coordinates resources related to regional activities, and plans and coordinates activities required to comply with the NPDES permit, such as the preparation and

submittal of the Stormwater Quality Design Manual, the Stormwater Quality Improvement Plan (SQIP), and the Development Standards Plan (DSP), (discussed below).

Stormwater Quality Improvement Plan (SQIP)

The Stormwater Quality Improvement Plan (SQIP)(SSQP,2009) is required by, and is an enforceable part of the compliance activities required by NPDES Permit No. CAS082597. As previously mentioned, the SQIP has been prepared by the MS4 permittees, under their Sacramento Stormwater Quality Partnership (Partnership). The SQIP describes activities for a fourth permit term (2008–2013) and is intended to reduce the discharge of pollutants to the Partnership's municipal separate storm sewer systems and local receiving waters to the MEP, and in doing so, protect water quality and watershed health and satisfy State and federal regulations. Thus, the SQIP outlines how the MS4 partners, including the City, will implement the MS4 permit conditions to comply with the Basin Plan and the State's Antidegradation Policy.

The overall goals of the SQIP, as identified in the Stormwater Permit are to (a) reduce the degradation of waters of the State and waters of the United States by urban runoff and protect their beneficial uses; and (b) develop and implement an effective SQIP that is well understood and broadly supported by regional stakeholders. The core objectives of the SQIP are to:

- Identify and control those pollutants in urban runoff that pose significant threats to the waters of the State and waters of the U.S. and their beneficial uses;
- Comply with the federal regulations to eliminate or control, to the MEP, the discharge of pollutants from urban runoff associated with the storm drain system;
- Achieve compliance with water quality standards;
- Develop a cost-effective program which focuses on preventing pollution of urban stormwater;
- Seek cost-effective alternative solutions where prevention is not a practical solution for a significant problem; and
- Coordinate implementation of control measures with other agencies.

The SQIP is a comprehensive plan that describes the MS4 permittees' Stormwater Management Program. It outlines tasks that will be conducted by the permittees to satisfy NPDES permit provisions, program milestones and schedules, and methods for assessing program effectiveness to identify areas for improvement and demonstrate progress toward meeting program goals. In many cases, however, it is difficult to determine implementation details years in advance because so many variables are involved. For that reason, a greater level of detail is included in annual work plans and annual reports that the MS4 permittees submit to the RWQCB by May 1 and October 1 of each year, respectively. Annual work plans provide information on the proposed activities for the upcoming fiscal year (July 1 to June 30), while annual reports describe activities implemented in the previous fiscal year and effectiveness assessments of those activities. Annual reports may also propose modifications to the SQIP (SSQP 2010, p. ES-2).

The text in subsection 3.6.3, Impacts and Mitigation Measures, also been edited based on this information, as follows:

Construction-Related Water Quality Impacts and Violations (Standard of Significance 1)

Impact 3.6.2 The proposed SDMP identifies various new program activities and preliminary candidate watershed projects that could result in construction-related erosion and water quality impacts from grading and vegetation removal activities. This is considered a **less than significant** impact due to compliance with existing water quality control standards.

As discussed under Impact 3.6.1, the SDMP is a programmatic document that will allow for the future implementation of various new program activities and preliminary candidate watershed projects that could result in future construction activities, as described in Section 2.0, Project Description. Future construction of proposed candidate watershed projects could include grading and vegetation removal activities that will expose raw soil materials to the natural elements (wind, rain, etc.), thus temporarily increasing soil erosion rates on the areas proposed for development. Areas with uncontrolled concentrated flow would experience loss of material within the graded areas and could potentially impact downstream water quality. In addition, the refueling and parking of construction equipment and other vehicles on-site during construction could result in spills of oil, grease, or related pollutants that may discharge into Project area drainages.

As discussed previously under the Regulatory Framework subsection, the State General Construction Activity Storm Water Permit is implemented and enforced by the Central Valley Region RWQCB and applies to construction activities that disturb 1 acre or more, or disturb less than 1 acre but are part of a larger plan of development. Therefore, subsequent facility construction ~~of 1 acre or more~~ stemming from the programmatic improvements identified in the SDMP, even if less than 1 acre of disturbed soil, will be required to prepare and implement a SWPPP that identifies best management practices to minimize pollutants from discharging from construction sites to the maximum extent practicable. BMPs are effective, practical, structural, or nonstructural methods that prevent or reduce the movement of sediment, nutrients, pesticides, and other pollutants from the land to surface water or groundwater, or which otherwise protect water quality from potential adverse effects of development activities. The adoption and use of BMPs provide the mechanism for reducing the volume of surface runoff originating from an area of development disturbance and running directly into surface water. Generally, SWPPPs describe the site, erosion and sediment controls, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, water quality monitoring and reporting during storm events, corrective actions for identified water quality problems, and non-stormwater management controls. SWPPPs also address spill prevention and a countermeasure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. Standard BMPs are available in the California Stormwater Quality Association handbooks and include, but are not limited to, scheduling or limiting construction activities to certain times of year, prohibitions of practices, maintenance procedures, installation of silt fences, hydroseeding, hydraulic mulch, soil binders, straw mulch, fiber rolls, earthen dikes and drainage swales, veloCity dissipation devices, sediment traps, inlet filters, and tire washes. The California Stormwater Quality Association has recognized that these and other standard BMPs are effective in mitigating water quality impacts resulting from construction impacts (California Stormwater Quality Association 2003).

~~Although some candidate watershed projects included in the SDMP may not meet the 1-acre criteria for compliance with the State General Construction Activity Storm Water Permit, these~~ The SDMP's candidate watershed Pprojects must still also comply with the general conditions and requirements contained in the City's MS4 NPDES permit and the City's Stormwater Management

and Discharge Control Chapter of the Municipal Code, as well as water quality conditions and BMPs contained in any other project-level environmental permits required for the specific project, such as a 404 permit issued by USACE, 401 Water Quality Certification issued by RWQCB, and Streambed Alteration issued by CDFG.

The following text has been modified in subsection 3.6, References, at the end of DEIR Section 3.6, page 3.6-29, as follows:

4.0 ERRATA

REFERENCES

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- Central Valley Regional Water Quality Control Board (CVRWQCB). 2007. *2006 CWA Section 303(d) List of Water Quality Limited Segments Requiring TMDLs*. Approved June 28, 2007.
- City of Elk Grove. 2001. Resolution No. 2001-48, A Resolution of the City Council of the City of Elk Grove Authorizing the Adoption of the National Flood Insurance Act of 1968 Program for the City of Elk Grove. Adopted July 11, 2001.
- . 2003a. *City of Elk Grove General Plan*. Elk Grove, CA.
- . 2003b. *City of Elk Grove General Plan Draft Environmental Impact Report*. Elk Grove, CA.
- . 2008. *Initial Study for Elk Grove Flood Control and Storm Drainage Master Plan*.
- . 2011a. Elk Grove Municipal Code, Title 15, Chapter 15.12 Stormwater Management and Discharge Control Code. Adopted February 23, 2011. Elk Grove, CA.
- . 2011b. Elk Grove Municipal Code, Title 16, Chapter 16.44 Land Grading and Erosion Control Code. Adopted February 23, 2011. Elk Grove, CA.
- . 2011c. Elk Grove Municipal Code, Title 23, Zoning Code. Adopted February 23, 2011. Elk Grove, CA.
- . 2011d. Elk Grove Municipal Code, Title 14, Chapter 14.10 Water Efficient Landscape Requirements. Adopted February 23, 2011. Elk Grove, CA.
- . 2011e. Elk Grove Municipal Code, Title 14, Chapter 14.10 Water Efficient Landscape Requirements. Adopted February 23, 2011. Elk Grove, CA.
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- . 2009. *Stormwater Quality Improvement Plan for Sacramento County and cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt and Rancho Cordova*.
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- . 2011. *Sacramento Stormwater Quality Partnership Hydromodification Management Plan*.
- State of California Water Resources Control Board (SWRCB). 2010. *Integrated Report [Clean Water Act Section 303(d) List/305(b) Report]*. http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml (accessed October 27, 2011).
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———. 2011b. Storm Water Program. http://www.waterboards.ca.gov/water_issues/programs/stormwater (accessed May 4, 2011).

United States Code. 2011. Title 33. Sections 1251-1387. Navigation and Navigable Waters. Known as the Clean Water Act.

U.S. Department of Energy (USDOE). 2011. Porter-Cologne Water Quality Control Act. <http://www.etec.energy.gov/Regulation/Porter-Cologne-Water-Quality-Control-Act.html> (accessed May 4, 2011).

West Yost Associates, Consulting Engineers (WYA). 2011. *Draft Storm Drainage Master Plan, Volume II*.

3.7 RECREATION

The following text has been modified in subsection 3.7.1, Existing Setting, page 3.7-2 of the DEIR, as follows:

Trails

According to Figure 4, Elk Grove Trails Master Plan Map (January 2007), As of 2007, there were approximately 23 miles of existing off-street multi-use trails in the City. The great majority of these trails are owned and all are maintained by the CCSD. Many of these trails provide views of parkland and creeks or have well-maintained landscaping. These existing trails are also reasonably well distributed across the City, although there are gaps in the trail system that reduce connectivity. One of the more prominent connected trail systems is Laguna Creek Parkway, which features an off-street trail system that parallels and traverses the flow of ~~the Elk Grove, Laguna, and Whitehouse~~ Creeks. The Laguna Creek Parkway trail takes users from the equestrian staging area on Waterman Road to parks, retail centers, residential neighborhoods, and currently ends at the north end of the Camden Lake.

The following text has been modified in subsection 3.7.3, Impacts and Mitigation Measures, page 3.7-5 of the DEIR:

Construction and Expansion of Recreational Facilities (Standard of Significance 2)

Impact 3.7.1 The proposed SDMP will facilitate increased recreation opportunities in the City. The environmental effects of these improvements have been addressed and mitigated in this EIR. This impact would be **less than significant**.

The proposed SDMP will provide improved recreational/trail opportunities within the City by incorporating recreational facilities into some of its candidate watershed projects designed to meet one or more of the other SDMP objectives to create multi-functional facilities that will benefit the environment while accommodating the City's planned flood control and storm water drainage system. The environmental effects of constructing these facilities have been programmatically addressed in the technical sections of this Draft EIR and can be mitigated to a less than significant level through the application of identified mitigation measures. The SDMP's proposed recreational facilities have been designed in accordance with the City's and regional trails master plans. Several of the SDMP's candidate watershed projects include proposed connector trails shown on Figure 4 of the EGTMP, thus extending the City and regional trails

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system and enhancing recreational opportunities. Thus, the long-term, operation of the SDMP recreational facilities are not expected to have an adverse physical effect on the environment.

4.0 CUMULATIVE IMPACTS SUMMARY

No text modifications have been made.

5.0 ALTERNATIVES

No text modifications have been made.

6.0 LONG-TERM IMPLICATIONS

No text modifications have been made.

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 INTRODUCTION

Section 15074(d) of the California Environmental Quality Act (CEQA) Guidelines requires public agencies, as part of the adoption of a mitigated negative declaration or EIR, to adopt a reporting and monitoring program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Elk Grove Storm Drainage Master Plan project (SDMP; Project) in the City of Elk Grove. The MMRP is intended to be used by City staff, project contractors, and mitigation monitoring personnel during implementation of the Project.

The MMRP will provide for monitoring of construction activities as necessary, identifying and resolving environmental concerns in the field, and reporting to City staff. The MMRP will consist of the components described below.

5.2 COMPLIANCE CHECKLIST

Table 5.0-1 contains a compliance-monitoring checklist that provides a synopsis of all potential project impacts, adopted mitigation measures, a suggested monitoring action, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

5.3 FIELD MONITORING OF MITIGATION MEASURE IMPLEMENTATION

During construction of the Project facilities, the City's designated construction inspector will be responsible for monitoring the implementation of mitigation measures. The inspector will report to the City of Elk Grove Development Services – Public Works Department and will be thoroughly familiar with all plans and requirements of the Project. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. Aided by **Table 5.0-1**, the inspector will typically be responsible for the following activities:

- 1) On-site, day-to-day monitoring of construction activities.
- 2) Reviewing construction plans to ensure conformance with adopted mitigation measures.
- 3) Ensuring contractor knowledge of and compliance with all appropriate conditions of project approval.
- 4) Evaluating the adequacy of construction impact mitigation measures, and proposing improvements to the contractors and City staff.
- 5) Requiring correction of activities that violate project mitigation measures or that represent unsafe or dangerous conditions. The inspector shall have the ability and authority to secure compliance with the conditions or standards through the City's Public Works Department, if necessary.

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

- 6) Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project mitigation measures or unsafe or dangerous conditions. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City's Public Works Department.
- 7) Maintaining prompt and regular communication with City staff.
- 8) Obtaining assistance as necessary from technical experts, such as archaeologists and consulting wildlife biologists, to develop site-specific procedures for implementing the mitigation measures adopted by the City for the Project. For example, it may be necessary at times for a consulting wildlife biologist to work in the field with the inspector and construction contractor to explicitly identify and mark areas to be avoided during construction.
- 9) Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

5.4 PLAN CHECK

Many mitigation measures will be monitored via plan check during project implementation. City staff will be responsible for monitoring plan check mitigation measures.

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 5.0-1
 MITIGATION MONITORING AND REPORTING PROGRAM
 ELK GROVE STORM DRAINAGE MASTER PLAN

Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>3.2 Air Quality</p> <p>Impact 3.2.1 Construction activities associated with the development of the proposed SDMP could result in a short-term increase in criteria air pollutants during construction. This will result in a potentially significant impact.</p>	<p>MM 3.2.1a The construction contractors shall be required to implement the Basic Construction Emissions Control Practices as listed in the current SMAQMD's CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction particulate emissions recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices may include:</p> <ul style="list-style-type: none"> • Watering all exposed surfaces, graded areas, storage piles, and haul roads during construction. • Limiting vehicle speed for on-site construction vehicles. • Washing dirt off construction vehicles and equipment within the staging area prior to leaving the construction site. • Requirements for transporting soil or other materials by truck during construction activities. • Minimizing idling time from both on-road and off-road diesel-powered equipment, as required by California regulations. and • Maintaining all construction equipment in proper working condition according to manufacturer's specifications. <p>These requirements shall be noted in subsequent SDMP project improvement plans.</p> <p><i>Timing/Implementation:</i> During all grading and construction phases of the SDMP Project</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department; SMAQMD</p> <p>MM 3.2.1b Subsequent candidate watershed projects under the SDMP shall implement the Enhanced Exhaust Control Practices as listed in the current SMAQMD CEQA Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009) or other measures for mitigating short-term or construction</p>	<p>City of Elk Grove Planning Department; SMAQMD</p>	<p>Listed below each mitigation measure</p>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>generated ozone precursor impacts above significance criteria recommended by local, state, and federal air quality regulatory agencies, as applicable to the specific project at the time of project-level construction. These practices currently require the project to provide a plan for approval by SMAQMD demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction Project, including owned, leased, and subcontractor vehicles, will achieve a Project-wide fleet-average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board (CARB) fleet average. The current SMAQMD mitigation also requires that the construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour.</p> <p><i>Timing/Implementation:</i> Plan shall be submitted to SMAQMD for review and approval prior to approval of improvement plans and shall be implemented during all grading and construction phases of the SDMP Project.</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department; SMAQMD</p>			
3.3 Biological Resources				
<p>Impact 3.3.1 Implementation of the SDMP may result in the loss of habitat and direct mortality of special-status plant species. This impact is potentially significant.</p>	<p>MM 3.3.1a Prior to any vegetation removal or ground-disturbing activities, focused surveys shall be conducted to determine the presence of special-status plant species with potential to occur in the SDMP Project area. Surveys shall be conducted in accordance with California Department of Fish and Game Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (2000). These guidelines require rare plant surveys to be conducted at the proper time of year when rare or endangered species are both “evident” and identifiable. Field surveys shall be scheduled to coincide with known blooming periods and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, the project will not have any impacts to the species and no additional mitigation measures are necessary.</p> <p>If any of the species are found on-site and cannot be avoided, the City shall consult with United States Fish and Wildlife Service and/or California Department of Fish and Game, as applicable, to determine appropriate avoidance and mitigation measures. Mitigation measures may include participation in an agency approved mitigation bank, translocation of the plant specimen(s) into appropriate habitat, or other measures as appropriate.</p>	City of Elk Grove Planning Department	Listed below each mitigation measure	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p><i>Timing/Implementation:</i> During construction activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.1 Prior to working near sensitive areas (i.e., riparian habitat, wetlands, vernal pools, and waterways), all heavy equipment shall be closely examined for oil and fuel discharges. All equipment operated adjacent to these areas shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic or plant life. Petroleum from project-related activities shall be prevented from contaminating the soil and or/entering sensitive areas. Any of these materials placed within or where they may enter the sensitive areas shall be removed immediately. Regulating agencies shall be notified immediately if a spill occurs and shall provide consultation regarding cleanup procedures.</p> <p><i>Timing/Implementation:</i> During construction activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.1c Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic or plant life, resulting from project-related activities, shall be prevented from contaminating the soil and/or entering the sensitive areas. Any of these materials placed within or where they may enter these areas shall be removed immediately in a manner consistent with the requirements of chapters 15.12 and 16.44 of the City Municipal Code.</p> <p><i>Timing/Implementation:</i> During construction activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.1d Adequate erosion control and water pollution control measures shall be adopted and maintained for the duration of the project in order to prevent deleterious materials from entering any sensitive areas including vernal pools, wetlands, waterways or other aquatic habitat in a manner consistent with the requirements of chapters 15.12 and 16.44 of the City Municipal Code. The siltation curtain shall be of effective design to limit and abate heavily silted material from impacting these sensitive areas.</p> <p><i>Timing/Implementation:</i> During construction activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>MM 3.3.1e The best available technology in best management practices (BMPs) to reduce sedimentation, erosion, water pollution, and dust to the greatest extent practicable shall be employed on all work sites during construction. An Erosion and Sediment Control Plan shall be prepared by the contractor pursuant to Chapter 16.44, Land Grading and Erosion Control, City Municipal Code and submitted to Elk Grove Public Works and the Elk Grove Planning Department for approval prior to the start of project construction, including clearing and grubbing. In areas where wetlands are within 250 feet of a project footprint, erosion control measures and construction fencing shall be employed, monitored for effectiveness, and maintained throughout the construction operations around all vernal pools and other wetlands.</p> <p><i>Timing/Implementation:</i> Prior to construction and site grading activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.1f Prior to construction, an erosion control plan and stormwater pollution prevention plan (SWPPP) shall be prepared by the contractor and submitted to the City for approval prior to the start of construction. The SWPPP shall be designed to limit the effects of soil erosion and water degradation during construction. This plan shall be required to be prepared and implemented in accordance with permit conditions and requirements of the Central Valley Regional Water Quality Control Board, National Pollutant Discharge Elimination System permit requirements.</p> <p><i>Timing/Implementation:</i> Prior to construction and site grading activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>Impact 3.3.2 Implementation of the SDMP may result in direct and indirect loss of habitat and individuals of endangered, threatened, rare, proposed, and candidate status, as well as California fully protected species. This will be a potentially significant impact.</p>	<p>MM 3.3.2a The City shall retain a qualified biologist to identify and establish avoidance areas for elderberry shrubs (host plant of the federally threatened valley elderberry longhorn beetle) within 100 feet (the avoidance radius established in the United States Fish and Wildlife Service guidelines for the beetle) of construction activities. Elderberry shrub surveys must be conducted when the shrub is identifiable (generally March to September). If elderberry shrubs are found within 100 feet of construction activities, the City must consult with the United States Fish and Wildlife Service, either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). Avoidance and protection measures shall be established using the United States Fish and Wildlife Service <i>Conservation Guidelines for the Valley Elderberry Longhorn Beetle</i> (1999a). The City will submit the avoidance and protection measures to the United States Fish and Wildlife Service for review of the adequacy of mitigation measures, including on-site avoidance practices, personnel training, exclusion fencing, and signage to approve encroachment within 100 feet of the elderberry shrubs at the project location. Typically, the United States Fish and Wildlife Service requires a minimum setback of 20 feet from the dripline of each elderberry plant to establish avoidance. If this condition cannot be met, the United States Fish and Wildlife Service may require an incidental take permit. The City shall comply with all United States Fish and Wildlife Service direction on this matter. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the federal Endangered Species Act.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2b United States Fish and Wildlife Service protocol-level surveys (USFWS 1996b) for special-status vernal pool species within suitable habitat areas are recommended prior to commencement of any activities that could impact this species. Otherwise, if suitable habitat is located within 250 feet of the proposed project, the City may assume presence. Protocol-level vernal pool invertebrate surveys are conducted by a United States Fish and Wildlife Service - permitted biologist when the pools are first inundated (when it holds greater than 3 centimeters of standing water 24 hours after a rain event) until the pool dries out (generally January to June, but depends on precipitation and individual site conditions). The United States Fish and Wildlife Service must be contacted a minimum of 10 days prior to conducting surveys.</p>	<p>Listed below each mitigation measure</p>	<p>Listed below each mitigation measure</p>	

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p><i>Timing/Implementation:</i> Prior to construction and site grading activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.2c If impacts to vernal pools cannot be avoided, and special-status vernal pool invertebrate species have been documented on the site or are assumed to occur on the site, the City shall compensate for direct and/or indirect effects to listed vernal pool species through consultation with the USFWS either through the Section 7 process (federal nexus) or through the Section 10 process (no federal nexus). The City shall implement all measures included in the Biological Opinion issued as a result of this consultation. Final determinations of the amount of mitigation acreage to be provided, and if mitigation will be accomplished through on-site replacement or compensatory mitigation, shall be determined during consultation with the United States Fish and Wildlife Service. Mitigation shall occur so as to achieve no net loss of vernal pool habitat, as determined by the USFWS, USACE, and RWQCB (as applicable). A comprehensive plan for avoidance, on-site mitigation, off-site mitigation, or other compensation will be developed in cooperation with relevant State and federal agencies.</p> <p>Before construction, the City shall obtain authorization from the United States Fish and Wildlife Service for incidental take of listed vernal pool crustacean species that have suitable habitat affected by the proposed project. The authorization for incidental take will be initiated by formal consultation under Section 7 or Section 10 of the federal ESA.</p> <p><i>Timing/Implementation:</i> Prior to construction and site grading activities <i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.2d The City shall require subsequent projects under the SDMP to require the following:</p> <ol style="list-style-type: none"> 1) Schedule construction activities to avoid nesting activities, if feasible. The avian breeding window, on average, is between February 1 and August 31, which complies with the Migratory Bird Treaty Act. Construction activities should occur between September 1 and January 30. 2) If project activities cannot avoid the breeding bird season (generally February 1 through August 31), a focused survey for raptor and migratory bird nests shall be conducted by a qualified biologist within two weeks prior to the start of construction activities in order to identify active nests on site. The 			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>qualified biologist shall survey for nesting birds within 250 feet of the construction activities to determine whether the activities taking place have the potential to disturb or otherwise harm the nesting birds. For activities that occur outside the breeding bird season (generally September 1 through January 30), such surveys will not be required.</p> <p>3) If active nests are found, an exclusionary buffer zone will be established and there shall be no ingress of personnel or equipment in this zone until the nestlings have fledged (normally after September 1). The buffer zone shall be established by a qualified biologist (generally a 250-foot radius for raptor nests and a 100-foot radius for songbird nests) and confirmed by the appropriate resource agency. Construction will not resume within the buffer zone until the juveniles have fledged and there is no evidence of second nesting attempts, as determined by a qualified biologist. The perimeter of the buffer zone shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the buffer zone, except with approval of a qualified biologist. Reference to these requirements and the Migratory Bird Treaty Act shall be included in the construction specifications. If no active nests are found during the focused survey, no further mitigation will be required, but weekly surveys shall continue to ensure no nests become active after construction. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January). In addition, no trees with cavities potentially used for cavity-nesting birds shall be removed during the bird breeding season to avoid disturbance or mortality.</p> <p><i>Timing/Implementation:</i> Prior to construction and site grading activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department; California Department of Fish and Game</p> <p>MM 3.3.2e To avoid impacts to nesting habitat, the removal of potential nest trees will be limited to only those necessary to construct the proposed project. For trees that must be removed to construct the proposed project, the City will target the removal of trees to occur outside the nesting season (March 1 through August 31). If trees cannot be removed outside the nesting season, pre-construction surveys will be conducted prior to tree removal to verify the absence of active raptor nests within 500 feet of construction activities in accordance with the Swainson's Hawk Technical Advisory Committee's <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys</i></p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p><i>in California's Central Valley (2000). Two surveys will be conducted, at least one week apart, with the second survey occurring no more than two days prior to tree removal.</i></p> <p>If no active nests are found, tree removal may proceed. If active nests are found, California Department of Fish and Game shall be notified, and the tree shall not be removed until the nest is no longer active, as determined by a California Department of Fish and Game -approved biologist. No construction activities shall take place within a 250-foot radius of the active nest (or another distance determined appropriate during consultation with California Department of Fish and Game).</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2f Measures to minimize impacts to Swainson's hawk foraging habitat include restoration of foraging habitat temporarily disturbed by project construction activities. After construction is completed, all temporarily disturbed areas will be stabilized with hydro-seed and replanted with a mixture of native and non-native plants (as deemed appropriate by a California Department of Fish and Game -approved biologist).</p> <p><i>Timing/Implementation: Prior to project completion</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2g The City shall purchase mitigation credits from a California Department of Fish and Game -approved Swainson's Hawk Mitigation Fund at a 1:1 ratio to compensate for any permanent loss of potential foraging habitat, pursuant to the requirements of Chapter 16.130 of the City Municipal Code.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>MM 3.3.2h The City shall provide worker environmental awareness training for all employees working on the proposed project sites so that they are aware of sensitive resources in the area, required measures and practices for protecting biological resources, and contacts and procedures in case species are injured or encountered during construction.</p> <p><i>Timing/Implementation: Prior to construction and site grading activities</i></p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>Impact 3.3.3 Implementation of the SDMP will result in direct and indirect loss of habitat and individuals of wildlife species of concern and other non-listed special-status species. This will be a potentially significant impact.</p>	<p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>Implement of mitigation measures MM 3.3.1a through MM 3.3.1f.</p> <p>MM 3.3.3a A focused survey for western pond turtle shall be conducted by a qualified biologist 30 days prior to the onset of construction activities to determine presence or absence of this species within a 100-foot radius of the construction area regardless of the time of year. If construction is planned after April 1, this survey should include looking for turtle nests within a 100-foot radius of the construction area. If juvenile or adult turtles are found within the proposed construction area, the individuals shall be moved out of the construction site under consultation with California Department of Fish and Game. If a nest is found within a 100-foot radius of the construction area, construction shall not take place within 100 feet of the nest until the turtles have hatched or the eggs have been moved to an appropriate location under consultation with California Department of Fish and Game.</p> <p>Unless otherwise approved by California Department of Fish and Game, construction shall be avoided when adults and hatchlings are overwintering (October through February), due to the likelihood of turtle adults and juveniles being present in upland habitats. If construction activities must occur during this time frame, a survey for overwintering locations shall be conducted within two weeks prior to construction. If this species is found overwintering within the expansion area, den locations shall be avoided until the area is unoccupied, as determined by a qualified biologist.</p> <p><i>Timing/Implementation:</i> Prior to any ground disturbance</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department, with consultation from California Department of Fish and Game as needed</p> <p>MM 3.3.3b In the event that a turtle is found during construction activities, construction activities shall stop until the turtle moves out of harm's way or a qualified biologist, under consultation with California Department of Fish and Game, moves the turtle to a safe location outside of the construction zone.</p> <p><i>Timing/Implementation:</i> Throughout construction activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>MM 3.3.3c Within 30 days prior to the onset of construction activities outside of</p>	<p>Listed below each mitigation measure</p>	<p>Listed below each mitigation measure</p>	

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the breeding season (September through January), a qualified biologist shall conduct a protocol-level burrowing owl survey as outlined in the <i>Burrowing Owl Survey Protocol and Mitigation Guidelines</i> (California Burrowing Owl Consortium 1993) to determine if burrowing owls are present.</p> <p>All burrowing owl surveys shall be conducted according to California Department of Fish and Game protocol. The protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two hours after or two hours before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.</p> <p>If burrowing owls are detected, the following actions may be implemented to ensure that no owls or active burrows are inadvertently buried during construction: If nesting burrowing owls are found to occur within 150-meter radius, no disturbance shall occur within 50 meters of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters during the breeding season (February 1 through August 31) unless a qualified biologist approved by the California Department of Fish and Game verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent living. Avoidance requires that a minimum of 6.5 acres of foraging habitat be preserved contiguous with occupied burrow sites for each pair of breeding burrowing owls (with or without dependent young) or single unpaired birds. If avoidance is not an option and foraging and burrowing habitat will be lost, a minimum of 6.5 acres of foraging habitat (i.e., 100-meter radius from burrow) per pair or unpaired resident bird shall be replaced off-site. These protected replacement lands will be adjacent to occupied burrowing owl habitat and at a location acceptable to California Department of Fish and Game. If destruction of occupied burrows is unavoidable, passive relocation shall be implemented during the non-breeding season as specified in the <i>Burrowing Owl Survey Protocol and Mitigation Guidelines</i> (California Burrowing Owl Consortium 1993).</p> <p>All measures shall be determined by a qualified biologist and approved by the California Department of Fish and Game.</p> <p><i>Timing/Implementation</i> Prior to construction activities</p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p><i>Enforcement/Monitoring</i> City of Elk Grove Planning Department; California Department of Fish and Game</p> <p>MM 3.3.3d The City shall require subsequent projects under the SDMP to complete the following:</p> <ol style="list-style-type: none"> 1) If the project site contains suitable bat roosting habitat (e.g., abandoned buildings, rock crevices, tree bark, hollow trees, culverts, bridges, or other dark crevices), then prior to initiation of construction activity, a pre-construction bat survey shall be performed by a wildlife biologist or other qualified professional. 2) If bat roosts are identified on site, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed prior to maternity roosting season (typically May to August) of each construction phase prior to the onset of construction activities. 3) If a female or maternity colony of bats are found on the project site and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in an area not planned for removal), a wildlife biologist shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 250 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (typically May to August). 4) If an active nursery roost is known to occur on site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after August and before May to prevent the formation of maternity colonies. Non-breeding bats shall be safely evicted, under the direction of a bat specialist. <p><i>Timing/Implementation:</i> Prior to construction and site grading activities</p> <p><i>Enforcement/Monitoring:</i> City of Elk Grove Planning Department</p> <p>Implement mitigation measures MM 3.3.1b through MM 3.3.1f, MM 3.3.2h, and MM 3.3.2d and MM 3.3.2e.</p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>Impact 3.3.4 Implementation of the SDMP could result in the loss or modification of vernal pools, riparian, or other sensitive natural community and its associated wildlife. Implementation of the proposed project may result in disturbance, degradation, and removal of a sensitive natural community. This will be a potentially significant impact.</p>	<p>MM 3.3.4 If impacts to riparian habitat are not avoidable, and on-site preservation is not possible, then habitat compensation shall be required at a 2:1 preservation to impact ratio (2 acres preserved for every one acre impacted) unless otherwise specified by California Department of Fish and Game. The City shall prepare and implement a riparian vegetation mitigation and monitoring plan for disturbed riparian habitat. The plan shall include:</p> <ul style="list-style-type: none"> • On-site and/or off-site location(s) for replacement shrubs and trees. • Protection measures for replacement shrubs and trees that shall ensure an agreed upon percentage of replacement plantings are alive three years following site revegetation according to the standard performance success criteria of USACE and CDFG and the professional opinion of City-contracted biologist. • Monitoring measures, including construction monitoring, by a qualified biologist, arborist, or ecologist to ensure sensitive areas are protected from construction activities. <p><i>Timing/Implementation: Prior to construction activities permits will be obtained, and during construction activities for the monitoring requirement.</i></p> <p><i>Enforcement/Monitoring: City of Elk Grove Planning Department</i></p> <p>Implement mitigation measures MM 3.2.2c, and MM 3.3.1b through MM 3.3.1f.</p>	<p>City of Elk Grove Planning Department</p>	<p>Listed below mitigation measure</p>	
<p>Impact 3.3.5 Implementation of the SDMP could result in disturbance and degradation of wetlands and waters of the U.S. This will be a potentially significant impact.</p>	<p>MM 3.3.5 The City shall comply with the U.S. Army Corps of Engineers “no net loss” policy for mitigation of wetlands under the jurisdiction of U.S. Army Corps of Engineers. The City must apply for a Section 404 permit, a Section 401 Certification, and a 1602 Streambed Alteration Agreement. If wetland resources are proposed to be taken, the City shall do the following:</p> <ol style="list-style-type: none"> 1. If required, apply for a Section 404 permit from U.S. Army Corps of Engineers after verification of the wetland delineation by the U.S. Army Corps of Engineers and/or RWQCB. Any waters of the U.S. or waters of the State as defined by the RWQCB that will be lost or disturbed shall be replaced or rehabilitated on a “no net loss” basis in accordance with the U.S. Army Corps of Engineers and/or RWQCB mitigation guidelines. On-site creation of wetland habitat is preferred to off-site mitigation. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by 	<p>City of Elk Grove Planning Department; U.S. Army Corps of Engineers; Central Valley Regional Water Quality</p>	<p>Listed below mitigation measure</p>	

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<p>Impact 3.3.6 Implementation of the SDMP, in combination with existing, approved, proposed, and reasonably foreseeable development, will cumulatively contribute to loss of biological resources. This impact is considered cumulatively considerable.</p>	<p>methods agreeable to U.S. Army Corps of Engineers.</p> <p>2. Obtain a Section 401 water quality waiver of certification from Regional Water Quality Control Board.</p> <p>3. A mitigation plan shall be implemented that includes one of the following:</p> <p>(a) Completion of an on-site mitigation and monitoring plan that includes on-site creation/preservation of the wetlands.</p> <p>(b) Credits may be obtained at an approved mitigation bank.</p> <p><i>Timing/Implementation Prior to grading or construction activities.</i></p> <p><i>Enforcement/Monitoring City of Elk Grove Planning Department; USACE; Central Valley RWQCB</i></p> <p>Implement mitigation measures MM 3.3.1b through MM 3.3.1f, and MM 3.3.4.</p> <p>Implement mitigation measures MM 3.3.1a through f, MM 3.3.2a through h, MM 3.3.3a through d, MM 3.3.4, and MM 3.3.5.</p>			

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Project Impact	Summary of Proposed Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>3.4 Greenhouse Gas and Climate Change</p> <p>Impact 3.4.1 Implementation of the proposed SDMP may result in a net increase in greenhouse gas emissions that will conflict with the goals of AB 32 or result in a significant impact on the environment. This impact is potentially cumulatively considerable.</p>	<p>MM 3.4.1 The following emissions reduction measures shall be implemented during construction:</p> <ol style="list-style-type: none"> 1) Limit idling of construction equipment and delivery vehicles (emissions reduction range of 25–40 percent (CAPCOA 2010)); 2) Delivery of materials shall not take place during rush hours (7:00 a.m. – 9:30 a.m. and 4:30 p.m. – 6:00 p.m.), in order to increase vehicle fuel efficiency; 3) Following consultation with SMAQMD, and to the extent agreed upon by the City and SMAQMD, alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment shall be employed by at least 15 percent of the fleet if feasible (GHG emissions reduction range of 0–22 percent (CAPCOA 2010)). <p><i>Timing/Implementation:</i> During all grading and construction phases of the Project.</p> <p><i>Monitoring/Enforcement:</i> City of Elk Grove Planning Department; SMAQMD</p> <p>Implement mitigation measures MM 3.2.1a and b.</p>	<p>City of Elk Grove Planning Department, SMAQMD</p>	<p>Listed below mitigation measure</p>	