APPENDIX B

Draft

GOLDEN STATE WATER COMPANY– SUTTER POINTE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PROJECT

Focused Tiered Environmental Impact Report

Prepared for
California Public Utilities Commission

April 2010

ESA

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GOLDEN STATE WATER COMPANY– SUTTER POINTE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PROJECT

Focused Tiered Environmental Impact Report

Prepared for
California Public Utilities Commission

April 2010

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PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

To: **Responsible Agencies and Interested Parties**
Subject: **Notice of Availability, Focused Tiered Draft Environmental Impact Report for the Golden State Water Company – Sutter Pointe Project**
Date: **April 28, 2010**

Project Location: The California Public Utilities Commission (CPUC) has prepared a Focused Tiered Draft Environmental Impact Report (DEIR) under the California Environmental Quality Act (CEQA) for the establishment of a non-contiguous water service area and associated water supply infrastructure located in the southern, unincorporated portion of Sutter County, known as the Sutter Pointe Specific Plan (SPSP) area.

Project Description: Golden State Water Company (GSWC) has submitted Application 08-08-022 to the CPUC for a Certificate of Public Convenience and Necessity (CPCN) to establish a non-contiguous service area within the corporate boundaries of Natomas Central Mutual Water Company (NCMWC). GSWC, through its parent company American States Water Company (ASWC), has an agreement with NCMWC to provide municipal and industrial (M&I) water service to the SPSP area. The water supply infrastructure would be developed in four phases of varying lengths to correspond with buildout of the SPSP over an approximately 20-year period.

Summary of Significant Environmental Effects: Implementation of the proposed project would contribute to significant and unavoidable impacts relating to short-term nitrogen oxide (NO_x) emissions associated with construction activities and the permanent conversion of important farmland to nonagricultural uses. The DEIR found that all other significant impacts would be mitigated to a less than significant level.

Public Comment Period and Availability of Documents: The DEIR was released for public review on April 28, 2010 and the 45 day public review period for this DEIR will extend though June 14, 2010. The DEIR will be available for review at the Sutter County Library Main Branch, 750 Forbes Avenue, Yuba City, CA 95991 and on the project website, as listed below. Copies of the DEIR on CD may be requested by phone or by e-mail. The CPUC also has a limited number of copies of the complete DEIR document available for public review upon request at the CPUC offices at 505 Van Ness Avenue, San Francisco, CA 94102. Written comments on the DEIR must be received by fax or e-mail no later than Monday, June 14, 2010; please be sure to include your name, address, and telephone number. Written comments on the DEIR should be sent to:

Andrew Barnsdale c/o
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento California 95816
Attn: Sutter Pointe Project
Phone: (916)-231-1273
Fax: (916) 564-4501
Email: CPUC-GSWC@esassoc.com

Notice of Public Meeting: A public meeting for this project will be held on Wednesday, May 19, 2010 from 4 p.m. to 6 p.m. at the Veterans Memorial Community Building, 1425 Veterans Memorial Circle, Yuba City, CA 95993.

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List of Acronyms and Abbreviations

The following acronyms and other abbreviations are used in this DEIR:

µg/m3	micrograms per cubic meter
°F	Fahrenheit
AB	Assembly bill
AFY	acre-feet per year
AG	General Agriculture
ALJ	administrative law judge
APCO	air pollution control officer
AQAP	Air Quality Attainment Plan
ARB	California Air Resources Board
ASWC	American States Water Company
BACT	best available control technology
BMP	best management practice
CAA	Clean Air Act
CAAQS	California ambient air quality standards
Cal/EPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CCAA	California Clean Air Act
CCAR	General Reporting Protocol of the California Climate Action Registry
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFG	California Department of Fish and Game
CEC	California Energy Commission
CEQA	California Environmental Quality Act
cfs	cubic feet per second
CH4	methane
CO	carbon monoxide
CO2	carbon dioxide
CO2e	CO2 equivalent
CPCN	Certificate of Public Convenience and Necessity
CPUC	California Public Utilities Commission
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Clean Water Act
Delta	Sacramento–San Joaquin Delta
EIR	environmental impact report
EPA	U. S. Environmental Protection Agency

List of Acronyms and Abbreviations (cont.)

FCAA	federal Clean Air Act
FCAAA	Federal Clean Air Act Amendments
FIP	Federal Implementation Plan
FMMP	Farmland Mapping and Monitoring Program
FRAQMD	Feather River Air Quality Management District
GIS	geographic information systems
gpm	gallons per minute
GSWC	Golden State Water Company
GSWC	Golden State Water Company
GWh	gigawatt-hours
GWP	global warming potential
I/C	Industrial Commercial Reserve
ITP	incidental take permit
LIM	Land Inventory and Monitoring
LUDC	Land Use Development Code
M&I	municipal and industrial
MG	million gallons
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
MOA	Memorandum of Agreement
mph	miles per hour
MPO	Metropolitan Planning Organizations
MTP	Metropolitan Transportation Plan
N2O	nitrous oxide
NAAQS	national ambient air quality standards
NBC	Natomas Basin Conservancy
NBHCP	Natomas Basin Habitat Conservation Plan
NCC	Natomas Cross Canal
NCMWC	Natomas Central Mutual Water Company
NEMDC	Natomas East Main Drainage Canal
NEPA	National Environmental Policy Act
NLIP	Natomas Levee Improvement Program
NNCP	North Natomas Community Plan
NO	nitric oxide
NO2	nitrogen dioxide
NOP	notice of preparation
NOX	oxides of nitrogen
NRCS	U.S. Natural Resources Conservation Service
OAP	Ozone Attainment Plan
OPR	Governor’s Office of Planning and Research
PCAPCD	Placer County Air Pollution Control District
PCWA	Placer County Water Agency
PEA	Proponent’s Environmental Assessment

List of Acronyms and Abbreviations (cont.)

PGCC	Pleasant Grove Creek Canal
PG&E	Pacific Gas and Electric Company
PM10	respirable particulate matter
PM2.5	fine particulate matter
proposed project	Golden State Water Company-Sutter Pointe Certificate of Public Convenience and Necessity
Reclamation	U.S. Bureau of Reclamation
RD	Reclamation District
RD 1000	Reclamation District 1000
ROG	reactive organic gas
SACOG	Sacramento Area Council of Governments
SAFCA	Sacramento Area Flood Control Agency
SCH	State Clearinghouse
Scoping Plan	Climate Change Scoping Plan
SCS	U.S. Soil Conservation Service
SCWA	Sutter County Water Agency
sf	square feet
SFNA	Sacramento Federal Ozone Nonattainment Area
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO2	sulfur dioxide
SP	Sutter Pointe Specific Plan zoning district
SPSP	Sutter Pointe Specific Plan
SR	State Route
SRWRS	Sacramento River Water Reliability Study
SSWD	Sacramento Suburban Water District
SVAB	Sacramento Valley Air Basin
TAC	toxic air contaminant
TNW	traditional navigable waters
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
VMT	vehicle miles traveled
VOC	volatile organic compound
WSA	water supply assessment

EXECUTIVE SUMMARY

ES.1 Introduction

This Environmental Impact Report (EIR) has been prepared by the California Public Utilities Commission (CPUC) pursuant to the California Environmental Quality Act (CEQA) to analyze the potential environmental impacts of a proposed new water supply project. Golden State Water Company (GSWC) has submitted Application 08-08-022 to the CPUC for a Certificate of Public Convenience and Necessity (CPCN) to establish a non-contiguous service area comprised of the southern, unincorporated portion of Sutter County that falls within the corporate boundaries of Natomas Central Mutual Water Company (NCMWC). This project will be referred to as either the GSWC-Sutter Pointe CPCN or proposed project. GSWC, through its parent company American States Water Company (ASWC), has an agreement with NCMWC to provide municipal and industrial (M&I) water service to a proposed service area in south Sutter County known as the Sutter Pointe Specific Plan (SPSP) Area or Sutter Pointe (Figure ES-1 and Figure ES-2). CPUC is the lead agency for this CEQA process. Inquiries about the project should be directed to:

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2600 Capitol Avenue, Ste. 200
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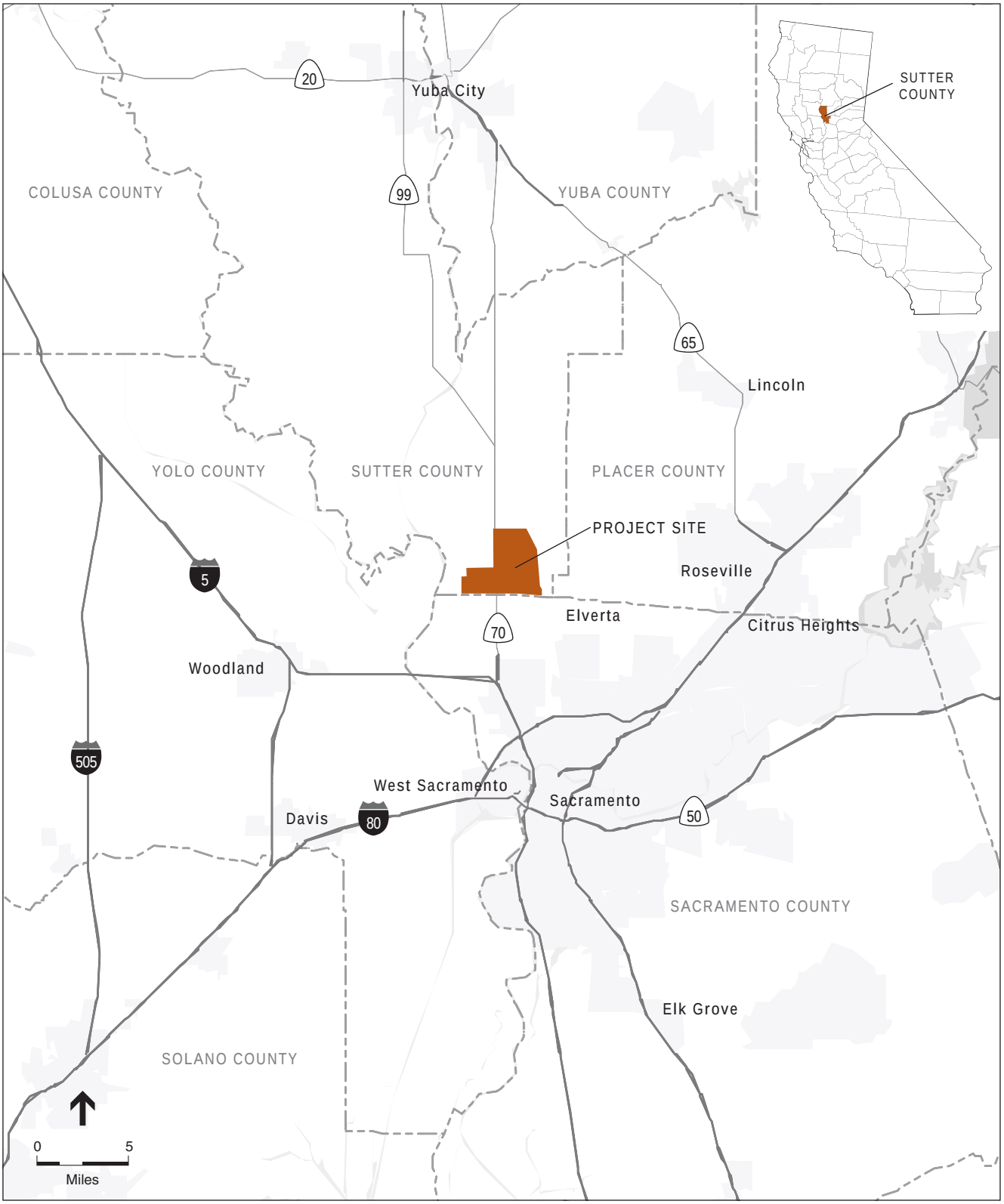
ES.2 Project Background and Objectives

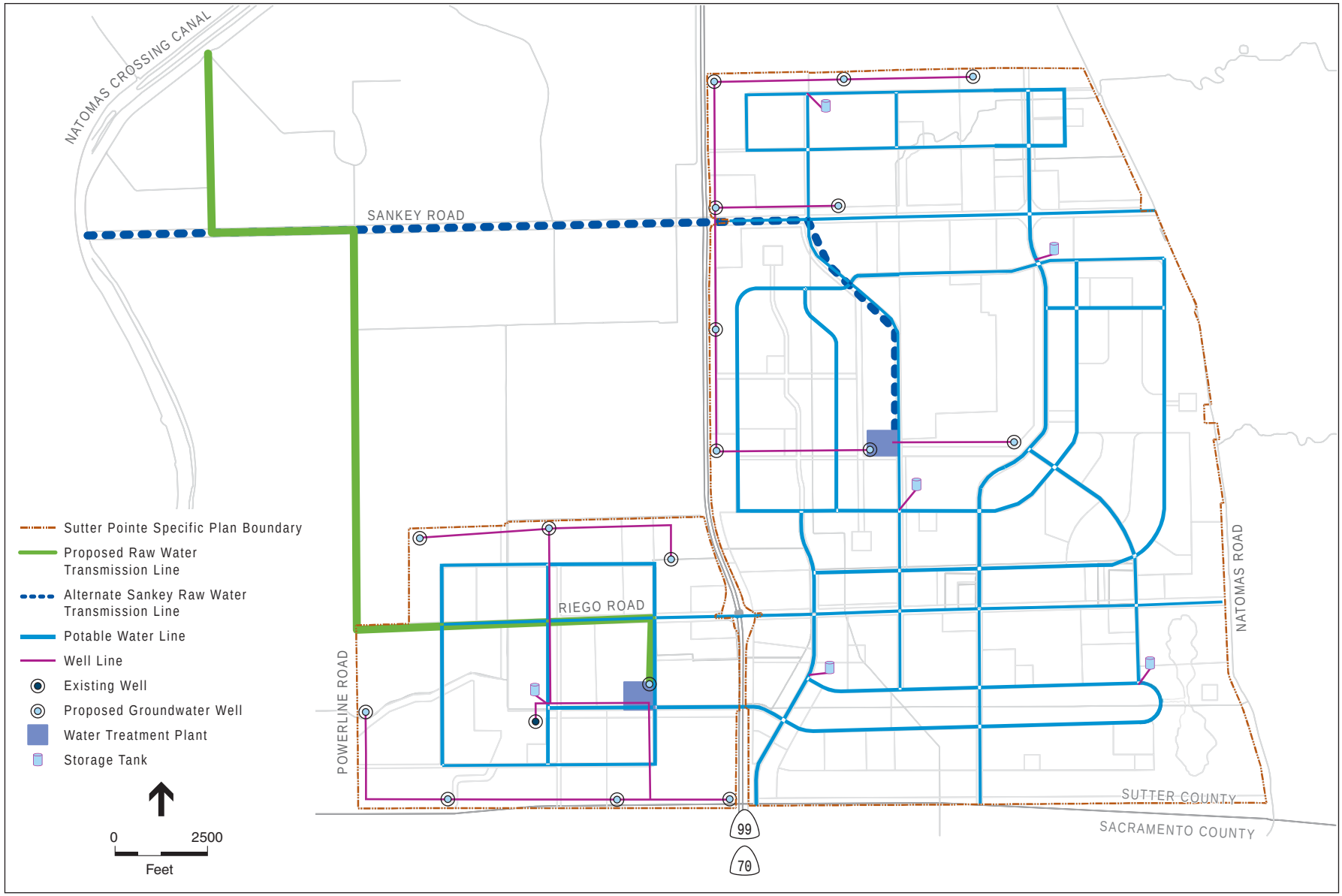
In November of 2004, Sutter County voters approved Measure M, an advisory measure to give the Board of Supervisors direction for the planning of growth on approximately 7,500 acres known as the SPSP Area. Measure M identified the development of a mix of land uses, including industry, commerce, education, housing, recreation, and open space and would be integrated within the Natomas Basin Habitat Conservation Plan (NBHCP). An EIR for the SPSP (SCH # 2007032157) was certified by the Sutter County Board of Supervisors on June 30th, 2009. The SPSP EIR included a programmatic assessment of development of the entire SPSP Area and a project-level analysis for the first phase of development. The SPSP EIR stated that it was the intent of the County and the Sutter County Water Agency (SCWA) to form a community services district or other County-related



SOURCE: DeLorme Street Atlas USA, 2000; and ESA, 2009

GSWC – Sutter Pointe CPCN EIR . 207584

Figure ES-1
Regional Location



SOURCE: MacCay & Somps, 2008; and ESA, 2009

GSWC – Sutter Pointe CPCN EIR . 207584

Figure ES-2
Proposed Facility Layout

entity to provide water utility service for the SPSP Area but also identified the intent of GSWC to provide water service for the SPSP Area. The SPSP EIR analysis of impacts associated with water services assumed that such services could be provided either by a County-related entity or by GSWC, and that, "[r]egardless of the entity that provides the service,…the same sources of water supply would be used, therefore the analysis of the physical water availability would not change …."

The purpose of the proposed project is to construct and operate the infrastructure necessary to provide M&I water supply to planned development consistent with the Sutter County General Plan in south Sutter County. Proposed project objectives include:

- Timely delivery of water infrastructure to support the Sutter Pointe project; and
- Development of an economically and environmentally sustainable water supply for Sutter Pointe.

ES.3 Project Description

The proposed project would include a network of water extraction, transmission, storage, and treatment facilities to convey groundwater and surface water to municipal and industrial development in the SPSP Area. The water supply infrastructure would be developed in four phases of varying lengths to correspond with buildout of the SPSP over an approximately 20 to 30 year period. The first phase would involve the development of groundwater wells, treatment, storage, and distribution infrastructure. Additional groundwater wells, treatment, storage, and distribution infrastructure would be developed under Phases 2, 3 and 4, as well as infrastructure for receipt, conveyance and treatment of surface water. At buildout, the proposed project would include the conjunctive use of groundwater and surface water to provide the 25,000 AFY to serve the SPSP. Specific facilities proposed under Phases 1 through 4 of the proposed project are summarized below. A more detailed description of the proposed project is provided in Chapter 2 Project Description.

Phase 1

Phase 1 of the proposed project includes development and operation of the following infrastructure:

- nine groundwater wells with yields of approximately 1,800 gallons per minute (gpm) each;
- a western groundwater treatment plant capable of treating approximately 12.5 million gallons per day (mgd) at buildout;
- approximately 29 miles of interconnected water transmission and distribution pipelines varying in size from 12- to 36-inch diameter; and
- one 7.5 million gallon storage tank and one five million gallon storage tank, and associated pumps to process and distribute water.
- There will also be a large but undetermined length of in-tract piping.

All facilities constructed during Phase 1 would be developed entirely within the SPSP Area.

Phases 2, 3 and 4

Phases 2, 3 and 4 of the proposed project include development and operation of the following infrastructure:

- a 42-inch raw water transmission pipeline from the Sankey Diversion (or the existing Bennett Pumping Plant if the proposed Sankey Diversion has not been constructed) to either the western or eastern groundwater treatment plant site;
- a phased surface water treatment plant built adjacent to either the western or eastern groundwater treatment plant site capable of treating approximately 30 mgd at buildout;
- seven groundwater wells with yields of approximately 1,800 gpm each;
- an eastern groundwater treatment plant capable of treating approximately 12.5 mgd at buildout;

ES.4 SUMMARY OF ALTERNATIVES

Alternatives evaluated in this Focused Tiered EIR in addition to the proposed project include: (1) No Action Alternative; (2) No Project Alternative; and (3) Groundwater Only Alternative. Table ES-1 presents a comparison of impacts by issue area after mitigation for the proposed project and each of the alternatives. The No Action Alternative would not result in any significant impacts when compared to the proposed project because no infrastructure would be installed; however, it would not achieve any of the proposed project objectives. As shown in Table ES-1 and as discussed in Chapter 4, the Ground Water Only Alternative would be the environmentally superior alternative. This alternative would have similar but less environmental impacts when compared to the proposed project because less construction would take place due to the elimination of the Sankey Diversion raw water pipeline. It would also meet all of the proposed project objectives. However, unlike with implementation of the proposed project, the Groundwater Only Alternative would result in new potentially significant impacts associated with increased prolonged withdrawl of groundwater and may affect the safe groundwater yield within the underlying groundwater basin.

TABLE ES-1
COMPARISON OF SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE ALTERNATIVES TO THE PROPOSED PROJECT

Environmental Issue Area	Proposed Project	No Action	No Project	Groundwater Only Alternative
Aesthetics	LS	NI	LS	LS - Less
Air Quality	SU	NI	SU	SU - Less
Agricultural Resources	SU	NI	SU	SU - Less
Biological Resources	LS	NI	SU	LS - Less
Climate Change	LS	NI	SU	LS - Less

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NI = No Impact

ES.5 Potential Areas of Controversy and Concern

The CPUC submitted the Notice of Preparation (NOP) of this Draft EIR to the California Office of Planning and Research on January 14, 2010. The NOP was distributed to responsible and trustee agencies, as well as all other interested parties. The purpose of the NOP was to solicit comments from public agencies on issues germane to that agency that should be considered in the draft EIR. The public review period for the NOP ended 30 days after public distribution of the NOP. Issues raised in the NOP comment letters (Appendix A) have been addressed in the Draft EIR, as appropriate and are summarized below in Table ES-2.

TABLE ES-2
WRITTEN AND ORAL COMMENTS RECEIVED

Organization	Name	Title	Summary Comment
Written Comments			
Governor's Office of Planning and Research	Scott Morgan	Acting Director	Notice of receipt and distribution of project NOP.
Central Valley Flood Protection Board	James Herota	Staff Environmental Scientist	Permit may be required for construction activities within board jurisdiction.
California Department of Public Health	Bridget Binning		Water supply permit required for ground water wells, storage and treatment facilities.
Individual	Donald Kessel	Citizen	Requests copy of all comments received on NOP.
California State Lands Commission	Marina R. Brand	Acting Chief Division of Environmental Planning and Management	Lease from the Commission may be required for project activities on State-owned sovereign lands.
Department of Conservation Division of Oil, Gas and Geothermal Resources	Pam Ceccarelli	Associate Oil and Gas Engineer	Notification may be required prior to construction activities to identify location of on-site abandoned or plugged wells.
Department of Conservation Division of Land Resource Protection	Dan Otis	Program Manager, Williamson Act Program	Draft EIR should include discussion ofagricultural setting, project impacts on agricultural land, agricultural preserves and Williamson Act lands, public improvements and agricultural preserves, public acquisitions of contracted land, and eminent domain.
California Department of Transportation	Sukhvinder (Sue) Takhar	Chief, Office of Transportation Planning - North	Draft EIR should include full evaluation of traffic impacts, discussion of hydrology, and notice that CALTRANS encroachment permits may be required.
City of Roseville	Mark Morse	Environmental Coordinator	Request to be added to project distribution list.
Oral Comments			
Individual	Donald Kessel	Citizen	Draft EIR should include discussion of water quality.

ES.6 Significant Unavoidable Effects

As required by CEQA Guidelines Section 21100(b) (2), Table ES-3 identifies the significant unavoidable impacts identified with implementation of the proposed project.

TABLE ES-3
SIGNIFICANT AND UNAVOIDABLE IMPACTS

Impact
Agricultural Resources
Implementation of the proposed project would result in the permanent conversion of Important Farmland to nonagricultural uses.
Air Quality
The project would generate temporary, short-term construction emissions of criteria pollutants that could exceed FRAQMD-recommended thresholds.
Cumulative Effects
Agricultural Resources: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to the conversion of Important Farmland to nonagricultural uses in Sutter County.
Air Quality: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to cumulative emissions of NOx that exceed FRAQMD thresholds.

ES.7 Summary of Impacts and Mitigation Measures

Table ES-4 presents a summary of the environmental impacts that would occur with proposed project implementation and recommended mitigation measures. The level of significance for each impact was determined using standards of significance presented in the sections of Chapter 3. Significant impacts are those adverse environmental impacts that would meet or exceed the significance thresholds; less-than-significant impacts would not exceed the thresholds.

Table ES-4 presents: (1) environmental impacts; (2) level of significance prior to mitigation measures; (3) recommended mitigation measures; (4) level of significance after mitigation. Table ES-4 also identifies which phase of the proposed project the impact and mitigation measures apply to.

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
Section 3.2. Aesthetics					
Impact 3.2-1 Construction activities and the installation and operation of proposed facilities could degrade the existing visual character of the project area	**Mitigation Measure 3.2-1a** (All Phases): Implement SPSP EIR Mitigation Measure 3.16-4: Screen Construction Staging Areas. The project applicant(s) for all project phases shall locate staging and material storage areas as far away from sensitive land uses (e.g., residential areas, schools, parks) and/or nearby roadways as feasible. Staging and material storage areas shall be approved by the County before the approval of grading plans and building permits for all project phases and shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include berms or fences. The screen design shall be approved by the County to further reduce visual effects to the extent possible. **Mitigation Measure 3.2-1b** (All Phases): The design of the proposed water storage tanks and water treatment plants, including the choice of color and materials, shall seek to reduce the visual contrast of the facilities. Bright and reflective colors shall be avoided. Additionally, landscaping including revegetation of disturbed areas, plantings of trees, and/or minor topographic enhancements, shall be utilized to minimize textural and aesthetic contrasts with surrounding areas.	S	S	LS	LS
Impact 3.2-2 Construction activities and operation of proposed facilities could create temporary and permanent new sources of light and glare which could adversely affect daytime or nighttime views of the area.	**Mitigation Measure 3.2-2** (All Phases): Implement SPSP EIR Mitigation Measure Mitigation Measure 3.16-5: Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan. To reduce impacts associated with light and glare, the project applicant(s) for all project phases shall conform to the following guidelines as appropriate: • Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties. • Place and direct flood or area lighting needed for construction activities to not disturb adjacent residential areas and passing motorists. • Prohibit the use of harsh mercury vapor, low-pressure sodium, or fluorescent bulbs for public lighting in residential neighborhoods. • Prohibit light fixtures that are of unusually high intensity or brightness or that blink or flash.	S	S	LS	LS
Section 3.3. Agricultural Resources					
Impact 3.3-1 Implementation of the proposed project would result in the permanent conversion of Important Farmland to nonagricultural uses.	No feasible mitigation measures are available.	S	S	SU	SU

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
Section 3.4. Air Quality					
Impact 3.4-1: Proposed project construction activities would generate temporary, short-term emissions of NO_x that could exceed FRAQMD-recommended thresholds.	**Mitigation Measure 3.4-1**: Implement SPSP EIR Mitigation Measure 3.4-1 Specific to Sutter County (Develop and Implement Applicable Air District-Endorsed Air Quality Mitigation for All Phases of Construction) as described in the SPSP EIR. The project applicant(s) of all project phases shall require their construction contractors, at the time construction is performed, to implement those construction mitigation measures that are required by the [FRAQMD] respective air district that has jurisdiction over the area in which construction activity would occur. For all construction activity on the project site, the project applicant(s) shall require construction contractors to implement both FRAQMD's Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in Sutter County. For all construction activity that would occur in another air district (i.e., outside of Sutter County), such as the installation of the sewer force main connection to SRCSD and other off-site improvements, the project applicant(s) shall require construction contractors to comply with the best management practices and construction emission reduction measures required by the respective local air district. No project-related construction activity shall occur until an emissions reduction plan developed by the contractor(s) is reviewed and approved in writing by Sutter County in consultation with the [FRAQMD] respective air district (i.e., FRAQMD, PCAPCD, or SMAQMD) , or, where air district approval is required by law, with the approval of the air district. The following list presents all of the FRAQMD-required measures. (Both PCAPCD and SMAQMD require similar measures.) 1. The applicant shall implement FRAQMD's Fugitive Dust Control Plan with the following mitigation measures: o All grading operations on a project shall be suspended when winds exceed 20 miles per hour (mph) or when winds carry dust beyond the property line despite implementation of all feasible dust control measures. o Construction sites shall be watered as directed by the FRAQMD and as necessary to prevent fugitive dust violations. o An operational water truck shall be on-site at all times. Water shall be applied to control dust as needed to prevent visible emissions violations and off-site dust impacts. o On-site dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce windblown dust emissions. The use of approved nontoxic soil stabilizers shall be incorporated according to manufacturers' specifications to all inactive construction areas.	S	S	SU	SU

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
	o All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions. o Approved chemical soil stabilizers shall be applied according to the manufacturers' specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours), including unpaved roads and employee/equipment parking areas. o To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed before each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks and prevent/diminish track-out. o Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom permitted) if soil material has been carried onto adjacent paved, public thoroughfares from the project site. o Temporary traffic control shall be provided as needed during all phases of construction to improve traffic flow, as deemed appropriate by the appropriate department of public works and/or California Department of Transportation (Caltrans), and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph. o Traffic speeds on all unpaved surfaces shall be reduced to 15 mph or less, and unnecessary vehicle traffic shall be reduced by restricting access. Appropriate training to truck and equipment drivers, on-site enforcement, and signage shall be provided. o Ground cover shall be reestablished on the construction site as soon as possible and before final occupancy through seeding and watering. o Open burning shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (e.g., trash, demolition debris) may be conducted at the project site. Vegetative wastes shall be chipped or delivered to waste-to-energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials off-site for disposal by open burning. 2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40% opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a notice of violation from FRAQMD.				

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
	3. The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained before and for the duration of on-site operation. 4. Idling time shall be minimized to 5 minutes in accordance with ARB airborne air toxic control measure 13 (CCR Chapter 10 Section 2485) unless more time is required per engine manufacturers' specifications or for safety reasons. 5. Existing power sources (e.g., power poles) or clean-fuel generators shall be used rather than temporary power generators. 6. A traffic plan shall be developed to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Operations that affect traffic shall be scheduled for off-peak hours. Obstruction of through-traffic lanes shall be minimized. A flag person shall be provided to guide traffic properly and ensure safety at construction sites. 7. Portable engines and portable engine-driven equipment units used on the project site, with the exception of on-road and off-road motor vehicles, may require ARB Portable Equipment Registration with the state or a local district permit. The owner/operator of the equipment shall be responsible for arranging appropriate consultations with ARB or the FRAQMD to determine registration and permitting requirements before the equipment is operated at the site. 8. The project proponent shall assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project and provide a plan for approval by FRAQMD demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used for construction, including owned, leased, and subcontractor vehicles, will achieve a projectwide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most recent ARB fleet average at the time of construction. These equipment emission reductions can be demonstrated using the most recent version of the Construction Mitigation Calculator developed by the SMAQMD. Acceptable options for reducing emissions may include use of late-model engines, low emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary off-site mitigation projects, the provision of funds for air district off-site mitigation projects, and/or other options as they become available. In addition, implementation of these measures would also result in a 5% reduction in ROG emissions from heavy-duty diesel equipment. FRAQMD shall be contacted to discuss alternative measures.				

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
Impact 3.4-2: Operation of the proposed project would generate long-term emissions of criteria pollutants that could exceed	No mitigation measures are required.	LS	NA	LS	NA
Section 3.5. Biological Resources					
Impact 3.5-1: Implementation of the proposed project could place fill material into jurisdictional waters of the United States which could result in the potential loss and degradation of wetland habitats protected under federal, state and local regulations.	**Mitigation Measure 3.5-1** (All Phases): Conduct a Wetland Delineation per the USACE Wetland Delineation Manual; Secure Clean Water Act Section 404 and 401 Permits and California Fish and Game Code Streambed Alteration Agreements; Implement All Permit Conditions; and Ensure No Net Loss of Wetlands, Other Waters of the United States, and Associated Functions and Values. For each phase of development, GSWC shall demonstrate the avoidance of any net loss of wetland function and values for direct and indirect impacts to wetlands or other waters subject to federal, state, and/or local jurisdiction by demonstrating that applicable permits and regulatory approvals have been obtained and that all mitigation and permit conditions have been implemented which includes but may not be limited to: • A qualified biologist shall be retained to delineate all wetlands and waters of the U.S. within proposed off-site improvement areas and all on-site areas not included in the ECORP wetland delineation. The findings shall be documented in a detailed report and submitted to USACE for verification as part of the formal Section 404 wetland delineation process. If wetland delineations for a particular phase conclude that wetlands and other waters of the U.S. are not present or would be avoided (no direct or indirect impacts), no further mitigation actions would be needed. • If unavoidable impacts to habitats which fall under USACE jurisdiction would be incurred from project activities, a Section 404 permit shall be applied for and authorization from the USACE shall be secured before any fill is placed in jurisdictional wetlands or other waters of the U.S. • Impacts to wetlands and waters of the U.S. shall be compensated for at a 1:1 ratio. In accordance with federal regulation, compensatory mitigation for wetland impacts would be carried out through acceptable methods including implementing permittee-responsible compensatory mitigation, payment of fees into an USACE-approved mitigation bank, payment of fees into the NBHCP, and payment of in-lieu mitigation fees. The mitigation methods, mechanisms and compensation ratios shall be detailed in a mitigation plan which shall be prepared in accordance with the USACE's Compensatory Mitigation Plan as required per federal regulations (33 CFR 332.4(c)/40 CFR 230.92.4(c)) and approved by the USACE. Proof of mitigation fulfillment shall be submitted to the USACE before the start of any grading activities.	S	S	LS	LS

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
	• Methods for designing and implementing restored, rehabilitated, and replacement wetlands shall be determined by qualified restoration ecologists and geomorphologists to ensure that the desired results are achievable. The design shall include features to maximize the long-term maintenance of functions and values (e.g., fencing) and success criteria. A minimum of five years of monitoring shall be required for all restored, rehabilitated, and replacement wetlands. A monitoring plan shall be developed that includes remedial actions to be taken if the success criteria are not met. Before the mitigation design and monitoring plan are finalized, the project applicant(s) shall obtain the approval of USACE, and other agencies as appropriate, indicating that the planned features are sufficient to replace lost habitat values at equivalent or higher levels. Compensation requirements shall be evaluated in conjunction with any benefits obtained through compliance with the NBHCP. • For temporary impacts such as open trench construction and excavation, GSWC shall demonstrate that the following mitigation measures are implemented: o Implement BMPs as described in SPSP EIR Mitigation Measure 3.7-1: Acquire Appropriate Regulatory Permits and Implement SWPPP and BMPs and SPSP EIR Mitigation Measure 3.7-5: Develop and Implement a BMP and Water Quality Maintenance and Monitoring Plan, incorporated into the Environmental Checklist provided in Appendix B, to reduce direct and indirect impacts to wetlands during open trench construction. o Conduct all trenching and construction activities across drainages and seasonal wetlands during low-flow or dry periods. o Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone. o Locate spoil sites such that they do not drain directly into the drainages and/or seasonal wetlands. o Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 25 feet of drainages and wetland areas. o Return an impacted wetland to original grade following pipeline installation. Any wetland area left bare following construction will be revegetated using hydroseed and/or plugs of native vegetation matching the species composition of adjacent wetland areas. o A Water Quality Certification, pursuant to Section 401 of the CWA,				

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
	shall be obtained from the Regional Water Quality Control Board as required for the issuance of any USACE permit. Any measures required as part of the issuance of Water Quality Certification, such as adherence to water quality standards, shall be implemented.				
Impact 3.5-2: **:** Implementation of the proposed project could result in the removal of riparian habitat that has the potential to support special-status species in areas within and adjacent to the proposed Sankey Diversion and along the raw water transmission pipeline alignments.	**Mitigation Measure 3.5-2** (All Phases): Implement Avoidance and Minimization Measures for Impacts on Riparian Habitats. GSWC shall implement the following measures are implemented: • Retain a qualified biologist to survey and document all riparian habitats within proposed off-site improvement areas and all on-site areas not included in the ECORP wetland delineation and ICF/Jones and Stokes habitat map. The surveys shall identify riparian habitats that might be directly or indirectly affected by the project. If no riparian habitats are found during focused surveys, the biologist shall document the findings in a letter report to the CDFG and Sutter County, and no further mitigation shall be required. • The project shall, if feasible, avoid vegetation removal within riparian areas. If complete avoidance is not feasible, construction shall not proceed until authorization has been issued by CDFG, and GSWC has abided by the conditions of the authorization, including the conservation and minimization measures intended to be completed before construction begins. • CDFG authorization may require obtaining a Streambed Alteration Agreement to mitigate for any unavoidable impacts to habitats regulated under Section 1602 of the California Fish and Game Code. Impacted habitats shall be mitigated on a no-net-loss basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and shall be conducted by methods agreeable to CDFG. Minimization and compensation measures adopted through the Section 1602 permitting process shall be implemented. • Implement Mitigation Measure 3.5-1.	S	S	LS	LS
Section 3.6. Climate Change					
Impact 3.6-1: Construction and operation of the project would not result in a cumulatively considerable increase in greenhouse gas emissions and would not either directly or indirectly, have a significant impact on the environment or conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions.	No mitigation measures are required.	LS	LS	LS	LS

TABLE ES-4
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Impact Significance before Mitigation		Impact Significance after Mitigation	
		Phase 1	Phase 2,3 and 4	Phase 1	Phase 2,3 and 4
Section 5.3 Cumulative Impacts					
Impact 5.3-1: Implementation of the proposed project in combination with other planned projects or projects under construction could alter and degrade the existing visual character and introduce new sources of light and glare in southern Sutter County.	**Mitigation Measure 5.3-1**: Implement Mitigation Measures 3.2-1 and 3.2-2.	S	S	LS	LS
Impact 5.3-2: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to the conversion of Important Farmland to nonagricultural uses in Sutter County.	No feasible mitigation measures are available.	S	S	SU	SU
Impact 5.3-3: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to cumulative emissions of NOx that exceed FRAQMD thresholds.	**Mitigation Measure 5.3-3**: Implement Mitigation Measure 3.4-1.	S	S	SU	SU
Impact 5.3-4: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to cumulative loss and degradation of wetland habitats protected under federal, state and local regulations and loss of riparian habitat in Sutter County and the Natomas Basin.	**Mitigation Measures 5.3-4**: Implement Mitigation Measures 3.5-1 and 3.5-2.	S	S	LS	LS

S = Significant
SU = Significant and Unavoidable
LS = Less than Significant
NA = Not Applicable

ES.7.1 SPSP EIR Mitigation Measures

An Environmental Checklist was prepared for the proposed project that is included in Appendix B. The Environmental Checklist includes a discussion of potential environmental effects of the proposed project, identifies which issues were adequately addressed in the SPSP EIR, and which applicable SPSP EIR mitigation measures are relevant to the proposed project. Applicable SPSP EIR (SCH #2007032157) mitigation measures adopted by the Sutter County Board of Supervisors on June 30, 2009 that would mitigation proposed project impacts, not included in Chapter 3 and summarized in Table ES-4, are presented in Table ES-5. SPSP EIR mitigation measures incorporated into the proposed project would be implemented, enforced, and monitored as defined in the Mitigation Monitoring and Reporting Program (MMRP) for the SPSP EIR. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements of the SPSP EIR MMRP.

TABLE ES-5
SUMMARY OF SPSP EIR MITIGATION MEASURES INCORPORATED INTO THE PROPOSED PROJECT

Biological Resources	
3.13-1a	**Implement NBHCP ITP Giant Garter Snake Mitigation Measures.** The project applicants(s) of all Authorized Development shall adhere to the relevant giant garter snake take, avoidance, and minimization measures contained in the NBHCP (Sections V.A.1 and VI.E.1i) and summarized below: • Reduce direct impacts on giant garter snake by restricting construction in giant garter snake habitat to the active period for giant garter snake (between May 1 and September 30). • Completely dewater all irrigation ditches, canals, or other aquatic habitat, with no puddled water remaining, for at least 15 consecutive days before the excavation or filling in of the dewatered habitat to remove giant garter snake prey. Dewatering shall occur between April 15 and September 30. • Survey the project area for giant garter snake no more than 24 hours before the start of construction activities (site preparation and/or grading). If construction activities stop on the project site for 2 weeks or more, a new snake survey shall be completed no more than 24 hours before the restart of construction activities. • Confine clearing to the minimal area necessary to facilitate construction activities. Giant garter snake habitat within or adjacent to the project site shall be flagged as an “Environmentally Sensitive Area” and designated as avoided. • Provide USFWS-approved environmental awareness training for all construction personnel completing site preparation and grading operations. Construction personnel shall be trained on how to identify giant garter snakes and their habitats and on handling protocol if a giant garter snake is encountered during construction activities. An on-site biological monitor shall be available during the training. • Immediately notify USFWS and the project biological monitor if a live snake is found during construction activities. The snake shall be monitored by the biological monitor and allowed to leave the area on its own. • Remove any temporary fill and/or construction debris used by the snake as an overwintering site from the site upon completion of construction. • When working within 200 feet of snake aquatic or rice habitat, avoid plastic, monofilament, jute, or similar erosion control matting that could entangle snakes. • Construct fences within the project site along the shared boundary of urban development and the North Drainage Canal and the East Drainage Canal. The fences shall be subject to the following guidelines: a. Provide a minimum of 100 feet from fence to fence. b. Limit access to the canals by constructing gates. c. Place a snake deterrent along the fences on the North Drainage Canal and the East

TABLE ES-5
SUMMARY OF SPSP EIR MITIGATION MEASURES INCORPORATED INTO THE PROPOSED PROJECT

	Drainage Canal. The design of the deterrent shall be subject to approval by a qualified biologist. d. Immediately install the fence/barrier after site grading is completed.
3.13-1b	**Implement Measures to Mitigate Impacts on the Giant Garter Snake That Are Not Covered by the NBHCP.** The project applicant(s) of all off-site elements not covered by the NBHCP shall implement the following measures to avoid, minimize, and compensate for potential project impacts on giant garter snake: • Consult with a qualified biologist to ensure that the alignments for all off-site improvement areas avoid giant garter snake to the extent feasible. All aquatic and upland habitats that can be avoided shall be protected by temporary fencing during construction. Additional measures consistent with the goals and objectives of the NBHCP shall be implemented to minimize the potential direct injury or mortality of individual giant garter snakes during construction. Such measures shall be finalized in consultation with DFG and USFWS and are likely to include conducting worker awareness training, timing initial ground disturbance to correspond with the snake's active season (as feasible in combination with minimizing disturbance of nesting Swainson's hawks), dewatering aquatic habitat before fill, conducting preconstruction surveys, and conducting biological monitoring during construction. • Develop and implement a giant garter snake conservation strategy that is consistent with the NBHCP's strategy for establishing an interconnected reserve system composed of marshland, uplands, and rice fields in the Natomas Basin. The conservation strategy shall include on- and off-site habitat preservation, restoration, and creation as needed to meet the performance standard of no net loss in function and value of giant garter snake habitat. The conservation strategy shall establish specific success for habitat creation, specify remedial measures to be undertaken if success criteria are not met (e.g., adaptive management, physical adjustments to created habitat, additional monitoring), and describe short- and long-term maintenance and management of the features. Long-term protection of the created features and funding for their management shall be provided through appropriate mechanism to be determined by the project applicant(s), DFG, and USFWS before project implementation. Authorization for take of giant garter snake shall be obtained as necessary to comply with the ESA and CESA. All measures subsequently adopted through the permitting process shall be implemented.
3.13-2	**Secure Clean Water Act Section 404 and 401 Permits and Streambed Alteration Agreements; Implement All Permit Conditions; and Ensure No Net Loss of Wetlands, Other Waters of the United States, and Associated Functions and Values.** The project applicant(s) of all project phases shall retain a qualified biologist to delineate all wetlands and waters of the United States within proposed off-site improvement areas and all on-site areas not included in the ECORP wetland delineation. The findings shall be documented in detailed reports and submitted to USACE for verification as part of the formal Section 404 wetland delineation process. If wetland delineations for a particular phase conclude that wetlands are not present or would be avoided (no direct or indirect impacts), no further mitigation actions would be needed. For each phase of development, including off-site improvements, the County shall ensure the avoidance of any net loss of wetland function and values for direct and indirect impacts to wetlands subject to federal, state, and/or local jurisdiction, and the project applicant(s) shall secure applicable permits and regulatory approvals described below and shall implement all permit conditions: • If there would be unavoidable impacts on habitats under USACE jurisdiction for direct and indirect impacts requiring a Section 404 permit, the Section 404 permitting process shall be completed and authorization shall be secured before any fill is placed in jurisdictional wetlands or other waters of the United States. The acreage of jurisdictional wetlands affected shall be replaced so as to ensure no net loss of functions and values, in accordance with USACE regulations. The range of compensation for fill of jurisdictional waters could be less than 1:1 or more than 1:1, depending on the timing, functions, and values of the jurisdictional waters created for compensation. The final compensatory range shall be negotiated with the resources agencies and specified in regulatory permits issued for that particular phase of the project. • Habitat restoration, rehabilitation, and/or replacement shall be at a location and shall be conducted by feasible methods agreeable to USACE, the County, or other applicable agencies (depending on which agency has permitting authority). Agreement by the applicable agencies shall be obtained before the start of any grading activities that could affect wetland features. Methods for designing and implementing restored, rehabilitated, and replacement wetlands shall be determined by qualified restoration ecologists and geomorphologists to ensure that the desired results are achievable. The design shall include features to maximize the long-term maintenance of functions and values (e.g., fencing) and success criteria. A minimum of 5 years of monitoring shall be required for all restored, rehabilitated, and replacement wetlands. A

TABLE ES-5
SUMMARY OF SPSP EIR MITIGATION MEASURES INCORPORATED INTO THE PROPOSED PROJECT

	monitoring plan shall be developed that includes remedial actions to be taken if the success criteria are not met. Before the mitigation design and monitoring plan are finalized, the project applicant(s) shall obtain the approval of USACE, RWQCB, and DFG, as appropriate, indicating that the planned features are sufficient to replace lost habitat values at equivalent or higher levels. Compensation requirements shall be evaluated in conjunction with any benefits obtained through compliance with the NBHCP. • A streambed alteration agreement shall be obtained for any unavoidable impacts on habitats regulated under Section 1602 of the California Fish and Game Code, and affected habitats shall be mitigated on a no-net-loss basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and shall be conducted by methods agreeable to DFG. Minimization and compensation measures adopted through the Section 1602 permitting process shall be implemented. • Water quality certification pursuant to Section 401 of the CWA shall be obtained as required for any USACE permit. Any measures required as part of the issuance of water quality certification shall be implemented. • A report of waste discharge shall be filed for any waters of the state with the Regional Water Quality Control Board.
3.13-3a	**Implement NBHCP ITP Swainson's Hawk Avoidance and Minimization Measures.** The project applicants(s) of all Authorized Development shall adhere to the relevant Swainson's hawk take avoidance and minimization measures described in the NBHCP (Sections V.A.1 and VI.E.1i) and summarized below: • Conduct a preconstruction survey by a qualified biologist before the commencement of activities at any construction site to determine (1) whether any hawk nest trees will be removed on-site or (2) whether any active hawk nest sites occur on or within 0.5 mile of the development site. These surveys shall be conducted by an experienced Swainson's hawk biologist and according to the Swainson's Hawk Technical Advisory Committee's methodology or updated methodologies, as approved by USFWS and DFG. • Avoid construction if breeding hawks are identified. No new disturbances shall occur within 0.5 mile of the active nest between March 15 and September 15 or until a qualified biologist, with concurrence by DFG, has determined that the young have fledged, that the nest is no longer occupied, or that construction will not affect nest success. If the active nest site is located within 0.25 mile of existing urban development, the no-new-disturbance zone can be limited to 0.25 mile. • Temporarily avoid (i.e., defer construction activities until after the nesting season) construction where disturbance of a Swainson's hawk nest cannot be avoided. If permanently unavoidable, the nest tree may be destroyed during the nonnesting season. For purposes of this provision, the Swainson's hawk nesting season is defined as March 15 to September 15. If a nest tree must be removed, tree removal shall only occur between September 14 and February 1. • Avoid removal of a Swainson's hawk nest tree if fledglings are present. The tree shall not be removed until September 15 or until DFG has determined that the young have fledged and are no longer dependent upon the nest tree. • The raptor nesting season shall be avoided when scheduling construction near nests in accordance with applicable guidelines published by DFG or through consultation with DFG. • Provide funding for purchase, planting, maintenance, and monitoring of trees in accordance with the NBHCP. • Provide sufficient funding for monitoring survival success of existing Swainson's hawk nest tree trees for a period of 5 years. Provide for replacement trees in accordance with the NBHCP. Ensure that a 100% success rate is achieved.
3.13-3b	**Implement Measures to Mitigate Impacts on Swainson's Hawk Not Covered by the NBHCP**. Before commencement of elements of the proposed project development not covered by the NBHCP ITP, the project applicant(s) of all project phases shall implement the following measures to reduce potential impacts on Swainson's hawk: • Retain a qualified biologist to conduct preconstruction surveys to identify active nests (i.e., occupied nests) within 0.5 mile of construction areas, in accordance with DFG guidelines. If an active nest is found, no new disturbance shall occur within 0.5 mile of the nest until the nest is no longer active or appropriate avoidance measures are developed, approved by DFG, and implemented to ensure that the nest is adequately protected. • Restore off-site temporary disturbance to grassland and agriculture habitat to provide equal or greater foraging value for Swainson's hawk. The project applicant(s) shall develop and implement a restoration plan for each off-site improvement that could result in impacts on

TABLE ES-5
SUMMARY OF SPSP EIR MITIGATION MEASURES INCORPORATED INTO THE PROPOSED PROJECT

	Swainson's hawk foraging habitat to ensure that the performance standard of no net loss of Swainson's hawk foraging habitat is met. The restoration plans shall establish specific success criteria for habitat restoration, specify remedial measures to be undertaken if success criteria are not met (e.g., supplementary planting and additional monitoring), and describe short- and long-term maintenance and management actions. • If there is any permanent loss of habitat, the project applicant(s) shall mitigate for that loss at 1:1 with lands of equivalent value.
3.13-4a	**Implement NBHCP ITP Avoidance and Minimization Measures for Valley Elderberry Longhorn Beetle, White- Faced Ibis, Loggerhead Shrike, Burrowing Owl, Northwestern Pond Turtle, California Tiger Salamander, Western Spadefoot Toad, and Vernal Pool Invertebrates.** The project applicants(s) of all Authorized Development shall adhere to the relevant take, avoidance, and minimization measures described in the NBHCP (Sections V.A.1 and VI.E.1i) and summarized below. In case of conflict, the NBHCP controls. *Valley Elderberry Longhorn Beetle* The project applicant(s) of all Authorized Development shall implement the following measures: • Comply with USFWS Compensation Guidelines for Valley Elderberry Longhorn Beetle (USFWS 1999). • Avoid impacts on habitat for the valley elderberry longhorn beetle whenever possible. • Transplant during the dormant season (November 1 to February 15) all elderberry plants that cannot be avoided to an area protected in perpetuity and approved by USFWS. • Provide replacement seedling plants at a ratio of 2:1 to 5:1 depending on the extent of beetle, utilizing the plants moved or lost. • Monitor annually valley elderberry longhorn beetle habitat in planted mitigation sites for a 10-year period. • Meet a 60% survival rate by the end of the year and a 60% survival rate for the term of the applicable permit for all replacement elderberry shrubs. *Tricolored Blackbird* The project applicant(s) of all Authorized Development shall implement the following measures: • Conduct a preconstruction survey of potential breeding and nesting habitat for presence of tricolored blackbird before approval of an urban development permit. • If surveys determine this species to be present, install brightly colored construction fencing to establish a boundary 500 feet from the active nest site. Avoid disturbance within 500 feet of active (occupied) nests during the nesting season of May 15 through July 1 or until a qualified biologist, with concurrence of USFWS, has determined that young have fledged or that the nest is no longer occupied. *White-Faced Ibis* The project applicant(s) of all Authorized Development shall implement the following measures: • Conduct a preconstruction survey of potential nesting habitat for presence of white-faced ibis before approval of an urban development permit. • Avoid disturbance within 0.25 mile of active (occupied) nesting colonies during the nesting season of May 15 through August 31 or until a qualified biologist, with concurrence of DFG and USFWS, has determined that young have fledged or that the nest is no longer occupied if surveys determine this species to be present. *Loggerhead Shrike* The project applicant(s) of all Authorized Development shall implement the following measures: • Conduct a preconstruction survey to determine the presence of the loggerhead shrike. • Install brightly colored construction fencing that establishes a boundary 100 feet from any active loggerhead shrike nests identified during preconstruction surveys. No disturbance associated with authorized development shall occur within the 100-foot fenced area during the nesting season of March 1 through July 31. A qualified biologist, with the concurrence of USFWS, must determine that young have fledged or that the nest is no longer occupied before disturbance of the nest site can occur. *Burrowing Owl* The project applicant(s) of all Authorized Development shall implement the following measures: • Retain a DFG-approved qualified biologist to conduct a preconstruction survey of all construction site(s) to determine whether any burrowing owls are using the site for foraging or nesting before the initiation of grading or earth-disturbing activities. Submit the pre-construction survey to the County prior to commencement of construction activities.

TABLE ES-5
SUMMARY OF SPSP EIR MITIGATION MEASURES INCORPORATED INTO THE PROPOSED PROJECT

- Avoid disturbance of occupied burrows during the nesting season (February 1 through August 31) unless a qualified biologist approved by DFG verifies through noninvasive measures either that the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If on-site avoidance is required, then the location of the buffer zone shall be determined by a qualified biologist. Mark the limit of the buffer zone with yellow caution tape, stakes, or temporary fencing. Maintain the buffer during the construction period.
- Contact USFWS and DFG if nest site(s) are found. The agencies shall be contacted regarding suitable mitigation measures, which may include establishing a 300-foot buffer around the nest site during the breeding season (February 1 through August 31) or relocating the burrowing owls if the birds have not begun egg laying and incubation or the juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- Retain a qualified biologist to prepare a plan for relocating the owls to a suitable site if relocation of the owls is approved by USFWS and DFG. The relocation plan must include the content specified by the NBHCP.
- Offset disturbance and/or destruction of burrows through development of suitable habitat on NBC upland reserves where on-site avoidance is not possible. Such habitat shall include creation of new burrows with adequate foraging area (a minimum of 6.5 acres) or 300-foot radii around the newly created burrows.

Northwestern Pond Turtle
The project applicant(s) of all Authorized Development shall implement the following measure:

- Minimize the take of the northwestern pond turtle as a result of habitat destruction during construction activities, including construction related to the removal of irrigation ditches and drains and ditch and drain maintenance (e.g., relocate turtles to suitable habitat away from the construction area).
- The dewatering requirements described in the NBHCP take avoidance, minimization, and mitigation measures for giant garter snake shall be implemented.

California Tiger Salamander
The project applicant(s) of all Authorized Development shall implement the following measure:

- Conduct a preconstruction survey for California tiger salamander before approval of an urban development permit. If the survey determines the presence of California tiger salamander, the project applicant(s) shall consult with USFWS and DFG to determine appropriate measures to avoid and minimize take of individuals, which may include but are not limited to, modifying the project design to avoid occupied habitat; limiting access and construction activities in the vicinity of the occupied habitat using fencing or other means; relocating adult salamanders to suitable habitat outside of the construction area; and implementing compensatory mitigation, including preservation of off-site habitat.

Western Spadefoot Toad
The project applicant(s) of all Authorized Development shall implement the following measure:

- Conduct a preconstruction survey of western spadefoot toad before approval of an urban development permit. If the survey determines that western spadefoot toad is present, the project applicant(s) shall consult with DFG to determine appropriate measures to avoid and minimize take of individuals, which include but are not limited to, modifying the project design to avoid occupied habitat; limiting access and construction activities in the vicinity of the occupied habitat using fencing or other means; relocating adult toads to suitable habitat outside of the construction area; and implementing compensatory mitigation, including preservation of off-site habitat.

Special-Status Vernal Pool Invertebrates
The project applicant(s) of all Authorized Development shall implement the following measure:

- Conduct a preconstruction survey for special-status vernal pool invertebrates. If the survey determines that vernal pool fairy shrimp, vernal pool tadpole, and midvalley fairy shrimp are present, the project applicant(s) shall consult with USFWS to determine appropriate measures to avoid and minimize take of individuals, which include but are not limited to, modifying the project design to avoid occupied habitat; limiting access and construction activities in the vicinity of the occupied habitat using fencing or other means; relocating vernal pool invertebrates to suitable habitat outside of the construction area; and implementing compensatory mitigation, including preservation of off-site habitat.
- Comply with Measures to Minimize Take of Vernal Pool Species in NBHCP V.A.4.

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3.13-4b	**Implement Measures to Mitigate Impacts on Special-Status Wildlife Species Not Covered by the NBHCP.** Before commencement of construction activities outside the NBHCP ITP area, the project applicant(s) of all project elements not covered by the NBHCP shall implement the following measures to reduce potential effects on special-status wildlife species. *Valley Elderberry Longhorn Beetle* The project applicant(s) of all project phases, including off-site elements, shall implement the following measures: • Comply with USFWS Compensation Guidelines for Valley Elderberry Longhorn Beetle (USFWS 1999), which requires that impacts on elderberry shrubs be avoided whenever possible. If elderberry shrubs cannot be avoided, they must be transplanted in accordance with methods outlined in the guidelines, replaced by planting shrubs in a conservation area at a ratio ranging from 1:1 to 8:1, or mitigated by purchasing credits in an approved mitigation bank as agreed upon through consultation with USFWS. • Retain a qualified biologist to conduct preconstruction surveys for elderberry shrubs before initiation of earth-moving activities for all proposed project phases not covered by the NBHCP ITP, including the proposed off-site infrastructure elements. If the survey determines that elderberry shrubs are present and that they could be adversely affected by the project, the project applicant(s) shall develop and implement a management plan for each off-site improvement the implementation of which could result in impacts on valley elderberry longhorn beetle. Implementation of the plan shall ensure that the performance standard of no net loss of valley elderberry longhorn beetle habitat is met. The restoration plans shall establish specific success criteria for habitat restoration, specify remedial measures to be undertaken if success criteria are not met (e.g., supplementary planting and additional monitoring), and describe short- and long-term maintenance and management actions. Long-term protection of restored areas and funding for their management shall be provided through appropriate mechanism to be determined by the project applicant(s) and the applicable county in consultation with USFWS. Authorization for take of valley elderberry longhorn beetle shall be obtained as necessary to comply with the ESA. All measures subsequently adopted through the permitting process shall be implemented. *Tricolored Blackbird* The project applicant(s) of all project phases, including off-site elements, shall implement the following measures: • Retain a qualified biologist to conduct preconstruction surveys for tricolored blackbird before initiation of earth-moving activities for all proposed project phases not covered by the NBHCP ITP, including the proposed off-site infrastructure elements. • Avoid disturbance to active (occupied) nesting colonies during the nesting season if the surveys determine that tricolored blackbirds are present. If they are present, a boundary shall be marked by brightly colored construction fencing that establishes a boundary 500 feet from the active nest site. No disturbance associated with project development shall occur within the 500-foot fenced area during the nesting season or while birds are present. Construction shall not commence until a qualified biologist, with the concurrence of DFG, has determined that the young have fledged and that the nest sites are no longer active. *Black-Crowned Night-Heron and White-Faced Ibis* The project applicant(s) of all project phases, including off-site elements, shall implement the following measures: • Retain a qualified biologist to conduct preconstruction surveys for black-crowned night-heron and white-faced ibis before initiation of earth-moving activities for all project phases not covered by the NBHCP ITP, including the proposed off-site infrastructure elements. The preconstruction surveys shall be conducted within 0.25 mile of the applicable project site(s). • Avoid construction activities within 0.25 mile of any nests found during the nesting season (May 15 through August 31) until a qualified biologist, in consultation with DFG, has determined that the young have fledged or that the nest is no longer occupied. *Loggerhead Shrike* The project applicant(s) of all project phases, including off-site elements, shall implement the following measures: • Retain a qualified biologist to conduct preconstruction surveys for loggerhead shrike before initiation of earth-moving activities of all proposed project phases not covered by the NBHCP ITP, including the proposed off-site infrastructure elements. The preconstruction surveys shall be conducted within 100 feet of the applicable project site(s). • Install a buffer with brightly colored construction fencing that establishes a boundary 100 feet

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from the active nest if surveys identify an active loggerhead shrike nest that would be adversely affected by project development. No disturbance associated with authorized development shall occur within the 100-foot fenced area during the nesting season (March 1 through July 31). A qualified biologist, with concurrence of DFG, must determine that the young have fledged or that the nest is no longer occupied before disturbance of the nest site can occur.

Burrowing Owl
The project applicant(s) of all project phases, including off-site elements, shall implement the following measures:

- Retain a qualified biologist to conduct preconstruction surveys before initiation of earth-moving activities for all project phases not afforded coverage by the NBHCP ITP. The preconstruction surveys shall occur during the breeding season (February through August) to identify active burrows within 500 feet of the project site.
- Establish a buffer to protect any burrowing owl nest within 500 feet of the project site. No project activity shall commence within the buffer area until a qualified biologist confirms that the young have fledged and the nest is no longer active. DFG guidelines recommend implementation of a 0.25- or 0.5-mile buffer, but the size of the buffer may be adjusted if a qualified biologist and the applicable county, in consultation with DFG, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.
- Conduct a survey for active owl burrows before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of construction for all proposed project phases, including proposed off-site infrastructure elements. If burrowing owls are detected, the project applicant(s) shall notify DFG. If no active burrows are found, no further mitigation is required. If active burrows are found, the project applicant(s) shall prepare a mitigation plan. The plan shall be submitted to the applicable county for review and approval before initiation of any grounddisturbing activities. The plan may consist of installing one-way doors on all burrows during the nonbreeding season to allow owls to exit but not reenter and constructing artificial burrows within the project vicinity, as needed. If active burrows contain eggs and/or young, no construction shall occur within 165 feet of the burrow until the young have fledged or no longer rely on the burrow. After it is confirmed that there are no owls inside burrows, these burrows may be collapsed.

Northwestern Pond Turtle
The project applicant(s) of all project phases, including off-site elements, shall implement the following measure:

- Retain a qualified biologist to conduct preconstruction surveys before initiation of earth-moving activities for all project phase(s) not covered by the NBHCP ITP. The surveys shall include all aquatic habitats to be dewatered and/or filled during project construction. Surveys shall be conducted immediately after any dewatering and before any fill of aquatic habitat. If pond turtles are found, the biologist shall capture them and move them to the nearby areas of suitable habitat that would not be disturbed by project construction.

California Tiger Salamander
The project applicant(s) of all project phases, including off-site elements, shall implement the following measure:

- Retain a qualified biologist to conduct preconstruction surveys during the appropriate survey period as determined through consultation with USFWS and DFG, and before initiation of earth-moving activities for all project phases not afforded coverage by the NBHCP ITP. If a future survey determines the presence of California tiger salamander, the project applicant(s) shall develop and implement a management plan for each off-site improvement the implementation of which could result in impacts on California tiger salamander. If feasible, the management plan shall describe measures to avoid and minimize impacts to California tiger salamander habitat. If complete avoidance is not feasible, the plan shall include compensatory mitigation. Implementation of the plan shall ensure that the performance standard of no net loss of California tiger salamander habitat is met. The management plan shall establish specific success criteria for habitat creation/preservation, specify remedial measures to be undertaken if success criteria are not met, and describe short- and long-term maintenance and management actions. Long-term protection of created and preserved areas and funding for their management shall be provided through an appropriate mechanism to be determined by the project applicant(s) and the applicable county in consultation with USFWS. Authorization for take of California tiger salamander shall be obtained if necessary to comply with the ESA. All measures subsequently adopted through the permitting process shall be implemented.

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Western Spadefoot Toad
The project applicant(s) of all project phases, including off-site elements, shall implement the following measures:

- Retain a qualified biologist to conduct a survey for western spadefoot toad during the appropriate survey period as determined during consultation with USFWS and DFG, before initiation of earth-moving activities for all project phases not afforded coverage by the NBHCP ITP.
- Develop and implement a management plan for each off-site improvement, the implementation of which could result in impacts on western spadefoot toad, if the preconstruction survey determines the presence of the toad. Implementation of the plan shall ensure that the performance standard of no net loss of western spadefoot toad habitat is met. The management plan shall establish specific success criteria for habitat creation/preservation, specify remedial measures to be undertaken if success criteria are not met, and describe short- and long-term maintenance and management actions. Long-term protection of created and preserved areas and funding for their management shall be provided through an appropriate mechanism to be determined by the project applicant(s) and the applicable county in consultation with DFG.

Vernal Pool Invertebrates
The project applicant(s) of all project phases, including off-site elements, shall implement the following measures:

- Retain a qualified biologist to conduct preconstruction surveys to identify potential habitat for vernal pool species during the appropriate season (as established by USFWS). The surveys shall identify vernal pools, seasonal swales, and other suitable habitats that might be directly or indirectly affected by the project. The project shall, if feasible, avoid causing take of any federally listed vernal pool invertebrates. Standards for the survey shall be in accordance with the USFWS Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the ESA for the Listed Vernal Pool Branchiopods (April 19, 1996) or the most recent approved USFWS survey guidelines for vernal pool species. Conservation and minimization measures are likely to include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction, a detailed monitoring plan, and reporting requirements.
- If complete avoidance is not feasible, construction shall not proceed until a take authorization has been issued by USFWS and the project applicant(s) have abided by the conditions of the authorization, including the conservation and minimization measures intended to be completed before construction begins.
- Identify mitigation for direct and indirect impacts on vernal pools and other seasonal wetland habitats that support or potentially support federally listed vernal pool invertebrates that shall ensure no net loss of habitat (acreage and function) for these species (e.g., through habitat creation, rehabilitation, and/or preservation). The project applicant(s) shall complete and implement a habitat mitigation and monitoring plan that compensates for the loss of acreage, function, and value of affected vernal pool habitat. The habitat mitigation and monitoring plan shall be consistent with guidance provided in Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans withinthe Jurisdiction of the Sacramento Field Office, California (USFWS 1996) or shall provide an alternative approach that accomplishes no net loss of habitat.
- If the project discharges dredge or fill material into wetlands or other waters of the United States, the project applicant(s) shall secure a USACE Section 404 CWA permit and achieve no net loss of wetlands.
- Provide sufficient upland habitat within the proposed mitigation areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. The land used to satisfy this mitigation measure shall be protected through a conservation easement or deed restriction.

Special-Status Fish
The project applicant(s) of all project phases, including off-site elements, shall implement, or ensure the implementation of, the following measures:

- If the American Basin Fish Screen and Habitat Improvement Project is fully implemented, it is assumed that the potential for entrainment and associated injury or mortality would be substantially reduced from baseline conditions and that no additional analysis or mitigation would be necessary to reduce this impact or to comply with the ESA. However, if NMFS determines that take of listed salmonids would occur, authorization for take shall be obtained to comply with ESA. All measures subsequently adopted through the permitting process shall be implemented.
- If water supply Alternative B is selected and it requires long-term modification of the timing of water diversion from the Sacramento River, this would be considered a change in the proposed

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	project and a separate CEQA analysis shall be prepared to determine whether additional mitigation would be required to ensure that impacts to special-status fish species from changes in river hydrology and associated physical habitat would remain less than significant. Additional mitigation may include, for example, improved fish screens, limits on diversions when juvenile salmonids may be present in the river system, and other avoidance and minimization measures developed in consultation with NOAA Fisheries under Section 7 of the ESA.
3.13-5a	**Implement NBHCP ITP Avoidance and Minimization Measures for Impacts on Special-Status Plant Species**. The project applicants(s) of all Authorized Development shall adhere to the relevant take, avoidance, and minimization measures described in the NBHCP and summarized below. In case of conflict, the NBHCP controls. *Delta Tule Pea* The project applicant(s) of all Authorized Development shall implement the following measure: • Conduct preconstruction survey of Delta tule pea. If Delta tule pea plants are identified through the preconstruction survey, USFWS and DFG shall be immediately notified. Under such circumstances, the project applicant(s) shall provide for transplantation of the identified plants before site disturbance. *Sanford's Arrrowhead* The project applicant(s) of all Authorized Development shall implement the following measure: • Conduct a preconstruction survey of Sanford's arrowhead. If Sanford's arrowhead plants are identified through the preconstruction survey, USFWS and DFG shall be notified immediately. Under such circumstances, the project applicant(s) shall provide for the transplantation of the identified plants before site disturbance. *Boggs Lake Hedge-Hyssop, Sacramento Orcutt Grass, Slender Orcutt Grass, Colusa Grass, and Legenere* The project applicant(s) of all Authorized Development shall implement the following measure: • Conduct a preconstruction survey of Boggs Lake hedge-hyssop, Sacramento Orcutt grass, slender Orcutt grass, Colusa grass, and legenere. If the survey determines that Boggs Lake hedge-hyssop, Sacramento Orcutt grass, slender Orcutt grass, Colusa grass, or legenere are present, the project applicant(s) shall consult with USFWS and DFG to determine appropriate measures to avoid and minimize loss of individuals, which may include but is not limited to, fencing of the population before construction and exclusion of project activities from the fenced-off areas, and construction monitoring by a qualified botanist to keep construction crews away from the population. Indirect impacts (i.e., changes in hydrology) shall be minimized by placing culverts away from any plant populations, if necessary. Other potential actions include the collection of seeds from the existing populations and inoculation of the collected seeds into a new area.
3.13-5b	**Implement Measures to Mitigate Impacts on Special-Status Plants Not Covered by the NBHCP.** The project applicant(s) of all proposed project phases not covered by the NBHCP, including the proposed off-site infrastructure elements, shall: • Retain a qualified biologist to conduct preconstruction surveys to identify potential habitat for special-status plant species during the appropriate season (as established by USFWS). The surveys shall identify vernal pools, seasonal swales, and other suitable habitats that might be directly or indirectly affected by the project. If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to USFWS, DFG, and the applicable county, and no further mitigation shall be required. The project shall, if feasible, avoid causing take of special-status plant species. If complete avoidance is not feasible, construction shall not proceed until take authorization has been issued by USFWS or DFG, and the project applicant(s) have abided by the conditions of the authorization, including the conservation and minimization measures intended to be completed before construction begins
Cultural Resources	
3.15-2	**Educate Construction Workers regarding Buried Cultural Resources, Suspend Ground-Disturbing Activities if Resources are Encountered, and Employ an Archaeologist to Assess the Find**. To reduce impacts on potentially undiscovered cultural resources, the project applicant(s) of all project phases shall do the following: • Before the start of construction activities, the project applicant(s) of all project phases shall retain a qualified archaeologist to conduct training for construction workers, to educate them about the possibility of encountering buried cultural resources and inform them of the proper procedures should resources be encountered. • The project applicant(s) of all project phases, including off-site elements, shall retain a qualified

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	archaeologist who is trained in the identification of buried deposits to be present for all ground-disturbing activities within 1,000 feet of Curry Creek, which is located within Phase D and Phase 4 of project development. • The project applicant(s) of all project phases shall temporarily suspend all ground-disturbing activity if previously undocumented archaeological materials (e.g., remains of historic buildings or structures; deposits or scatters of historic artifacts; or prehistoric artifacts such as stone tool flaking debris, mortars, pestles, shell, or bone) are encountered during project construction,. At that time, the project applicant(s) shall retain a qualified archaeologist. Construction activities shall be suspended within a 100-foot radius of the find or a distance determined by a qualified archaeologist to be appropriate based on the potential for disturbance of additional resource-bearing soils. The archaeologist shall conduct a field investigation of the specific site and recommend specific treatment measures deemed necessary to protect or recover any cultural resources concluded by the archaeologist to represent significant or potentially significant resources as defined by CEQA. Specific treatment measures include but are not limited to avoiding the resource or conducting data recovery and recordation. The applicant(s) shall implement all of the archaeologist's feasible recommendations to the satisfaction of the County before construction resumes in the area where cultural materials were discovered.
3.15-3	**Suspend Ground-Disturbing Activities if Undocumented Human Remains are Encountered and follow California Health and Safety Code Procedures.** In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, including those associated with off-site improvements, the project applicant(s) shall immediately halt potentially damaging excavation in the area of the burial and notify the County coroner and a professional archaeologist to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or public lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). After the coroner's findings are complete, the project applicant(s), an archaeologist, and the NAHC-designated Most Likely Descendant (MLD) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American human remains are identified in Section 5097.9 of the California Public Resources Code. Upon the discovery of Native American remains, the procedures above regarding involvement of the County coroner, notification of the NAHC, and identification of an MLD shall be followed. The applicant(s) shall ensure that the immediate vicinity (according to generally accepted cultural or archaeological standards and practices) is not damaged or disturbed by further development activity until consultation with the MLD has taken place. The MLD shall have at least 48 hours after being granted access to the site to inspect the site and make recommendations. A range of possible treatments for the remains may be discussed: nondestructive removal and analysis, preservation in place, relinquishment of the remains and associated items to the descendants, or other culturally appropriate treatment. As suggested by Assembly Bill (AB) 2641 (Chapter 863, Statutes of 2006), the concerned parties may extend discussions beyond the initial 48 hours to allow for the discovery of additional remains. AB 2641(e) includes a list of site protection measures and states that the applicant(s) shall comply with one or more of the following requirements: • Record the site with the NAHC or the appropriate Information Center. • Utilize an open-space or conservation zoning designation or easement. • Record a document with the county in which the property is located. The applicant(s) or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the NAHC is unable to identify an MLD or if the MLD fails to make a recommendation within 48 hours after being granted access to the site. The applicant(s) or its authorized representative may also reinter the remains in a location not subject to further disturbance if it rejects the recommendation of the MLD and mediation by the NAHC fails to provide measures acceptable to the landowner. Ground disturbance in the zone of suspended activity shall not recommence without authorization from the archaeologist.
3.6-6	**Conduct Construction Worker Personnel Training, Stop Work if Paleontological Resources Are Encountered, and Implement Paleontological Resources Recovery Plan.** To minimize potential adverse impacts on unique, scientifically important paleontological resources, the project applicant(s) of all project phases and off-site elements shall do the following: • Before the start of grading or excavation activities within the Modesto, Riverbank, or Turlock

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	Lake Formations as shown in Exhibit 3.6-1, the project applicant(s) shall retain a qualified paleontologist or archaeologist to train all construction personnel (including the site superintendent) involved with earthmoving activities, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. • If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the applicable County Public Works Department. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a proposed recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations determined by the county to be necessary and feasible shall be implemented before construction or demolition activities can resume at the site where the paleontological resources were discovered.
Geology, Soils and Seismicity	
3.6-1	**Prepare and Implement a Grading and Erosion Control Plan.** A grading and erosion control plan shall be prepared by a California Registered Civil Engineer retained by the project applicant(s) for all project phases. The grading and erosion control plan shall be submitted to the applicable County Public Works Department(s) before issuance of grading permits for all new development on the project site and all supporting elements. The plan shall be consistent with the state's NPDES permit requirements and shall include the site specific grading associated with development for all project phases. The plan shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of detention basins, berms, swales, wattles, and silt fencing; and covering or watering of stockpiled soils to reduce wind erosion. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot. The project applicant(s) of all project phases shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials. Implementation of [SPSP EIR] Mitigation Measure 3.7-1 also would help to reduce erosion-related impacts. Significance after Mitigation: less than significant.
3.6-2a	**Prepare a Final Geotechnical Report, and Implement All Applicable Recommendations.** Before construction begins for all project phases and all off-site elements, a final geotechnical subsurface investigation report shall be prepared by the project applicant(s) for the proposed development and shall be submitted to the applicable County Public Works Department(s). The final geotechnical engineering report shall be prepared according to the standards adopted in the 2007 or subsequently adopted CBC, and shall address and make recommendations on the following that shall be implemented by the project applicant(s) for all project phases: • seismic design; • site preparation; • appropriate sources and types of fill; • potential need for soil amendments; • road, pavement, and parking areas; • structural foundations, including retaining wall design; • grading practices; • erosion/winterization; • shallow surface water table; • expansive soils/lateral spreading/subsidence; • unstable soils; and • liquefaction. In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions for both on-site and off-site project elements and shall determine appropriate foundation designs that are consistent with the 2007 or subsequently adopted CBC. All recommendations contained in the final geotechnical engineering report shall be implemented by the project applicant(s) of all project phases. Special recommendations contained in the geotechnical engineering report shall be noted on the

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	grading plans and implemented as appropriate before on- and offsite construction begins. Design and construction of all new development in all phases of the project shall be in accordance with the 2007 or subsequently adopted CBC. It is the responsibility of the project applicant(s) to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the geotechnical report.
3.6-2b	**Monitor On- and Off-Site Earthwork.** All earthwork shall be monitored by a licensed geotechnical or soils engineer retained by the project applicant(s) for all project phases and all off-site elements. The geotechnical or soils engineer shall provide oversight during all excavation, placement of fill, and disposal of materials removed from and deposited on the subject site and other sites.
Greenhouse Gas Emissions	
3.17-1	**Implement Additional Measures to Reduce GHG Emissions.** For each increment of new development within the project site requiring a discretionary approval (e.g., proposed tentative subdivision map, conditional use permit), the County shall impose mitigation measures that reduce GHG emissions to the extent feasible and to the extent appropriate with respect to the state's progress at the time toward meeting GHG emissions reductions required by the California Global Warming Solutions Act of 2006 (AB 32). The County shall require feasible reduction measures that, in combination with existing and future regulatory measures developed under AB 32, will reduce GHG emissions associated with the operation of developments and supporting infrastructure that are part of the proposed project by 30% from business-as-usual emissions levels projected for 2020, if it is feasible to do so. For each increment of new development, the County shall submit to the developer a list of potentially feasible GHG reduction measures to be considered in the development design. The County's list of potentially feasible GHG reduction measures shall reflect the current state of the regulatory environment, which will continuously evolve under the mandate of AB 32. The developer shall then submit to the County a mitigation report that contains an analysis demonstrating which GHG reduction measures are feasible and the associated reduction in GHG emissions. The report shall also demonstrate why measures not selected are considered infeasible. The County must review and approve the mitigation report for the applicable increment of development to receive its discretionary approval. In determining what sorts of measures should appropriately be imposed by a local government under the circumstances, the County shall consider the following factors: • the extent to which rates of GHG emissions generated by motor vehicles traveling to, from, and within the project site are projected to decrease over time as a result of regulations, policies, and/or plans that have already been adopted or may be adopted in the future by ARB or other public agency pursuant to AB 32, or by EPA; • the extent to which mobile-source GHG emissions, which at the time of writing this EIR comprise a substantial portion of the state's GHG inventory, can also be reduced through design measures that result in trip reductions and reductions in trip length; • the extent to which GHG emissions emitted by the mix of power generation operated by PG&E, the electrical utility that will serve the project site, are projected to decrease pursuant to the Renewables Portfolio Standard required by SB 1078 and SB 107, as well as any future regulations, policies, and/or plans adopted by the federal and state governments that reduce GHG emissions from power generation; • the extent to which replacement of CCR Title 24 with the California Green Building Standards Code or other similar requirements will result in new buildings being more energy efficient and consequently more GHG efficient; • the extent to which any stationary sources of GHG emissions that would be operated on a proposed land use (e.g., industrial) are already subject to regulations, policies, and/or plans that reduce GHG emissions, particularly any future regulations that will be developed as part of ARB's implementation of AB 32, or other pertinent regulations on stationary sources that have the indirect effect of reducing GHG emissions; • the extent to which the feasibility of existing GHG reduction technologies may change in the future, and to which innovation in GHG reduction technologies will continue, effecting cost-benefit analyses that determine economic feasibility; and • whether the total costs of proposed mitigation for GHG emissions, together with other mitigation measures required for the proposed development, are so great that a reasonably prudent property owner would not proceed with the project in the face of such costs. In considering how much, and what kind of, mitigation is necessary in light of these factors, the County shall consider the following list of options, though the list is not intended to be exhaustive, as GHG reduction strategies and their respective feasibility are likely to evolve over time. These measures are derived from multiple sources including the Mitigation Measure Summary in

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Appendix B of the California Air Pollution Control Officer's Association (CAPCOA) white paper, CEQA & Climate Change (CAPCOA 2008), and the California Attorney General's Office (2008).

Energy Efficiency

- Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines).
- Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 (as of 2007) by 35%).
- Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use.
- Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings.
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes.

Water Conservation and Efficiency

- With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependant spaces.
- Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community.
- Provide education about water conservation and available programs and incentives.
- In order to reduce stormwater runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single family detached residences and parking lots and driveways of multi-family residential uses with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. Solid Waste Measures
- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste at all buildings.
- Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development.
- Provide education and publicity about reducing waste and available recycling services.

Transportation and Motor Vehicles

- Promote ride sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading zones and waiting areas for ride share vehicles, and providing a web site or message board for coordinating ride sharing).
- Provide the necessary facilities and infrastructure in all land use types to encourage the use of low or zeroemission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
- At industrial and commercial land uses, all forklifts, "yard trucks," or vehicles that are predominately used on-site at non-residential land uses shall be electric-powered or powered by biofuels (such as biodiesel [B100]) that are produced from waste products, or shall use other technologies that do not rely on direct fossil fuel consumption.

Golf Course Design and Operations

- Incorporate best management practices into the design and operation of any golf courses developed under the proposed project. Such practices include but are not limited to the use of low-maintenance grass, electric landscaping equipment and golf carts, electric-powered golf carts, bicycle rentals for patrons, use of drought tolerant native plants, water-efficient irrigation systems and devices such as soil moisture-based irrigation controls, biodegradable golf tees, and development of a water conservation plan. Attain the review and approval of the full design

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	and golf course operations plan from the Environmental Institute for Golf or a like organization to be selected by the Sutter County Community Services Department.
Hazards and Hazardous Materials	
3.12-2	**Retain a Licensed Professional to Investigate the Extent to Which Soil and/or Groundwater May Have Been Contaminated, Including in Areas Not Covered by the Phase I ESAs, and Implement Required Measures, as Necessary.** To reduce health hazards associated with potential exposure to hazardous substances, the project applicant(s) for all project phases shall implement the following measures before the start of ground-disturbing or demolition activities within each phase of project development: • Prepare a Phase II ESA investigation of Area G based on the recommendation of the WKA (2005c) Phase I ESA. • Prepare a Phase I ESA covering all areas before development. If recommended by the Phase I(s), a Phase II ESA investigation is also required. These investigations shall follow Phase I and/or II ESA and/or other appropriate testing guidelines and shall include, as necessary, analysis of soil and/or groundwater samples taken at or near the potential contamination sites. Recommendations in the Phase I and/or II ESA(s) to address any contamination that is found shall be implemented before ground-disturbing activities are initiated in these areas. • A new Phase I ESA or ESAs covering sites that are proposed for use by schools shall be submitted to DTSC for review and approval before CDE will approve purchase of the site. If toxic or hazardous substances, including pesticides, naturally occurring asbestos, or other regulated hazardous materials, are found to be present, subsequent studies (i.e., a Phase II Preliminary Endangerment Assessment, Phase III remedial action) shall be performed as required by DTSC and CDE. • If Phase I and/or Phase II ESAs indicate the presence of soil and/or groundwater contamination, a site remediation plan shall be prepared pursuant to Section 25401.05(a)(1) that identifies any necessary remediation activities appropriate for proposed land uses, including excavation and removal of on-site contaminated soils, redistribution of clean fill material on the project site, and remediation of contaminated groundwater (e.g., installation of groundwater extraction and treatment [GET] facilities). The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil and building debris removed from the site (e.g., compliance with Division of Traffic Operations (DTO)and Caltrans transport regulations, and disposal at facilities permitted by EPA and/or DTSC to accept hazardous wastes). If contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the County, DTSC, and other appropriate regulatory agencies as required (e.g., the Central Valley RWQCB), and shall follow • required actions specified by the regulatory agencies (e.g., dewater the excavated area, properly dispose of contaminated groundwater, or set up GET facilities as required). The contractors of all project phases shall be required to comply with the site remediation plan, which shall outline measures for specific handling and reporting procedures for hazardous materials, and disposal of hazardous materials removed from the site at an appropriately permitted off-site disposal facility. • Retain a licensed contractor to remove all USTs, leaking USTs, and ASTs within the project site. Additionally, any stained soils associated with the debris piles, USTs, and/or ASTs shall also be removed by the licensed contractor, in accordance with Sutter County Environmental Management Department and RWQCB regulations, including Division 7 of the California Water Code (Porter Cologne Water Quality Control Act) and the State Water Resources Control Board regulations (Underground Tank Regulations, CCR 23 Division 3, Chapter 16). • Retain a licensed contractor to remove and dispose of all transite pipe found within the project site in accordance with Section 39658(b)(1) of the Health and Safety Code and EPA's NESHAP for Asbestos. • Retain a licensed contractor to remove all septic systems in accordance with applicable local, state, and federal regulations. • Retain a licensed professional to conduct groundwater sampling from existing water supply wells on the Hintz parcel of Area G to evaluate the potential for nitrate and/or particulate contamination of groundwater as recommended by Geocon. If groundwater contamination is identified, prepare a site remediation plan pursuant to Section 25401.05(a)(1), as described above, in consultation with the appropriate regulatory agencies (e.g., EPA, DTSC, RWQCB). • Retain a Cal-OSHA-certified Asbestos Consultant and Lead Based Paint Inspector/Assessor before demolition of any on-site buildings to investigate whether any asbestos-containing materials or lead-based paints are present. If any materials containing asbestos or lead are

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	found, they shall be removed by an accredited contractor in accordance CCR 17 Section 36000 and 36100 (lead based paint) and Section 39658(b)(1) of the Health and Safety Code (asbestos). In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal-OSHA asbestos and lead worker construction standards. The materials containing asbestos and lead shall be disposed of properly at an appropriately permitted off-site disposal facility. • Obtain an assessment conducted by PG&E pertaining to the contents of the existing pole-mounted transformers located on the project site. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act under the authority of the Sutter County Environmental Health Division. • Refrain from developing existing on-site agriculture or domestic water wells for further use. Such wells shall be closed in accordance with local and state guidelines. Consistent with DOG guidelines, project-related structures shall not be constructed atop abandoned wells. • Obtain an inspection of abandoned boring sites by DOG and hire a licensed environmental professional to determine whether reabandonment of the two "dry hole" gas borings is required to meet current standards. Implementation of this mitigation measure for later project phases may have indirect impacts that could affect residents of earlier project phases, as the required activities have the potential to generate dust, noise, traffic, and transportation of hazardous materials. Hazardous materials transportation is governed by existing regulations as described in the "Environmental Setting" section above and the discussion of Impact 3.12-1. Other indirect impacts, including noise, traffic, and air quality emissions, are analyzed throughout this DEIR in Sections 3.1 through 3.17.
3.12-3	**Retain Licensed Professional to Investigate the Environmental Status of the Contaminated Groundwater Plume, Contaminated Soils, and Any Remediation Activities at the Holt Tractor and Farm Air Service Sites, and Implement All Remedial Measures, as Necessary.** Before excavation or construction activities begin on the project site in the vicinity of the Farm Air Service and Holt Tractor parcels, the project applicant(s) of all affected project phases shall retain a licensed professional to investigate the environmental status of the contaminated groundwater plume, contaminated soils, and any remediation activities at the Holt Tractor and Farm Air Service sites. This investigation may include a review of Cal-EPA or DTSC files and shall include identification of the specific location of the Farm Air Service site, which was not defined in the available Phase I ESAs. Prior to the start of development activities adjacent to the Holt Tractor parcel, additional intrusive investigation shall be conducted by a licensed professional to delineate the extent of the contaminated groundwater plume (which could have changed after preparation of this EIR) and recommend potential treatment options. Project development shall not occur in any area of contaminated soil or groundwater until the following activities take place: • Remove all contaminated soil, dispose of contaminated soils at a properly licensed facility, and replace contaminated soil with clean fill dirt. • Consult with appropriate regulatory agencies, such as DTSC, RWQCB, and Sutter County Department of Environmental Health, and implement all actions required by the regulatory agencies (e.g., dewatering, installation of groundwater monitoring wells, installation of GET facilities) during the consultation process in areas of contaminated groundwater.
Hydrology and Water Quality	
3.7-1	**Acquire Appropriate Regulatory Permits and Implement SWPPP and BMPs.** Prior to the approval of grading permits and improvement plans, the project applicant(s) of all project phases shall prepare a SWPPP consistent with the existing statewide NPDES stormwater permit for general construction activity. The project applicant(s) shall also prepare and submit the appropriate NOI's and any other necessary engineering plans and specifications for pollution prevention and control to the County and the RWQCB. The SWPPP and other appropriate plans shall identify and specify: • the use of erosion and sediment-control BMPs, including construction techniques, that shall reduce the potential for runoff as well as other measures to be implemented during construction. These may include but would not be limited to sedimentation ponds, inlet protection, perforated riser pipes, check dams, and silt fences; • the implementation of approved local plans, non-stormwater-management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities; • the pollutants that are likely to be used during construction that could be present in stormwater drainage and non-stormwater discharges, including fuels, lubricants, and other types of materials

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	used for equipment operation; • spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills; • personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP; and • the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. Where applicable, BMPs identified in the SWPPP shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. BMPs may include such measures as the following: • Implementing temporary erosion-control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation. • Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration. • Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure. All construction contractors shall retain a copy of the approved SWPPP on the construction site. Significance after Mitigation: less than significant.
3.7-2a	**Prepare and Submit Final Drainage Plans to the County and Implement Requirements Contained in Those Plans.** a. For each increment of new development on the project site requiring a discretionary approval, the County shall confirm that the area to be developed either already has or shall have prior to issuance of building permits the minimum level of flood protection required at the time of the development approval by state or federal law, whichever is more stringent. The requirement for such a showing shall be made a condition of any small lot tentative map approval (i.e., prior to final approval) associated with the new development and satisfaction of the condition shall be verified by the County prior to recordation any final map associated with the new development. Where no small lot tentative map and final map is required for a non-residential discretionary development approval, the requirement for such confirmation, to be demonstrated no later than the time of occupancy, shall be made a condition of approval of project-level discretionary approvals analogous to issuance of small-lot tentative maps. After the County general plan amendments and zoning changes made in response to the Central Valley Flood Protection Plan as mandated by Government Code Sections 65302.9 and 65860.1 have become effective (expected in 2015), the County shall not approve a development agreement, tentative map, parcel map, or any other discretionary permit or other discretionary entitlement, or any ministerial permit that would result in the construction of a new residence, for a project located within a flood hazard zone unless the County finds, based on substantial evidence, one of the following: • flood management facilities shall provide the area to be developed with a level of protection necessary to withstand a 200-year flood event; the County has imposed conditions on the development agreement or other entitlement that shall provide the area to be developed with a level of protection necessary to withstand 200-year flood event; or • local flood management agencies have made adequate progress towards construction of a flood protection system intended to provide the area to be developed with a level of protection necessary to withstand a 200-year flood event to justify the expectation that the area to be developed shall have that level of protection by 2025. b. Before the approval of grading plans and building permits, the project applicant(s) of all project phases shall submit final drainage plans to the County demonstrating that off-site upstream runoff would be appropriately conveyed through the project site, and that project-related on-site runoff would be appropriately contained in detention basins to reduce flooding impacts, such that the flood control requirements in (a) are met. At the time of the Sankey Gap storage detailed design, capacity shall be based on 100-year flood protection unless the requirements of SB 5 dictate 200-year protection. If it is determined that more capacity is needed than the 3,740 acre-

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	feet of storage calculations based on Wood Rodgers (2008), then a combination of the above three drainage alternatives shall be implemented, giving up to three times the 3,740 acre-feet amount and appropriately conveying the 5,800 acre-feet volume as estimated by Sutter County (2008). c. The 408 acres on the project site designated "E1 Interim Flood Zone" shall remain available for on-site detention, and thus shall not be developed with uses inconsistent with detention, until such time as the entire project site has a level of protection necessary to withstand a 200-year flood event.
3.7-4a	**Incorporate Flood Control Measures to Provide Protection from 200-Year Sankey Gap Flood Flows. On-Site and Off-Site Elements.** In the event that, as of 2015, the County concludes that it is not reasonably foreseeable that SAFCA will provide 200-year protection with respect to the Sankey Gap 200-year overflow by 2025, the County, in granting discretionary development approvals, shall require the applicant to develop and implement a program to engineer the project site to be protected by the 200-year storm event as required by SB 5 by no later than 2025. That program could include, but is not limited to, the following components: • Enlarge/deepen the proposed on-site detention basins to accommodate flows between the 100-year and 200-year events. • Develop off-site detention basins located east of the Sankey Gap (as noted in Alternative 2 described above and in detail in the SPSP Drainage Master Plan [Wood Rodgers 2008]). • Develop off-site detention basins located west of the project site (as noted in Alternative 3 described above and in detail in the SPSP Drainage Master Plan [Wood Rodgers 2008]). • Allow greater overland flows during the 100- to 200-year events onto adjoining agricultural fields located west and northwest of the site (as noted in Exhibit 3.7-13). • Raise building pad elevations to higher elevations to protect against higher run-off events. • Allow more residual flooding in non-structural areas during high-flood events (e.g., parking lots, parks, and streets). • Improve flood flow conveyance capacity west of the site under State Highway 99/70 by improving/increasing culvert capacity under the highway. • Increase flood storage in the RD 1000 North Drainage Canal and other applicable drainage canals that could potentially accommodate increases in flood storage volumes. • As part of this program, the applicants shall conduct hydrologic engineering studies to support the above options that would include the following components: • One-dimensional and two-dimensional unsteady state modeling (i.e., the ability to account for flows and flood stages that change quickly over time) shall be developed as needed to calculate flow paths and flood depths to the accuracy required by local, state, and federal requirements for protection of property. • On-site (Alternative One) storage volume expansion and conveyance capacity shall be considered and evaluated via this modeling in order to ensure that basin freeboard and street culvert capacity have the hydraulic capacity to offset estimated 200-year flood increases through or around the project site. • Modeling efforts for major off-site flood storage infrastructure (Alternatives Two and Three) shall identify the most efficient ways available to direct and detain flooding. This modeling shall include evaluations of potential groundwater basin effects, and rainfall/river elevation (hydrologic) coincidence between the Natomas Cross Canal and Sacramento River watersheds as they affect the magnitude of spilling and storage into the project site during 200-year storm conditions.
3.7-5	**Develop and Implement a BMP and Water Quality Maintenance and Monitoring Plan.** Before approval of the final small-lot subdivision map for all project phases, detailed hydrology plans, and a water quality study, shall be prepared by a qualified engineer retained by the project applicant(s). Drafts of these plans shall be submitted to the County for review and approval concurrently with development of tentative subdivision maps for all project phases. These plans shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plans shall include the following: • a quantitative analysis of proposed conditions incorporating the proposed drainage design features. • pre-development and post-development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the Central Valley RWQCB and including details regarding the size, geometry, and functional timing of storage and release.

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	• source control programs to control water quality pollutants on the project site, which may include but are limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas. • a lake management plan for the proposed basins that shall include management and maintenance requirements for the design features and BMPs, and responsible parties for maintenance and funding.
Noise	
3.5-5a	**Construction activities taking place in Sutter County shall be restricted to 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays, Sundays, and Federal Holidays.** This measure is consistent with many jurisdictions code requirements pertaining to permissible construction. The intent of this measure is to prevent construction activities during the more sensitive nighttime period.
3.5-7a	**Require acoustical analyses for new on-site commercial, industrial, recreation, school, utilities, and public facility uses constructed within Sutter County determined to have the potential to exceed applicable noise standards.** Sutter County shall make a determination upon review of applications for new noise producing land uses as to whether the proposed use would potentially impact existing or proposed noise-sensitive land uses in the vicinity of the proposed use. Where the County estimates that a project may generate significant levels of noise (i.e. above standards set by the Sutter County General Plan), a noise analysis shall be required. The noise analysis shall include a detailed mitigation plan based on project level designs and may include, but is not limited to, the construction of noise barriers, modifications to site design, building façade upgrades, or any other means necessary to reduce noise levels that achieve compliance with the County noise standards. The mitigation from the noise analysis shall then be incorporated into the final construction plans before County approval and then built to the specifications designated by the noise analysis. Such mitigation is routinely included in the construction of new school and commercial developments and has been demonstrated to be feasible in mitigating noise impacts. Noise generated by new industry within the project site is typically considerably more variable and complicated, thereby triggering the requirement for a project-specific noise analysis.
Public Services	
3.8-1	**Prepare and Implement Construction Traffic Control Plans.** The project applicant(s) and/or project contractor(s) of all project phases shall prepare and implement construction traffic control plans for construction activities that may affect road rights-of-way. The traffic control plans must follow any applicable standards of the agency responsible for the affected roadway and must be signed by a professional engineer. Measures typically identified in traffic control plans include advertising planned lane closures, posting warning signage, using a flagperson to direct traffic flows when needed, and implementing methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. The traffic control plans shall be submitted to the applicable county public works department or Caltrans (for SR 99/70), depending on jurisdiction, for review and approval before the approval of all project plans or permits for all project phases, including off-site elements, where implementation may cause impacts on existing traffic flow.

CHAPTER 1
Introduction

1.1 Introduction and Background

Golden State Water Company (GSWC) has submitted Application 08-08-022 to the California Public Utilities Commission (CPUC) for a Certificate of Public Convenience and Necessity (CPCN) (GSWC-Sutter Pointe CPCN or proposed project) to establish a non-contiguous service area comprised of the southern, unincorporated portion of Sutter County that falls within the corporate boundaries of Natomas Central Mutual Water Company (NCMWC). GSWC, through its parent company American States Water Company (ASWC), has an agreement with NCMWC to provide municipal and industrial (M&I) water service to a proposed service area in south Sutter County known as the Sutter Pointe Specific Plan (SPSP) Area or Sutter Pointe.

In November of 2004, Sutter County voters approved Measure M, an advisory measure to give the Board of Supervisors direction for the planning of growth on approximately 7,500 acres known as the SPSP Area. Measure M identified the development of a mix of land uses, including industry, commerce, education, housing, recreation, and open space and would be integrated within the Natomas Basin Habitat Conservation Plan (NBHCP). An Environmental Impact Report (EIR) for the SPSP (SCH # 2007032157) was certified by the Sutter County Board of Supervisors on June 30th, 2009. The SPSP EIR included a programmatic assessment of development of the entire SPSP Area and a project-level analysis for the first phase of development. The SPSP EIR stated that it was the intent of the County and the Sutter County Water Agency (SCWA) to form a community services district or other County-related entity to provide water utility service for the SPSP Area but also identified the intent of GSWC to provide water service for the SPSP Area. The SPSP EIR analysis of impacts associated with water services assumed that such services could be provided either by a County-related entity or by GSWC, and that, "[r]egardless of the entity that provides the service,…the same sources of water supply would be used, therefore the analysis of the physical water availability would not change …."

This Focused Tiered EIR has been prepared to provide an assessment of the potential environmental consequences of constructing and operating the infrastructure to provide M&I water to the SPSP Area. The proposed project would be implemented in four phases and would include the development of new groundwater wells, treatment facilities, pump stations, conveyance pipelines and storage facilities. Ground water would be used to supply Phase 1 of development. A mix of surface water from existing diversion facilities owned and operated by NCMWC would supply all subsequent phases (Phases 2 through 4). A complete description of the proposed project is presented in Chapter 2 Project Description.

1.1.2 Golden State Water Company

GSWC is the principal subsidiary of ASWC. GSWC provides water service to more than 1 million people in 75 communities throughout 10 counties in Northern, Central and Southern California through a water supply infrastructure that includes groundwater wells, pumping stations, treatment and storage facilities and distribution pipelines. More information on GSWC can be found at: http://gswater.com.

1.1.3 The California Public Utilities Commission

The CPUC is a constitutionally-established state agency charged with providing regulatory oversight of investor-owned utilities in the transportation, energy, communications, and water industries. The Commission consists of five commissioners who are appointed for six-year terms by the Governor. The commissioners are served by an Executive Director and a staff of professional engineers, economists, policy and industry analysts, attorneys and administrative law judges. The CPUC provides regulatory oversight in the areas of purpose and need; economic cost; ratemaking; safety and reliability; and customer service; among others. The Commission is located in San Francisco and makes decisions by vote of its commissioners at regularly scheduled public business meetings. More information on the CPUC may be found at: http://www.cpuc.ca.gov.

1.2 Type of EIR

In accordance with CEQA Guidelines Section 15152, this EIR is tiered from the 2009 SPSP EIR (SCH #2007032157), which was certified by the Sutter County Board of Supervisors on June 30th, 2009. In July 2009, a Memorandum of Agreement (MOA) was signed between Sutter County, SCWA, and GSWC. In the MOA, it was agreed that the CPUC would tier from and incorporate by reference information to the extent relevant and appropriate from the Water Supply Assessment (WSA) prepared for the SPSP (adopted June 30, 2009) and the SPSP EIR in the environmental review document prepared for Application 08-08-022. In addition, Sutter County and SCWA reaffirmed their interpretation that the WSA and SPSP EIR adequately analyzed the impacts of providing water service to Sutter Pointe whether such water service is by a County-related entity or by GSWC. Therefore, the CPUC has prepared a Focused Tiered EIR to address the environmental impacts associated with the construction and operation of new water supply infrastructure to support development of the SPSP Area.

1.2.1 Tiering

Tiering refers to the coverage of general environmental matters in broad, program-level (or first-tier) EIRs, such as the SPSP EIR, with subsequent (second-tier) focused environmental documents for individual projects that implement the program (such as the proposed project). The project-level environmental document incorporates by reference the broader discussions in the Program EIR and concentrates on project-specific issues. CEQA Statutes and the Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental

review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference. General discussions from the Program EIR may be referenced in subsequent environmental documents; however, reiterating already addressed and mitigated impacts from the Program EIR is unnecessary.

Tiering allows subsequent environmental review to rely on a Program EIR for the following:

- A discussion of general background and setting information for environmental topic areas
- Issues that were evaluated in sufficient detail in the Program EIR and for which there is no significant new information or change in circumstances that would require further analysis
- Long-term cumulative impacts.
- Overall growth-related issues

As stated above, tiering is a beneficial tool for lead agencies in that it allows for the elimination of repetitive issues which have already been addressed in the Program EIR and focuses on issues which require further analysis in the second-tier environmental document.

This "stream-lined" process does not alleviate the need for the lead agency to adequately analyze reasonably foreseeable significant environmental impacts which a project may cause if the impacts are not adequately analyzed in the Program EIR. Significant impacts are considered to have been adequately addressed by a Program EIR where:

- The impacts were mitigated or avoided in connection with a Program EIR.
- The impacts were examined at a sufficient level of detail in the Program EIR to enable the effects to be mitigated or avoided by project-level revisions, conditions, or other means.

In the case of this Focused EIR tiered from the SPSP EIR, mitigation measures identified in the SPSP EIR that would mitigate impacts of the proposed project are identified in Chapter 3, Section 5.2 and Appendix B of this Focused Tiered EIR. Applicable SPSP EIR (SCH #2007032157) mitigation measures were adopted by the Sutter County Board of Supervisors on June 30, 2009. SPSP EIR mitigation measures incorporated into the proposed project would be implemented, enforced, and monitored as defined in the Mitigation Monitoring and Reporting Program (MMRP) for the SPSP EIR. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements of the SPSP EIR MMRP.

Other recommended mitigation measures for project-specific and cumulative significant impacts identified in this Focused Tiered EIR which were not included in the SPSP EIR are presented in Chapter 3 and Section 5.2.

1.3 Intended Uses of this Focused Tiered EIR

The CPUC is the lead agency for the purposes of complying with CEQA (Public Resources Code Section 21000 et seq.) of 1970 (as amended), and the CEQA Guidelines for Implementing the

California Environmental Quality Act (California Code of Regulations, Title 14). The CPUC has prepared this Focused Tiered EIR to provide the public and responsible and trustee agencies with information about the potential environmental effects of the proposed project. Section 2.6 in Chapter 2, Project Description, provides a list of all responsible and trustee agencies and their roles in this project.

As described in CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses potential environmental effects of the proposed project, and identifies mitigation measures and alternatives to the proposed project that would reduce or avoid adverse environmental impacts. CEQA requires that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority. The CPUC, as the lead agency for CEQA compliance, will use this Focused Tiered EIR to evaluate the proposed project's potential environmental impacts, and can further use it to modify, approve, or deny approval of a proposed project based on the analysis provided in this Focused Tiered EIR.

This Focused Tiered EIR includes a project-specific analysis of the development of Phase 1 water supply infrastructure and a program-level assessment of the remaining build out of the water supply infrastructure (Phases 2 through 4).

1.4 Environmental Review and Approval Process

The preparation of an EIR involves multiple steps wherein the public is provided the opportunity to review and comment on the content of the EIR, the scope of the analyses, results and conclusions presented, and the overall adequacy of the document to meet the substantive requirements of CEQA and provide full disclosure of the potential environmental consequences of implementing the proposed project and alternatives. The following discussion describes the major steps in the environmental review process.

1.4.1 Notice of Preparation

In accordance with Sections 15063 and 15082 of the CEQA Guidelines, the CPUC prepared a Notice of Preparation (NOP) of an EIR and published it on January 14, 2010 (see Appendix A). The NOP was circulated to the public, local, state and federal agencies, and other interested parties to solicit comments on the proposed project. In addition to the 30-day public and agency comment period, two public scoping meetings were held on February 3, 2010 at the Veterans Memorial Community Building in Yuba City. Concerns that were raised in response to the NOP and oral comments received at the scoping meetings were considered during preparation of this Draft EIR and are included in Appendix A.

1.4.2 The Draft Focused Tiered EIR

A Draft Focused Tiered EIR will be available to local, state, and federal agencies and to interested organizations and individuals who may want to review and comment on the adequacy of the analysis

included in the EIR. Notice of this Draft Focused Tiered EIR will also be sent directly to every agency, person, or organization that commented on the NOP. The publication of the Draft Focused Tiered EIR marks the beginning of a 45-day public review period. The 45-day public review period for the GSWC-Sutter Pointe CPCN Project will be from April 28, 2010 through June 14, 2010 ending at 5 PM. During the public comment period, written comments should be mailed or hand delivered to:

Andrew Barnsdale c/o
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento California 95816
Attn: Sutter Pointe Project
Phone: (916)-231-1273
Fax: (916) 564-4501
Email: CPUC-GSWC@esassoc.com
Website: http://www.cpuc.ca.gov/Environment/info/esa/gswc_sp/index.html

During this 45-day review period, the CPUC will conduct a public meeting to receive oral comment on the adequacy of the analysis included in the Draft Focused Tiered EIR. The meetings will be held in Sutter County.

1.4.3 The Final Focused Tiered EIR

Following circulation of this Draft Focused Tiered EIR and incorporation of public comments and responses to comments, a Final Focused Tiered EIR will be published by the CPUC and submitted into the formal record of the Commission's CPCN proceeding for GSWC (A.08-08-022). The Final Focused Tiered EIR will then be reviewed by a CPUC administrative law judge (ALJ). In addition to environmental impacts, the ALJ will consider any other issues that have been established in the formal proceeding record, including but not limited to economic issues, social impacts, specific routing and alignments, and the need for the project. During this process the ALJ will also take into account testimony and briefs from parties who have formally intervened in A.08-08-022, as well as the formal record of any hearings held by the ALJ in this case.

1.4.4 Final CPUC Decision

Should the ALJ decide in favor of the GSWC – Sutter Pointe Project, as proposed or as modified, the ALJ will prepare a proposed decision and make findings on each environmental impact that remains significant after mitigation. The ALJ may also deny the proposed project, but decide in favor of an alternative. In either event, if the proposed decision (or an alternate) finds the Final Focused Tiered EIR adequate for the Commission's decision making purposes, the Commission as the lead agency for CEQA may certify the Final Focused Tiered by formal vote.

Upon EIR certification, the CPUC may proceed with project approval actions and direct that GSWC take the necessary steps to implement the Commission's final decision. CEQA requires that the lead agency neither approve nor implement a project unless the project's significant environmental effects have been reduced to less-than-significant levels, essentially "eliminating, avoiding, or substantially

lessening" the expected impacts unless specific findings are made. If the lead agency approves the project despite residual significant adverse impacts that cannot be mitigated to less-than-significant levels, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

1.4.5 Mitigation Monitoring and Reporting Program

CEQA Section 21081.6(a) requires lead agencies to "adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." The CEQA Guidelines do not require that the specific reporting or monitoring program be included in the Draft Focused Tiered EIR. Throughout this Focused Tiered EIR, however, proposed mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring program. Any mitigation measures adopted by the CPUC as conditions for approval of the project will be included in a MMRP to verify compliance.

1.5 Scope of this Focused Tiered EIR

An Environmental Checklist was prepared for the proposed project that is included in Appendix B. The Environmental Checklist includes a discussion of potential environmental effects of the proposed project, identifies which issues were adequately addressed in the SPSP EIR, and identifies which issues require further analysis and are included in this Focused Tiered EIR. Based on the Environmental Checklist, and on the scoping comments received, the following issues were identified to be addressed in this Focused Tiered EIR:

- Aesthetics - Temporary construction related impacts to visual resources and the conversion of agricultural land to urban uses.
- Agricultural land uses – potential short-term disruption or permanent loss of prime farmland and disruption of crop production associated with the installation of project facilities.
- Air Quality – Temporary construction related emissions and long term operational emissions associated with the proposed project.
- Biological Resources (Wetland Resources) - Potential loss and degradation of jurisdictional wetlands and other waters of the United States.
- Climate Change - potential short-term and long-term impacts attributed to greenhouse gas emissions and how climate change could affect proposed project operation.
- Growth Inducing Impacts - Potential growth inducing impacts associated with the expansion of water supply facilities in Sutter County.

For the topic areas listed below, it was concluded that the existing analysis in the SPSP EIR was adequate and these topics are not further evaluated in this Focused Tiered EIR. A more detailed discussion of these topic areas is provided in Appendix B.

- Cultural Resources
- Geology and Soils

- Hazardous Materials / Public Health
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation and Circulation
- Utilities and Service Systems

1.6 EIR Organization

This Draft EIR is organized into seven chapters and appendices as described in the following text.

Executive Summary. The Executive Summary presents a summary of the project description, a description of issues to be resolved, the significant environmental impacts that would result from project implementation, and mitigation measures proposed to reduce or eliminate those impacts.

Chapter 1, Introduction. Chapter 1 includes project background information and describes the intended uses of this Focused Tiered EIR type of EIR, the environmental review and approval process, and document organization.

Chapter 2, Project Description. Chapter 2 presents and overview of the proposed project, outlines the project objectives, and summarizes the components of the proposed project. The project description also describes subsequent development and approvals for which this Focused Tiered EIR may be used.

Chapter 3, Environmental Analysis. Chapter 3 describes the existing environmental setting for each environmental issue area, discusses the project-specific environmental impacts associated with construction and operation of the proposed project facilities, and identifies mitigation measures for potential impacts. Cumulative impacts are presented in Chapter 5.

Chapter 4, Alternatives. Chapter 4 describes potential alternatives to the proposed project, along with an analysis of suitability towards meeting proposed project objectives and differences in level of environmental impact.

Chapter 5, Other CEQA Issues. Chapter 5 discusses other CEQA issues, including growth inducing impacts, cumulative impacts, significant unavoidable impacts on the environment, and significant irreversible environmental changes.

Chapter 6, References. This chapter lists all the references cited in the Focused Tiered EIR.

Chapter 7, EIR Authors and Persons Consulted. Chapter 8 provides the names of the Focused Tiered EIR authors and consultants, and agencies or individuals consulted during preparation of the Focused Tiered EIR.

Appendices. The appendices include materials that support the findings and conclusions presented in the text of the Focused Tiered EIR.

CHAPTER 2
Project Description

2.1 Project Overview

This Focused Tiered EIR evaluates potential environmental effects of the GSWC Application 08-08-022 to the CPUC for a CPCN to establish a non-contiguous service area comprised of the southern, unincorporated portion of Sutter County that falls within the corporate boundaries of NCMWC. GSWC, through its parent company ASWC, has an agreement with NCMWC to provide M&I water service to a proposed service area in south Sutter County known as the Sutter SPSP Area (or Sutter Pointe).

The SPSP proposes development of a mixture of land uses on approximately 7,538 acres including employment centers, several different housing densities, retail, recreational facilities, schools, community services, supporting on- and off-site infrastructure, and roadway improvements. Generally, the SPSP would permit a maximum of 17,500 residential units and up to 49.706 million square feet (sf) of commercial/industrial space. The SPSP also proposes parks, schools (six K–8 and one comprehensive high school), a library, a civic center, other civic buildings and public services, and supporting infrastructure.

An EIR for the SPSP (SCH # 2007032157) was certified by the Sutter County Board of Supervisors on June 30th, 2009. The SPSP EIR included a programmatic assessment of development of the entire SPSP Area and a project-level analysis for certain aspects of the first phase of development. The SPSP EIR stated that it was the intent of the County and the Sutter County Water Agency (SCWA) to form a community services district or other County-related entity to provide water utility service for the SPSP Area but also identified the intent of GSWC to provide water service for the SPSP Area. The SPSP EIR analysis of impacts associated with water services assumed that such services could be provided either by a County-related entity or by GSWC, and that, "[r]egardless of the entity that provides the service,…the same sources of water supply would be used, therefore the analysis of the physical water availability would not change …."

To meet projected demand at buildout of the SPSP (estimated to be approximately 25,000 acre-feet per year [AFY]), GSWC would implement a conjunctive (groundwater and surface water) water supply program that includes a network of water extraction, transmission, storage, and treatment facilities.

2.2 Project Location and Existing Uses

The project area is located in southern Sutter County and is generally bordered on the west by the Sacramento River, on the east by the Natomas East Main Drainage Canal (NEMDC), on the north by the Natomas Cross Canal (NCC), and on the south by the Sacramento County line (Figure 2-1). Natomas Road and Powerline Road are located along the eastern and western boundaries of the project area, respectively. The southern boundary of the project site is the Sacramento/Sutter County line. State Route (SR) 99/70 divides the southern portion of the project area and serves as the western boundary of the northern portion of the project area.

The proposed project area is characterized by agricultural (primarily rice fields) and industrial uses , including the approximately 50-acre Sysco Corporation warehouse and distribution center, a Holt Tractor manufacturing facility, and an approximately 30-acre area occupied by A&N Auto Repair and AR Readymix.

Existing surrounding land use is primarily agriculture. Sacramento International Airport and the proposed Metro Air Park (an industrial and business park) are located approximately two miles southwest of the project area.

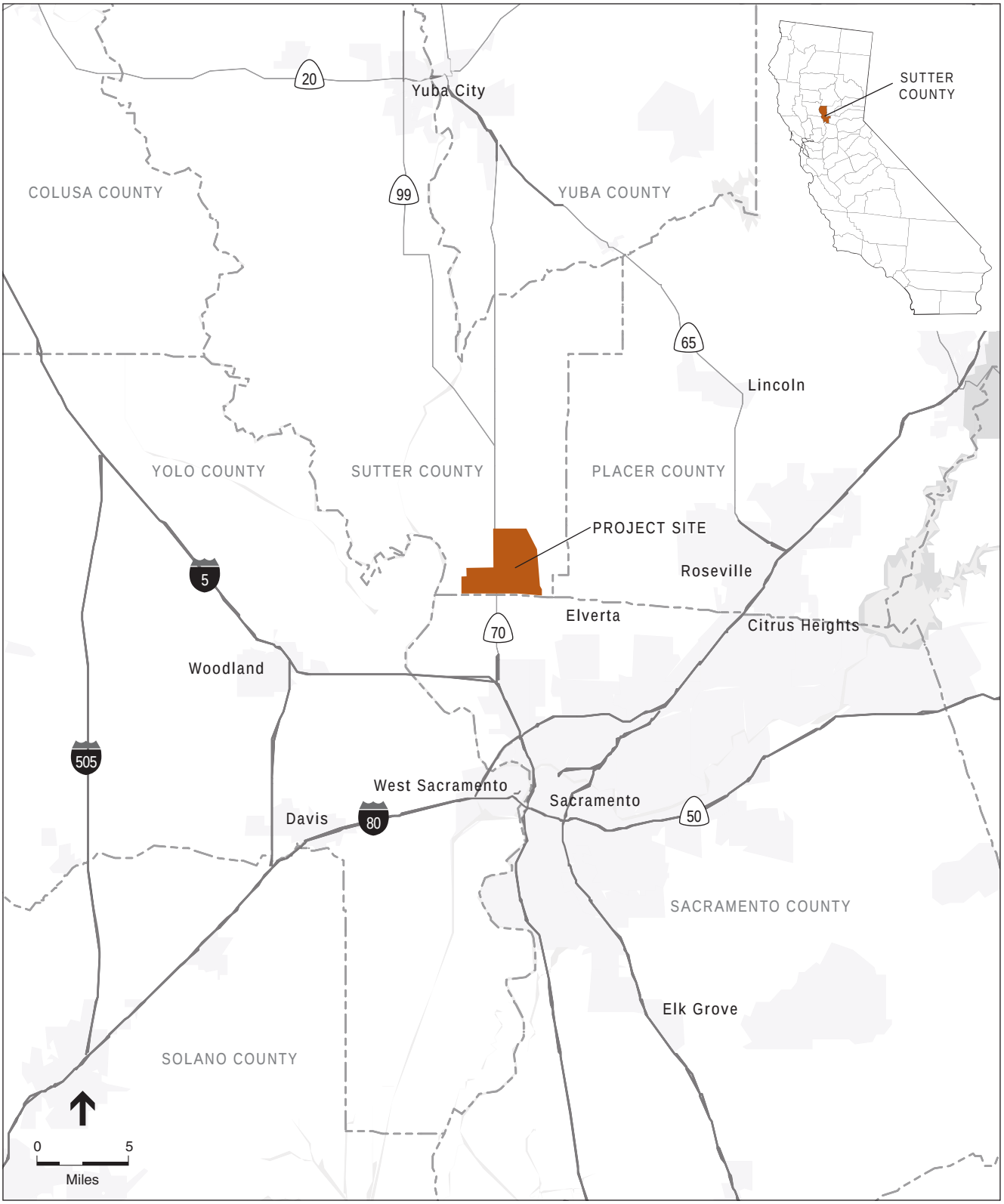
The project area is located within the boundaries of the NBHCP area. The NBHCP establishes a multispecies conservation program to mitigate the expected loss of habitat values and incidental take of protected species that would result from urban development, operation of irrigation and drainage systems, and rice farming. The goal of the NBHCP is to preserve, restore, and enhance habitat in the Natomas Basin while allowing urban development to proceed according to local adopted land use plans. Designated NBHCP habitat reserve areas are located south and west of the project area, primarily along the Sacramento River, and are managed by the Natomas Basin Conservancy.

Several easements traverse the project area. The NMWC and Reclamation District 1000 (RD 1000) hold easements for irrigation and drainage ditches. Most of these easements fall within private roads and vary in width from 20 to 70 feet and generally follow the existing constructed ditches. The NCC is located north of the project area.

2.3 Project Objectives

The purpose of the proposed project is to construct and operate the infrastructure necessary to provide M&I water supply to planned development consistent with the Sutter County General Plan in south Sutter County. Proposed project objectives include:

- Timely delivery of water infrastructure to support the Sutter Pointe project; and
- Development of an economically and environmentally sustainable water supply for Sutter Pointe.



GSWC – Sutter Pointe CPCN EIR . 207584

SOURCE: DeLorme Street Atlas USA, 2000; and ESA, 2009

Figure 2-1
Regional Location

2.4 Proposed Project

The proposed project would include a network of water extraction, transmission, storage, and treatment facilities to convey groundwater and surface water to municipal and industrial development in the SPSP Area (Figure 2-2). The water supply infrastructure would be developed in four phases of varying lengths to correspond with buildout of the SPSP over an approximately 20 to 30 year period. The first phase would involve the development of groundwater wells, treatment, storage, and distribution infrastructure. Additional groundwater wells, treatment, storage, and distribution infrastructure would be developed under Phases 2, 3 and 4, as well as infrastructure for receipt, conveyance and treatment of surface water. At buildout, the proposed project would include the conjunctive use of groundwater and surface water to provide the 25,000 AFY to serve the SPSP. Specific facilities proposed under Phases 1 through 4 of the proposed project are summarized below and also shown in Figure 2-3.

Phase 1

Phase 1 of the proposed project includes development and operation of the following infrastructure:

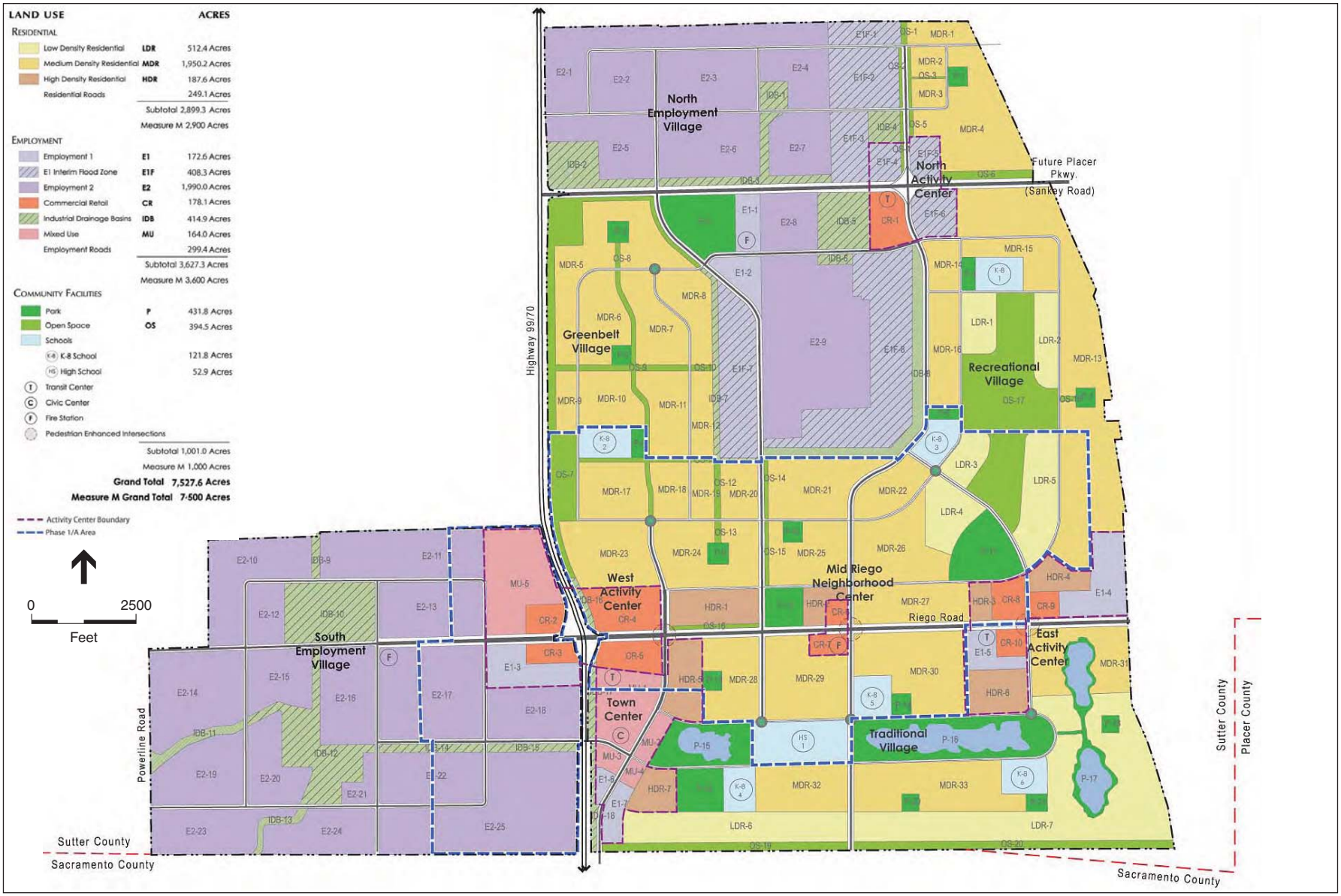
- nine groundwater wells with yields of approximately 1,800 gallons per minute (gpm) each;
- a western groundwater treatment plant capable of treating approximately 12.5 million gallons per day (mgd) at buildout;
- approximately 29 miles of interconnected water transmission and distribution pipelines varying in size from 12- to 36-inch diameter; and
- one 7.5 million gallon storage tank and one five million gallon storage tank, and associated pumps to process and distribute water.
- There will also be a large but undetermined length of in-tract piping.

All facilities constructed during Phase 1 would be developed entirely within the SPSP Area.

Phases 2, 3 and 4

Phases 2, 3 and 4 of the proposed project include development and operation of the following infrastructure:

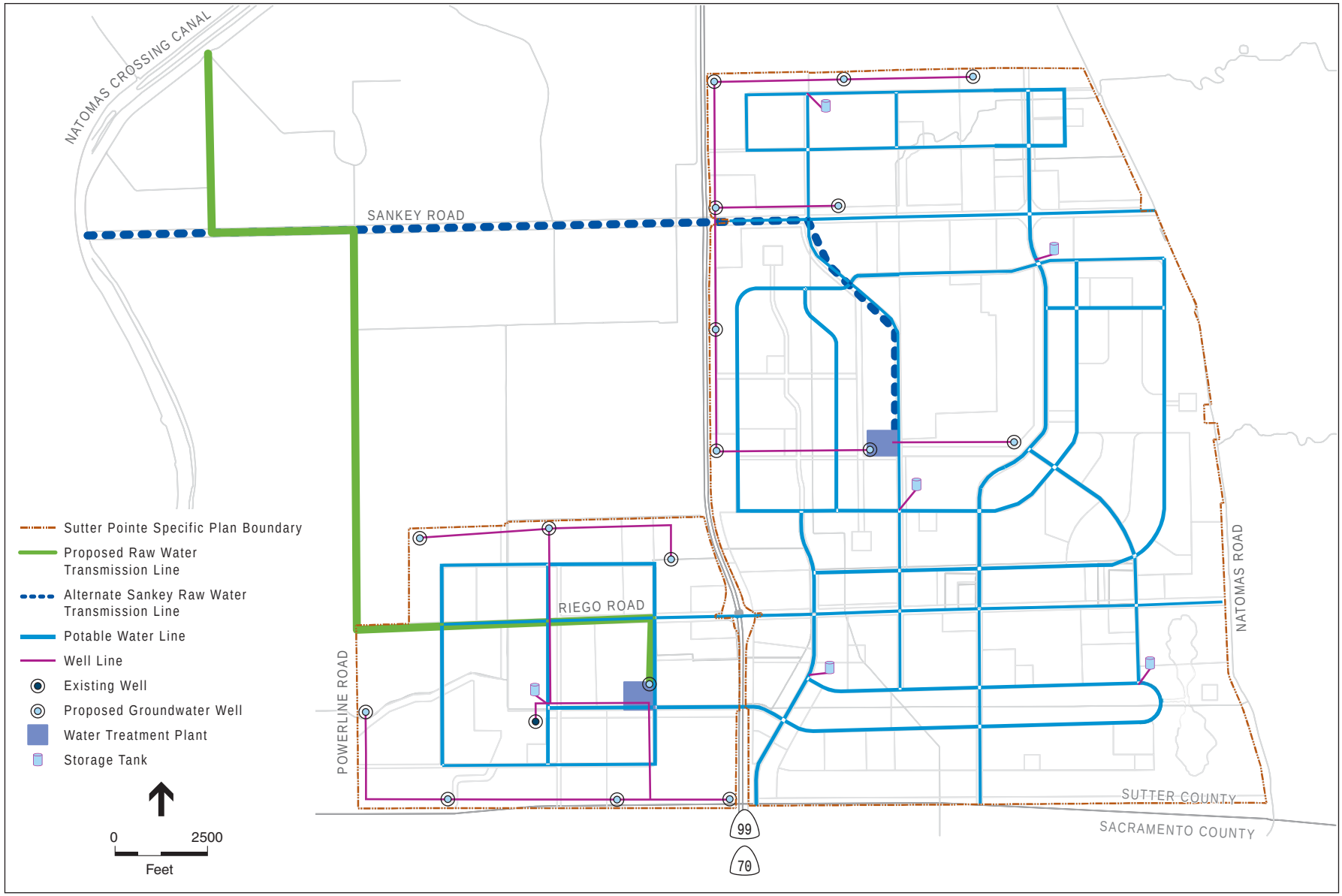
- a 42-inch raw water transmission pipeline from the Sankey Diversion (or the existing Bennett Pumping Plant if the proposed Sankey Diversion has not been constructed) to either the western or eastern groundwater treatment plant site;
- a phased surface water treatment plant built adjacent to either the western or eastern groundwater treatment plant site capable of treating approximately 30 mgd at buildout;
- seven groundwater wells with yields of approximately 1,800 gpm each;
- an eastern groundwater treatment plant capable of treating approximately 12.5 mgd at buildout;



SOURCE: EDAW, 2008

GSWC – Sutter Pointe CPCN EIR . 207584

Figure 2-2
Proposed Land Use Plan



SOURCE: MacCay & Somps, 2008; and ESA, 2009

GSWC – Sutter Pointe CPCN EIR . 207584

Figure 2-3
Proposed Facility Layout

- approximately 45miles of interconnected water transmission and distribution pipelines varying in size from 12- to 42-inch diameter; and
- four 5-million gallon storage tanks, and associated pumps to process and distribute water.
- There will also be a large but undetermined length of in-tract piping.

With the exception of the raw water transmission pipeline and pump station (and potential improvements to the Bennett pumping plant, if the Sankey Diversion has not been constructed), all facilities constructed during Phases 2, 3 and 4 would be developed entirely within the SPSP Area. A summary of the facilities for all phases is provided below in table 2-1. Specific project components are described in more detail below.

TABLE 2-1
FACILITY SUMMARY

Facility Type	Phase 1	Phase 2	Phase 3	Phase 4	Total
Groundwater Facilities					
West Well and Pump Facility (1,800 GPM)	9				
12" Raw Water Line (feet)	14,850	0	0	0	14,850
16" Raw Water Line (feet)	4,500	0	0	0	4,500
21" Raw Water line (feet)	6,300	0	0	0	6,300
24" Raw Water Line (feet)	5,850	0	0	0	5,850
East Well and Pump Facility (1,800 GPM)		7			
12" Raw Water Line (feet)	0	10,100	0	0	10,100
16" Raw Water Line (feet)	0	3,500	0	0	3,500
24" Raw Water Line (feet)	0	3,400	0	0	3,400
30" Raw Water Line (feet)	0	3,300	0	0	3,300
36" Raw Water Line (feet)	0	7,500	0	0	7,500
Transmission Facilities					
12" Water Line	67,300	32,700	23,000	41,800	164,800
18" Water Line	31,600	29,900	26,000	19,000	106,500
24" Water Line	5,400	7,800	1,800	0	15,000
30" Water Line	4,700	0	0	0	4,700
36" Water Line	4,700	0	0	0	4,700
42" Water Line	5,400	0	0	0	5,400
Treatment Facilities					
Surface Water Treatment Plant (MGD)		15	15		30
42” Raw Water Supply Main (ft)		29,500			29,500
West Ground Water Treatment Plant (MGD)	12.5				12.5
East Ground Water Treatment Plant (MGD)		12.5			12.5
Water Storage					
Storage Tank (MG)	12.5	7.5	7.5	5	32.5

SOURCE: MacKay and Somps, 2008

2.4.1 Groundwater Production and Treatment

A groundwater wellfield system would be developed to yield approximately 7,500 AFY and would provide the initial water supply for the SPSP, serving the first several years of development (approximately 30 percent of the ultimate buildout of the planning area). The groundwater wellfield would consist of approximately 14 operational groundwater wells, two standby wells and raw water transmissions pipelines. Each of these wells would produce approximately 1,800 gpm from the groundwater basin that underlies the project area. Two wellfields would be developed, one west of SR 99/70 and one east of SR 99/70. These two well fields would be constructed in phases as development within the planning area occurs. The west wellfield would be constructed during Phase 1 and the east wellfield would be constructed during Phase 2. Each well site would be situated on an approximately one-quarter acre site per well.

In addition to the two well fields, the ground water system would include two groundwater treatment plants, one east and one west of SR 99/70. Each groundwater treatment plant would be built over the first two phases of development, approximately 12.5 mgd each and yielding an ultimate capacity of 25 mgd. The treatment process to treat groundwater would consist of oxidation (by chlorine) for iron and manganese concentrations, and precipitate coagulated arsenic through filtration via pressure filter vessels with a combination of greensand and anthracite media. The centralized groundwater treatment plants would be located on sites approximately five acres in size.

2.4.2 Surface Water Production and Treatment

Surface water supply would be developed to serve the remaining approximately 17,500 AFY needs of the development. It is proposed that this program consist of a turnout from the new year-round Sacramento River diversion facility under development by NCMWC (the Sankey Diversion). As identified and evaluated in the American Basin Fish Screen and Habitat Improvement Project EIR/EIS (SCH # 2003092006; certified July, 2008), NCMWC plans to consolidate its five existing surface water intakes into two intakes. The 420 cubic feet per second (cfs) Sankey Diversion would be located approximately one-quarter mile downstream of the confluence of the Natomas Cross Canal and the Sacramento River. The 210 cfs Elkhorn Diversion would be located approximately 0.9 miles downstream of Elverta Road near the existing Elkhorn pumping plant. The Sankey Diversion would be the source of the M&I water to be transmitted through the raw water pipeline to the surface water treatment plant facilities proposed to be installed as part of Phases 2, 3 and 4 of the proposed project. Construction of the American Basin Fish Screen and Habitat Improvement Project is expected to commence in 2010, thus it is estimated that the Sankey Diversion would be constructed before the end of Phase 1 of development of the SPSP Area.

Facilities required to obtain and treat surface water from the Sankey Diversion include an approximately 41-mgd raw water booster pump station to be constructed on the land side of the Sankey Diversion, and a 48-inch-diameter raw water transmission pipeline. The raw water pipeline from the Sankey Diversion would extend south along a local farm road, to Sankey Road. The pipeline would then run east along Sankey Road to Powerline road, south along Powerline

Road to Riego Road, and then south to the location of the proposed surface water treatment plant site adjacent to one of the two proposed groundwater treatment plants. The space requirements for this combined facility would be approximately 15 acres in size. The surface water treatment plant would be constructed during Phase 2 and Phase 3, approximately 15 mgd per phase for a total capacity of 30 mgd.

The selection of the appropriate treatment process for Sacramento River water diverted at the Sankey site depends upon general water quality factors such as turbidity, color, total organic carbon, bacteriological contamination, and other upstream contamination. General guidelines have been established in the industry for applicability of the basic treatment process alternatives of conventional treatment, direct filtration, in-line filtration, two-stage filtration, and membrane filtration based upon basic water quality parameters. Other criteria such as reliability, flexibility, ease of implementation, level of operator expertise, and waste solids handling also enter into the evaluation process. The overall quality of the Sacramento River at the Sankey Diversion site is relatively high. However, the raw water quality is generally not applicable for direct filtration, in-line filtration, two-stage filtration, and membrane filtration because of high turbidity episodes in the Sacramento River. As demonstrated by the performance of the existing City of West Sacramento Bryte Bend Water Treatment Plant, the conventional process train has no difficulty treating such water if adequate chemical feed, flocculation, and sedimentation time is provided. Because of the seasonal and sporadic nature of the raw water quality, utilizing conventional treatment for water diverted at the diversion site would be the desired technology.

2.5 Project Construction

As previously noted, the water supply infrastructure would be developed in four phases of varying lengths to correspond with buildout of the SPSP over an approximately 20 to 30 year period.

2.5.1 Construction Considerations

Ground Water Wells

Construction of project wells is expected to occur with minimal construction crews and equipment. It is anticipated that the wells would be bored with a truck-mounted rotary drill or auger. Additional equipment would be required to haul casings, sand or gravel filter, concrete for a sanitary seal, and other materials to the well sites. Drilling fluids used during boring would be collected and stored in portable equipment to prevent release to surface waterways.

Electricity would be brought to each well site and associated transformers, switches, and control panels would be installed. New connections to the well sites would be performed by or in consultation with the local utility. Well sites would need to include adequate space for emergency backup generators and fuel storage in either portable or permanently installed equipment. Final well sites may include structural covering of wellhead, pipes, and pumping equipment.

Untreated and Treated Water Pipelines

Construction Requirements

Excavating and installing the proposed water pipelines would require establishing a temporary construction corridor to provide access for equipment, materials laydown, excavated earth and bedding storage, and pipeline trench earthwork. While the width of this corridor would vary, depending on site constraints, it is not expected to exceed 120 feet.

Construction of pipelines could involve two methods of pipeline construction: open-cut trenching and trenchless construction. Trenchless construction would be used to traverse drainage canals or waterways, major intersections, and railroad rights-of-way. These two methods are described below.

Open Trench Installation

Except at special crossings, the water pipelines would be installed using open-cut trenching. Where minor ditch crossings that are less than 15 feet in width are required, the ditches would most likely be temporarily dammed prior to open-cut trenching. In areas where open-cut trenching is not possible due to limited construction area, geotechnical conditions, sensitive areas including wetlands, railroad rights-of-ways, or crossing of SR 99/70, trenchless construction techniques such as jack and bore, horizontal directional drilling, or microtunneling would be employed.

In agricultural or open areas where the pipeline would not be in an existing road right-of-way, it would be buried to minimize future conflicts with farming operations, such as construction of irrigation canals, tilling, and deep-ripping; to provide space for future small diameter utilities; and to avoid potential conflicts with existing and future utilities. Roadside ditches affected by construction would be reconstructed as necessary.

Excavated soil would be hauled to a suitable temporary storage area within the project area and then returned to the construction site. Stored soil would be protected from wind and rain erosion, sedimentation, and runoff. It is anticipated that excess soil from trenching would be reused elsewhere onsite.

In areas that contain shallow groundwater, dewatering activities would be required. Groundwater encountered during construction that would not be contained onsite would be pumped into containment tanks or equivalent and filtered prior to discharge to irrigation ditches or spread across agricultural fields for use as irrigation water. Discharges would comply with the Central Valley Regional Water Quality Control Board (CVRWQCB) requirements for discharges from general construction activity and trench dewatering.

During construction in public roadways, vertical wall trenches would be temporarily closed at the end of each work day, either by covering with steel trench plates, backfill material, or installing barricades to restrict access depending on the conditions of any county issued encroachment permit.

The final phase of public pipeline construction would be surface restoration. In areas where pipe would be installed along roadways, repaving would be the final step. Where temporary patching was done, permanent repaving would be the final step. Final repaving would be done at one time, after the

entire pipe installation was completed or after pipe installation was completed for a particular reach of pipeline. Unpaved surfaces would be restored by replanting crops, grasses, shrubs, and trees.

Trenchless Pipeline Installation

Trenchless construction techniques being considered for sensitive locations include jack and bore, microtunneling, and horizontal directional drilling. These trenchless techniques would be utilized for installing underground pipelines without disturbing the ground surface and where open trenches are not feasible.

Jack and bore employs an augur or hand excavation to remove material ahead of the pipe, while microtunneling uses a laser guided and remotely controlled microtunnel boring machine. For both techniques, powerful hydraulic jacks are used to push pipe from a launch bore pit to a receiving pit. As the tunneling machine is driven forward, a jacking pipe is added into the pipe string. Installation of a pipeline by horizontal directional drilling would be accomplished in two stages: (1) a small diameter pilot hole would be directionally drilled along a designed directional path; and (2) the pilot hole would be enlarged to a diameter that would accommodate the pipeline and the pipeline would be pulled back into the enlarged hole.

Slurry, typically bentonite, an inert clay, would be used as a drilling lubricant, and would be processed by separating solids from the slurry and discharging the clear liquid to waterways or storm drains. Groundwater levels in excavation areas would be identified prior to construction to determine the extent of dewatering required at tunnel pits. Dewatering of launching and receiving pits may require groundwater pumping, which would be discharged to agricultural lands, canals, or an appropriate waterway following onsite treatment. Dewatering and slurry waste discharges would comply with the CVRWQCB's requirements for discharges from general construction activity and trench dewatering.

Water Treatment Facilities

The proposed treatment facilities would require grading and excavation. These excavations would require earthmoving, dewatering of shallow groundwater, and development of surface and subsurface drainage systems. Concrete would be the primary construction material for these structures. Major process piping and chemical storage tanks would be made of steel. The major construction phases for the treatment facilities would include:

- Clearing and Grubbing
- Excavation and Sitework
- Structural Facilities
- Electrical, Process Mechanical, and Instrumentation
- Paving and Striping
- Architectural and Landscaping

Water Storage Facilities

The proposed water storage tanks would be constructed of pre-stressed concrete or steel and would be no more than three stories or about 30 feet in height. An emergency generator would be installed on-site. Booster pumps and electrical equipment would be housed in a concrete block building.

To achieve the tank foundation elevation, the existing ground at the site would be excavated. Required construction equipment includes graders, backhoes, small cranes, concrete trucks, haul trucks for disposal of excavated material, and flatbed trucks for delivery of heavy equipment and construction materials. It is estimated that tank and pump station construction would be completed within 8 to 12 months from the start of construction.

Staging Areas

Main staging areas would be located in an easily accessible area. Arrangements would be made between the contractor and property owner for all stored construction and equipment materials. Temporary staging of raw materials could occur in existing rights-of-way when short-term storage is needed. Staging areas would be located in areas at least 100 feet from any water course or drainage. Consideration would be given to avoid sensitive areas, including sensitive habitat areas and adjacent to residential uses. Site preparation for staging areas would incorporate appropriate measures to prevent unnecessary vegetation removal. Ingress and egress roads would be covered with rock base at a minimum to prevent off-tracking of dirt.

Main staging areas would be large enough to safely store heavy equipment, work crew vehicles, long-term storage of construction materials, and job site trailer(s). The long-term staging area(s) would be used for storage of construction equipment and materials, as a reporting location for workers, and as the location of the job site trailer and parking area for vehicles and equipment.

The contractor would be responsible for securing the job site with temporary chain link fencing or other fencing acceptable to the project engineer. Power to the job site will be provided by existing electrical utilities, if needed. The service area is flat and will not require grading or slope stabilization.

2.5.2 Construction Equipment

Anticipated construction personnel and equipment for Phase 1 are shown in Table 2-2. Subsequent project phases would likely use similar personnel and equipment quantities. The actual equipment used during construction would be determined by the contractor and the construction schedule. Listed equipment includes all aspects of construction for facility construction and materials handling.

Because a number of construction materials sources and disposal site options are located in the surrounding area and urban centers, the selected transport routes use a combination of highways (e.g., I-5, SR 99/70), arterials and designated truck routes in the project vicinity. Construction worker trips are assumed to originate from the major urban areas in the project region and nearby communities.

TABLE 2-2
LIST OF EXPECTED CONSTRUCTION EQUIPMENT

Activity	Personnel	Equipment/Quantity
Survey	3	1 pickup truck
Access Road Construction	3	1 D-8 bulldozer
		1 motor grader
		1 pickup truck
		1 water truck
Trenching	4	1 trencher
		1 dozer or excavator
		1 pickup truck
		1 wacker
Pipeline Installation	4	1 trencher
		1 dozer or excavator
		1 pickup truck
		1 wacker
Material Haul	1	Transfer truck
Storage Tank Foundation	4	1 excavator
		1 dump truck
Storage Tank Erection	4	1 crane
		1 excavator
Well Drilling	4	2 Bore/drill rig
		1 pick-up truck
Water Treatment Plant	4	1 dozer
		2 generator sets
		1 excavator
		1 dump truck
		1 pick-up truck
Right-of-way restoration/clean up	2	1 bulldozer/grader

SOURCE: CPUC, 2008; ESA 2010

2.6 Anticipated Regulatory Requirements and Permits for the Project

As the lead agency under CEQA, the CPUC will certify the EIR for the proposed project as adequate in accordance with the requirements of CEQA. This will include the selection of a preferred alternative based on the findings of the environmental analysis and other factors found in the administrative record.

Other anticipated permits and approvals may be required for the proposed project. Responsible agencies are state and local public agencies other than the lead agency (CPUC) that have some authority to carry our or approve a project or that are required to approve a portion of the project for which a lead agency is preparing or has prepared an EIR or other CEQA compliance document. Trustee agencies under CEQA are designated public agencies with legal jurisdiction over natural resources that are held in trust for the people of California and that would be affected by a proposed project, whether or not the agencies have authority to approve or implement the proposed project.

Regulatory agencies (responsible or trustee agencies) that may rely on the EIR for issuing permits and/or approvals are identified in Table 2-3. Table 2-3 also lists federal, state, local, and other permits/approvals that could be required for construction and operation of proposed project facilities. Federal agencies will comply with the National Environmental Policy Act (NEPA), to the extent applicable, to issue needed federal permits.

TABLE 2-3
ANTICIPATED REGULATORY REQUIREMENTS AND PERMITS FOR PROJECT IMPLEMENTATION

Agency	Type of Approval
Federal Agencies	
U.S. Army Corps of Engineers	Clean Water Act Section 404 Permit
State Agencies	
State Water Resources Control Board	Clean Water Act Section 401 Water Quality Certification
California Department of Fish and Game	Section 1601 Streambed Alteration Agreement
Central Valley Flood Protection Board	Encroachment Permit
California Department of Transportation	Encroachment Permit
Central Valley Regional Water Quality Control Board	National Pollutant Discharge Elimination System Construction Storm Water Permit
	General Order for Dewatering and Other Low Threat Discharge to Surface Waters Permit
California Department of Health Services	Drinking Water Treatment Plant Permit
Local/Other Agencies	
Natomas Basin Conservancy	Natomas Basin Habitat Conservation Plan Coordination
Feather River Air Quality Management District	Authority to Construct
	Permit to Operate
Sutter County Roads Department	Encroachment Permit

CHAPTER 3
Environmental Setting, Impacts, and Mitigation Measures

3.1 Introduction to the Analysis

3.1.1 Scope of the Focused Tiered EIR

Chapter 3, Environmental Analysis, presents the environmental and regulatory setting, impacts, and mitigation measures for the technical issue areas (Sections 3.2 through 3.6). Based on the Environmental Checklist (Appendix B), and on the scoping comments received, the following technical issues were identified to be addressed in this Focused Tiered EIR:

- Aesthetics - Temporary construction related impacts to visual resources and the conversion of agricultural land to urban uses.
- Agricultural land uses – potential short-term disruption or permanent loss of prime farmland and disruption of crop production associated with the installation of project facilities.
- Air Quality – Temporary construction related emissions and long term operational emissions associated with the proposed project.
- Biological Resources (Wetland Resources) - Potential loss and degradation of jurisdictional wetlands and other waters of the United States.
- Climate Change - potential short-term and long-term impacts attributed to greenhouse gas emissions and how climate change could affect proposed project operation.
- Cumulative and Growth Inducing Impacts - Potential cumulative and growth inducing impacts associated with the construction and expansion of water supply facilities in Sutter County.

3.1.2 Section Format

Each section contains: (1) identification of the technical issue areas being evaluated in the section; (2) any comments received on the NOP for the issue area; (3) environmental and regulatory setting; (4) standards of significance; (5) method of analysis; (6) SPSP EIR impacts for which the project contributes that are adequately analyzed in the SPSP EIR, proposed project impacts that are less than significant or result in no impact so that no further analysis is included in the Focused Tiered EIR; (7) SPSP EIR mitigation measures that will be adopted as part of the proposed project; (8) proposed project impacts and mitigation measures.

The analysis in each of the technical issue sections incorporates by reference and summarizes relevant information from the SPSP EIR, as appropriate. Each section also includes relevant information

developed as part of the 2008 CPCN PEA. The environmental setting presents the conditions that exist prior to implementation of the proposed project and provides a point of reference (or baseline) for assessing the environmental impacts of the proposed project. Each impact and mitigation measure discussion includes an impact statement (in bold text), an explanation of the impact (as it relates to the proposed project), an analysis of the significance of the impact, identification of relevant mitigation measures (in italic text), and an evaluation of whether the identified mitigation measures would reduce the magnitude of identified impacts. Each impact statement is assigned a number based on the section and the order they appear (for example, 3.2-1, 3.2-2, etc). Mitigation measures for each impact are numbered consistent with the impact statement they apply to (for example 3.2-1(a), 3.2-1(b), 3.2-2, etc). Cumulative impacts for each technical issue area presented in Chapter 3 are included in Chapter 5, Other CEQA Considerations.

3.2 Aesthetics

3.2.1 Introduction

This section addresses potential impacts associated with aesthetics, specifically temporary and permanent degradation of visual character and creation of a new source of substantial light and glare as a result of construction and operation of the proposed project. All other impacts related to aesthetics, including impacts to scenic vistas and scenic resources within state designated scenic highway were found to have no impact as discussed in the Environmental Checklist included as Appendix B in this Focused Tiered EIR. All relevant information, including applicable environmental and regulatory setting, standards of significance, including mitigation measures identified in Section 3.16 of the SPSP EIR, are incorporated by reference and summarized below as appropriate. This section is also based on information included in Section 5.1 of the CPCN PEA (CPUC, 2008).

No comments were received in response to the NOP related to aesthetics (see Appendix A).

3.2.2 Environmental Setting

The project area is a generally flat, low-lying alluvial plain; elevation varies from approximately 15 feet above mean sea level at the west end of the project area to 37 feet above mean sea level at the east end of the project area. The project area is primarily in agricultural use, with the majority being in rice production. Irrigation canals part of the existing on-site agricultural uses are also a predominate feature. The canals and ditches range from temporary features, generally less than five feet wide and one foot deep, to permanent drainage features up to 30 feet wide and several feet deep (Sutter County, 2008).

The project area includes approximately 381 acres of developed or disturbed lands, which includes structures typically found in agricultural settings, such as equipment storage facilities, sheds, single-family dwellings, and irrigation canals and equipment, as well as a number of industrial/commercial facilities. These facilities are located primarily along Pacific Avenue and Natomas Road and include the 50-acre Sysco Corporation warehouse and distribution center, a Holt Tractor manufacturing facility, and an approximately 30-acre area occupied by A&N Auto Repair and AR Readymix. The industrial facilities located on-site range in age, condition, and level of maintenance. A&N Auto Repair is characterized by a one-story building in fair to poor condition that is not well maintained. Automobiles in various stages of disrepair can be seen from the property edge. The Holt Tractor manufacturing facility and AR Readymix are in fair condition but are characterized by heavy equipment and, in the case of AR Readymix, materials stockpiles. The Sysco Corporation facility is a relatively modern facility and is well maintained with landscaping (Sutter County, 2008).

Currently, the project site consists of predominantly agricultural uses with limited industrial facilities. Residential land uses and on-site industrial development are limited and are not a substantial source of light or glare.

Views of and from the Project Area

Views of and from the project area are unconstrained because of the relatively flat topography and few visual obstructions. Although the project area is visible from the vantage of agricultural lands, these views are seen exclusively from limited numbers of privately owned properties. Therefore, because roadways provide the most common views, views of and from the project area are described from these roadways (Sutter County, 2008). SR 99/70, which is a north/south running State highway that connects the urban areas of Sacramento and Yuba City, provides the most significant views of the project area. The project area is also visible from other public roadways, including Powerline Road on the west, Riego Road through the southern portion of the project area, Pacific Avenue and Sankey Road in the northern portion, and Natomas Road along the eastern boundary of the project area.

Views from SR 99/70

Motorists on SR 99/70 have unobstructed views of the project area from the Sacramento/Sutter County line to north of Sankey Road. Foreground views along SR 99/70 include rice fields with some scattered structures that typically are found in agricultural settings, such as drainage canals, equipment storage facilities, sheds, irrigation equipment, and single-family dwellings, as well as trees and SR 99/70. The middleground views include continued rice fields and other row and grain crops, as well as farm structures, rural residences, and industrial buildings. The background views include the Sacramento skyline on the south, the Sutter Buttes on the north, trees along the Sacramento River on the west, and the Sierra Nevada on the east (Sutter County, 2008).

Views from Powerline Road

Motorists on Powerline Road have unobstructed views of the project area from the Sacramento/Sutter County line to Riego Road. Typical foreground views along Powerline Road include rice fields, drainage canals, and power lines. The middleground views include continued rice fields, as well as farm structures, rural residences, and industrial buildings. The background views include the Sacramento skyline on the south, the Sutter Buttes on the north, trees along the Sacramento River on the west, and the Sierra Nevada on the east (Sutter County, 2008).

Views from Natomas Road

Motorists on Natomas Road have unobstructed views of the project area from the Sacramento/Sutter County line to north of Sankey Road. Natomas Road is often referred to as “Levee Road” because the roadway is located on an elevated levee (approximately 10 to 15 feet high). Therefore, this road provides an elevated vantage point in viewing the project area to the west and off-site lands to the east. Typical foreground views along Natomas Road include nonnative annual grasslands, disturbed areas, rice fields, drainage canals, power lines, industrial/commercial buildings, and rural residences. The middleground views include continued nonnative annual grasslands, rice fields, and other row and grain crops, as well as farm structures, rural residences, industrial/commercial buildings, railroad tracks, and train cars. The background views include the Sacramento skyline on the south, the Sutter Buttes on the north, trees along the Sacramento River on the west, and the Sierra Nevada on the east (Sutter County, 2008).

3.2.3 Regulatory Setting

Federal

No federal plans, policies, regulations, or laws related to aesthetics are applicable to the proposed project.

State

Regional and Local Plans, Policies, Regulations and Laws

Sutter County General Plan

The following policies from the Sutter County General Plan regarding aesthetics are applicable to the proposed project (Sutter County, 1996).

Land Use Element

- **Goal 1.H:** To preserve and protect the visual and scenic resources of the area.
    - **Policy 1.H-1:** The County shall require that new development be designed to utilize vegetation for screening structures and parking areas.
- **Policy 1.H-3:** The County shall require that design and development standards be applied to all industrial and commercial areas to improve the aesthetic appearance of those developments.

SPSP Design Guidelines

The SPSP Design Guidelines serve as a reference document to ensure a consistent development pattern in the SPSP community. Along with the Specific Plan, the Design Guidelines were adopted by the County as a means to implement the design review process described in the Sutter Pointe Land Use and Development Code (LUDC) (Sutter County, 2009).

A.7 Public/Quasi Public Uses

- **A.7.2 Principles:** Sutter Pointe provides for a broad range of cultural activities and facilities. Public and quasi-public uses and sites may include religious institutions, public and private schools, day care centers, elderly day care, a senior center, fire stations, and police sub-stations. In addition, sites are provided for necessary public utilities, water treatment and pumping sites and tanks, electrical facilities, and sewer lift stations. These uses should be designed to compliment the character of new surroundings and convey their civic roles.
- **A.7.4 Guidelines:**
    1. The siting and design of public facilities should have safe public access.
    2. The design of public facilities should take into account aesthetic impacts on the surrounding community. Architectural style, building materials, and colors appropriate to the surrounding neighborhoods should be utilized.
    3. Landscaping of public and quasi-public facilities should complement adjacent development and be consistent with the master streetscape design concepts.

5. Major public facilities require special lighting consideration. Lighting may be incorporated within these facilities to allow them to function at night with minimum impact to surrounding neighborhoods and adjacent open spaces.

3.2.4 Impacts and Mitigation Measures

Significance Criteria

For the purpose of this analysis, the relevant standards of significance from the SPSP EIR have been used to determine whether implementing the proposed project would result in a significant impact. These standards of significance are also based on Appendix G of the State CEQA Guidelines. An impact on aesthetics is considered significant if implementation of the proposed project would:

- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Methodology

The visual impact analysis is based on a field visit conducted by ESA on February 3, 2010, review of Section 3.16 – Visual Resources of the SPSP EIR, maps, and aerial photographs. This analysis uses a common methodology that has three key steps: (1) identifying the visual character and quality of visual resources; (2) identifying the type, exposure, and sensitivity of viewers; and (3) identifying the potential change in visual resources. All three of these elements were considered when determining the significance of visual change resulting from implementation of the proposed project. The impacts of the proposed project were determined based on the comparison of changes to existing and planned conditions to the local landscape.

Impacts Adequately Analyzed in the SPSP EIR or not Applicable to the Project

As determined in the Environmental Checklist prepared for the proposed project, impacts relating to scenic vistas and scenic resources within state designated scenic highway, were determined to have no impact and are not evaluated in this section of the Focused Tiered EIR (see the Environmental Checklist in Appendix B).

Proposed Project Impacts and Mitigation Measures

Table 3.2-1 provides a summary of the impacts identified for the proposed project. The level of significance after any mitigation measures is also presented. Each of these impacts is discussed in more detail below.

TABLE 3.2-1
PROPOSED PROJECT IMPACT SUMMARY – AESTHETICS

Impact	Phase 1		Phase 2, 3, and 4	
	Before Mitigation	After Mitigation	Before Mitigation	After Mitigation
Impact 3.2-1 Construction activities and the installation and operation of proposed facilities could degrade the existing visual character of the project area.	S	LS	S	LS
Impact 3.2 Construction activities and operation of proposed facilities could create temporary and permanent new sources of light and glare which could adversely affect daytime or nighttime views of the area.	S	LS	S	LS

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NA = Not Applicable

Impacts and Mitigation Measures

Impact 3.2-1: Construction activities and the installation and operation of proposed facilities could degrade the existing visual character of the project area.

All Project Phases

Construction

Construction of the proposed project during all phases would implement similar construction techniques and would use similar equipment and materials; therefore, this impact would be similar for all phases of project development.

Construction activities would require the use of various types of equipment, such as, graders, dozers, trucks, and trenchers. This equipment would be stored in fenced staging areas. Although staging would be temporary and would occur in disturbed areas, construction equipment and materials would be visible to motorists on the roadways in the project area (SR 99/70, Powerline Road, Riego Road, Pacific Avenue, Sankey Road, and Natomas Road), employees at existing businesses, and residents at existing and planned residential uses. Therefore, construction activities and staging areas could be visible and would temporarily degrade the existing visual character of the project area.

Operation

The proposed project would include the installation and operation of both above ground (pumps, storage tanks and water treatment facilities) and below ground facilities (distribution lines). Because wells and booster pump stations are common facilities to existing on-site agricultural operations, and water transmission lines would be located underground, the impact of these project facilities on the visual character of the project area negligible.

Above ground infrastructure such as the storage tanks and water treatment facilities could increase the number of structures in the project area and would contribute to conversion of the visual character

of the project area from agricultural to urban uses. Proposed above ground facilities could be visible to motorists on the roadways in the project area, employees at existing businesses, and residents at existing and planned residential uses. However, because the proposed infrastructure would be built in conjunction with SPSP development, views of proposed facilities would likely be obstructed by intervening structures and/or vegetation. Never the less, construction and operation of proposed project facilities would contribute to converting the existing visual character of the project area from predominantly undeveloped, agricultural to urban uses. Therefore, this is considered a ***significant impact***.

Mitigation Measures

Measure 3.2-1a (All Phases): Implement SPSP EIR Mitigation Measure 3.16-4: Screen Construction Staging Areas. The project applicant(s) for all project phases shall locate staging and material storage areas as far away from sensitive land uses (e.g., residential areas, schools, parks) and/or nearby roadways as feasible. Staging and material storage areas shall be approved by the County before the approval of grading plans and building permits for all project phases and shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include berms or fences. The screen design shall be approved by the County to further reduce visual effects to the extent possible.

Measure 3.2-1b (All Phases): The design of the proposed water storage tanks and water treatment plants, including the choice of color and materials, shall seek to reduce the visual contrast of the facilities. Bright and reflective colors shall be avoided. Additionally, landscaping including revegetation of disturbed areas, plantings of trees, and/or minor topographic enhancements, shall be utilized to minimize textural and aesthetic contrasts with surrounding areas.

Significance after Mitigation: Implementation of Mitigation Measure 3.2-1a would reduce significant impacts associated with temporary visual quality degradation for developed land uses from concurrent construction staging areas by providing visual screening. Implementation of Mitigation Measure 3.2-1b would reduce significant impacts associated with degrading the visual character of the project area by providing reduced visual contrast through the use of neutral and non-reflective architectural coatings and through the use of landscape screening. Therefore, impacts to degrading the visual character of the project area would be reduced to ***less than significant***.

Impact 3.2-2: Construction activities and operation of proposed facilities could create temporary and permanent new sources of light and glare which could adversely affect daytime or nighttime views of the area.

All Project Phases

Project facilities during all project phases would require the use of temporary night lighting during construction and permanent lighting for operations and for security and safety which would create additional sources of light and glare in an area where no substantial source of light and glare currently exist. Proposed storage tanks and water treatment facilities would be operated 24 hours per day, 7 days per week and would require night lighting for safety and security. The proposed project

would therefore create new sources of light and glare and the associated impact would be ***significant***.

Mitigation Measures

Measure 3.2-2 (All Phases): Implement SPSP EIR Mitigation Measure Mitigation Measure 3.16-5: Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan. To reduce impacts associated with light and glare, the project applicant(s) for all project phases shall conform to the following guidelines as appropriate:

- Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties.
- Place and direct flood or area lighting needed for construction activities to not disturb adjacent residential areas and passing motorists.
- Prohibit the use of harsh mercury vapor, low-pressure sodium, or fluorescent bulbs for public lighting in residential neighborhoods.
- Prohibit light fixtures that are of unusually high intensity or brightness or that blink or flash.

Significance after Mitigation: As described in the SPSP EIR, implementation of SPSP EIR Mitigation Measures 3.16-5 would ensure that lighting used at proposed storage tanks and water treatment facilities would be shielded or directed away from the surrounding areas and would be limited to the minimal intensity needed for security and safety. To the extent that security levels would be maintained, automatic lighting shall be employed to reduce non-critical light emissions. Implementation of the above mentioned mitigation measures would reduce potentially significant impacts associated with new sources of light and glare to ***less than significant***.

3.2.5 References

California Public Utilities Commission (CPUC), 2008. Certificate of Public Convenience and Necessity Proponent's Environmental Assessment, August, 2008.

Sutter County. 1996. Sutter County General Plan Policy Document. Yuba City, CA.

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Sutter County, 2009. Sutter Pointe Specific Plan Design Guidelines, June 2009.

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3.3 Agricultural Resources

3.3.1 Introduction

This section addresses potential impacts associated with agricultural resources, specifically the permanent conversion of important farmland to non-agricultural urban uses as a result of construction and operation of the proposed project. All other impacts related to agricultural resources, including creation conflicts with zoning for agricultural lands, and conflicts with existing Williamson Act contracts were adequately addressed in the SPSP EIR as discussed in the Environmental Checklist included as Appendix B in this Focused Tiered EIR. All relevant information, including applicable environmental and regulatory setting, standards of significance, and mitigation measures identified in Section 3.11 of the SPSP EIR, are incorporated by reference and summarized below as appropriate. This section is also based on information included in Section 5.2 of the CPCN PEA (CPUC, 2008).

The California Department of Conservation (CDC) Division of Land Resource Protection submitted the following comments on the NOP related to agricultural resources (Appendix A):

Agricultural Setting of Proposed Project:

- Location and extent of Prime Farmland, Farmland of Statewide Importance, and other types of agricultural land in and adjacent to the project area.
- Current and past agricultural use of the project area, including data on the types of crops grown, and crop yields and farm gate sales values.
- The use of economic multipliers is recommended to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies.

Project Impacts on Agricultural Land:

- Type, amount, and location of farmland conversion resulting directly and indirectly from project implementation and growth inducement from the Sutter Pointe Specific Plan, respectively.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, etc.
- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely projects in the future.

Agricultural Preserves and Williamson Act Lands:

- Include a map detailing the location of agricultural preserves and contracted land within each preserve.
- Tabulate the number of Williamson Act acres, according to land type, which would be impacted directly or indirectly by the project.
- Discuss any proposed General Plan or zoning designation changes within agricultural preserves affected by the project.

Mitigation Measures:

- Recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If growth inducing or cumulative agricultural impacts are involved, the Department recommends that this ratio be increased and mitigation for the loss of Prime Farmland is suggested at a 2:1 Ratio.

Public Improvements and Agricultural Preserves:

- When considering the placement of public improvement in an agricultural preserve, ensure that the location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve and that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement.

Public Acquisitions of Contracted Land:

- Whenever the land within an agricultural preserve may be acquired by a public agency or person for a public use, the agency or person is required to advise the Director of Conservation, and the local governing body responsible for the administration of the agricultural preserve, of its intent to consider the location of a public improvement within the preserve. However, all underground structures are exempt from the notification requirement.

Eminent Domain

- Public agency acquisition of Williamson Act land must meet the requirements of acquisition by eminent domain or in lieu of eminent domain in order to void the contract. When an acquisition by a public agency with eminent domain authority occurs without the use of eminent domain power the contract remains in effect until and unless terminated by nonrenewal. Since the contract continues in effect, the uses on the land proposed by a public agency must be compatible with the contract, local rules and ordinances, and Williamson Act statute.

3.3.2 Environmental Setting

The Sutter County Important Farmland map, published by CDC's Division of Land Resource Protection, designates the proposed project area as Important Farmland (CDC, 2004). The SPSP Area, which includes the proposed project area, currently includes 1,899 acres of Prime Farmland, 5,036 Farmland of Statewide Importance, 332 acres of grazing land, and 113 acres of other land. The project area contains a total of approximately 6,935 acres of Important Farmland, which accounts for approximately 2.4% of Important Farmland in Sutter County. It should be noted that the total acres of Important Farmland on the project area include existing roadways transecting the site (Pacific Avenue, SR 99/70, Sankey Road, and Riego Road); therefore, the acres of Important Farmland on the project site are overestimated by approximately 140 acres. None of the land within the project area is held under Williamson Act contracts (Sutter County, 2008).

3.3.3 Regulatory Setting

Federal

No federal plans, policies, regulations, or laws related to agricultural resources are applicable to the proposed project.

State

California Important Farmland Inventory System and Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP) was established by the State of California in 1982 to continue the Important Farmland mapping efforts begun in 1975 by the Soil Conservation Service (SCS) (now called the National Resource Conservation Service (NRCS) of the United States Department of Agriculture (USDA). The intent of the SCS was to produce agricultural-resource maps based on soil quality and land use across the nation. The CDC sponsors the FMMP and is also responsible for establishing agricultural easements in accordance with Public Resources Code Sections 10250–10255.

As part of the nationwide effort to map agricultural land uses, the SCS/NRCS developed a series of definitions known as Land Inventory and Monitoring (LIM) criteria. The LIM criteria classify the land's suitability for agricultural production. Suitability includes both the physical and chemical characteristics of soils as well as the actual land use. Maps of Important Farmland are derived from the NRCS soil survey maps using the LIM criteria and are available by county. Important Farmland maps classify land into one of the following eight categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-Up Land, Other Land, and Water. CDC classifications in the Important Farmland Inventory System are as follows (CDC, 2004):

- **Prime Farmland—**Land that has the best combination of features for the production of agricultural crops
- **Farmland of Statewide Importance—**Land other than Prime Farmland that has a good combination of physical and chemical features for the production of agricultural crops
- **Unique Farmland—**Land of lesser quality soils used for the production of the State's leading agricultural cash crops
- **Farmland of Local Importance—**Land that is of importance to the local agricultural economy
- **Grazing Land—**Land with existing vegetation that is suitable for grazing
- **Urban and Built-up Lands—**Land occupied by structures with a density of at least one dwelling unit per 1.5 acres
- **Land Committed to Nonagricultural Use—**Vacant areas; existing lands that have a permanent commitment to development but have an existing land use of agricultural or grazing lands
- **Other Lands—**Land that does not meet the criteria of the remaining categories

The designations for Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are defined together under the terms "Agricultural Land" and "Important Farmland" in CEQA (Public Resources Code Sections 21060.1 and 21095 and State CEQA Guidelines Appendix G). As stated in Environmental Setting section, the project area includes land designated as Important Farmland.

Local

Sutter County General Plan

Prior to adoption of the SPSP, the proposed project area was within the 9,500-acre "Sutter County Industrial-Commercial Reserve" designated in the 1996 Sutter County General Plan to accommodate employment-related uses. Most of the undeveloped land in the project area and in the vicinity was zoned General Agricultural (AG) with 80-acre minimum lot sizes. With adoption of the SPSP, the area was rezoned with a new SPSP (SP) zoning district (Sutter County, 2009).

The following goals and policies from the Sutter County General Plan (1996) regarding agricultural resources are applicable to the proposed project.

Land Use Element

- **GOAL 1F:** To minimize conflicts between agricultural and non-agricultural uses.
  - **Policy 1.F-1** The County shall require that new development adjacent to agricultural areas be designed to minimize conflicts with adjacent agricultural uses.
  - **Policy 1.F-3** The County shall continue to implement its Right to Farm Ordinance. (Agricultural Operations Disclosure, Ordinance Code 1013, Chapter 1330 or its successor.)
  - **Policy 1.F-4** The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

Agricultural Resources Element

- **GOAL 6.A:** To preserve high quality agricultural land for agricultural purposes.
  - **Policy 6.A-1** The County shall preserve agriculturally-designated areas for agricultural uses and direct nonagricultural development to areas designated for urban/suburban growth, or rural communities and/or cities.
  - **Policy 6.A-2** The County shall balance the needs of proposed urban and suburban development with the need to preserve agricultural lands.

3.3.4 Impacts and Mitigation Measures

Significance Criteria

For the purpose of this analysis, the relevant standards of significance from the SPSP EIR have been used to determine whether implementing the proposed project would result in a significant

impact. These standards of significance are also based on Appendix G of the State CEQA Guidelines. An agricultural resources impact is considered significant if implementation of the proposed project would:

- Convert economically viable Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;

Methodology

Important Farmland was identified using data from the CDC FMMP (CDC, 2004) and from Section 3.16 of the SPSP EIR. The proposed project was analyzed to determine the potential extent of conversion of Important Farmland.

Impacts Adequately Analyzed in the SPSP EIR or not Applicable to the Project

As determined in the Environmental Checklist prepared for the proposed project, impacts relating conflicts with zoning for agricultural lands, conflicts with existing Williamson Act contracts, and loss of forest resources were determined to have no impact or be less than significant and are not evaluated in this section of the Focused Tiered EIR. In addition, potential indirect conversion of Farmland of Statewide Importance to non-agricultural use was determined to be adequately analyzed in the SPSP EIR and; therefore, is also not evaluated in this section of the Focused Tiered EIR. See the Environmental Checklist in Appendix B.

Proposed Project Impacts and Mitigation Measures

Table 3.3-1 provides a summary of the impacts identified for the proposed project. The level of significance after any mitigation measures is also presented. Each of these impacts is discussed in more detail below.

TABLE 3.3-1
PROPOSED PROJECT IMPACT SUMMARY – AGRICULTURAL RESOURCES

	Phase 1		Phase 2, 3, and 4	
Impact	**Before Mitigation**	**After Mitigation**	**Before Mitigation**	**After Mitigation**
Impact 3.3-1: Implementation of the proposed project would result in the permanent conversion of Important Farmland to nonagricultural uses.	S	SU	S	SU

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NA = Not Applicable

Impact 3.3-1: Implementation of the proposed project would result in the permanent conversion of Important Farmland to nonagricultural uses.

All Project Phases

As described in the SPSP EIR, the project applicant(s) and developers of all project phases would be required to participate in the NBHCP through the payment of fees or land dedication. The associated payment of fees would be used by the Natomas Basin Conservancy (NBC) to purchase conservation easements that would result in potential future benefits to agriculture by preventing loss of the protected lands. These measures also would lessen significant impacts associated with the conversion of Important Farmland on the project site because funding conservation easements would assist the public and private sectors in protecting other farmland from the pressures of development. The easements are purchased for land exhibiting benefits to wildlife, including a combination of habitat, open space, and agricultural lands, so the compensation provided by the fee contribution for the SPSP would not be applied exclusively to agricultural lands. Therefore, fees contributed to the NBHCP would only partially offset conversions of Important Farmland associated with implementation of the SPSP. Additionally, no new farmland would be made available, and the productivity of existing farmland would not be improved as a result of implementation of the NBHCP. Therefore, full compensation for permanent losses of Important Farmland would not be achieved with implementation of the proposed mitigation in the SPSP EIR.

Proposed project facilities including wellheads, treatment plant, and storage tanks, would be located above ground and are anticipated to permanently convert approximately 29 acres of Important Farmland to nonagricultural uses. While this represents less than one percent of the total conversion of Important Farmland anticipated with buildout of the SPSP, it still represents a permanent conversion of Important Farmland and is considered a ***significant impact***.

Mitigation Measures

> **Measure 3.4-1:** No feasible mitigation measures are available.
>
> **Significance after Mitigation:** Although mandatory development fees would be contributed to the NBHCP to offset conversions of important farmland, full compensation for permanent losses of Important Farmland would not be achieved. These fees would only partially offset conversions of Important Farmland associated with implementation of the SPSP. In addition, no new farmland would be made available and the productivity of existing farmland would not be improved as a result of implementation of the NBHCP. Therefore, this impact is ***significant and unavoidable***.

3.3.5 References

California Department of Conservation (CDC), 2004. Important Farmland Categories. Sacramento, CA. Available: http://www.consrv.ca.gov/DLRP/fmmp/mccu/map_categories.htm. Last updated May 30, 2007. Accessed April 2010.

California Public Utilities Commission (CPUC), 2008. Certificate of Public Convenience and Necessity Proponent's Environmental Assessment, August, 2008.

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

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3.4 Air Quality

3.4.1 Introduction

This section addresses potential impacts associated with criteria air pollutant emissions as a result of construction and operation of the proposed project. All other impacts related to air quality including creation of objectionable odors were adequately addressed in the SPSP EIR as discussed in the Environmental Checklist included as Appendix B in this Focused Tiered EIR. All relevant information, including applicable environmental and regulatory setting, standards of significance, and mitigation measures identified in Section 3.4 of the SPSP EIR, are incorporated by reference and summarized below as appropriate. This section is also based on information included in Section 5.3 of the CPCN PEA (California Public Utilities Commission, 2008).

No comments were received in response to the NOP related to air quality (see Appendix A).

3.4.2 Environmental Setting

The project area is located in the Sacramento Valley Air Basin (SVAB), which comprises all of Butte, Colusa, Glenn, Sacramento, Sutter, Shasta, Tehama, Yolo, and Yuba Counties; the western portion of Placer County; and the eastern portion of Solano County.

Ambient concentrations of air pollutants are determined by the amount of emissions released by pollutant sources and the ability of the atmosphere to transport and dilute such emissions. Terrain, wind, atmospheric stability, and the presence of sunlight all affect transport and dilution. Therefore, existing air quality conditions in the project area are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources, as discussed separately below.

Topography, Climate, and Meteorology

Land in the SVAB is relatively flat, bordered by the northern Coast Range to the west and the northern Sierra Nevada to the east. Air flows into the SVAB through the Carquinez Strait, the only breach in the western mountain barrier, and moves across the Sacramento–San Joaquin Delta (Delta) from the San Francisco Bay Area.

The Mediterranean climate of the project area is characterized by hot, dry summers and cool, rainy winters. During summer, daily temperatures range from 50 degrees Fahrenheit (°F) to more than 100°F. The inland location and surrounding mountains shelter the area from the ocean breeze that keeps the coastal regions temperature moderate.

Most precipitation in the SVAB results from air masses that move in from the Pacific Ocean, usually from the west or northwest during winter. More than half the total annual precipitation falls during the winter rainy season (November through February); the average winter temperature is a moderate 49°F. Periods of dense and persistent low-level fog, which are most prevalent between storms, are

common during winter in the SVAB. The prevailing winds are moderate in speed and vary from moisture-laden breezes from the south to dry-land flows from the north.

The mountains surrounding the SVAB create a barrier to airflow, which leads to the entrapment of air pollutants when meteorological conditions are unfavorable for transport and dilution. Poor air movement occurs most frequently in fall and winter when high-pressure cells are present over the project area and meteorological conditions are stable. The lack of surface winds during these periods, combined with the reduced vertical flow caused by less surface heating, reduces the influx of air and results in the concentration of pollutants. Surface concentrations of air pollutant emissions are highest when these conditions occur in combination with agricultural burning activities or temperature inversions, which hamper dispersion by creating a ceiling over the area and trapping air pollutants near the ground.

May through October is ozone season in the SVAB and is characterized by poor air movement in the mornings and the arrival of the Delta sea breeze from the southwest in the afternoons. In addition, longer daylight hours provide a plentiful amount of sunlight to fuel photochemical reactions between reactive organic gas (ROG) and nitrogen oxides (NO_x), which in turn result in ozone formation. Typically, the Delta breeze transports air pollutants northward out of the SVAB; however, during approximately half of the time, from July through September, a phenomenon known as the Schultz Eddy prevents this from occurring. The Schultz Eddy phenomenon causes the wind pattern to shift southward, blowing air pollutants back into the SVAB. This phenomenon exacerbates the concentration of air pollutant emissions in the air basin and contributes to violations of the ambient air quality standards.

The winds and unstable atmospheric conditions associated with the passage of winter storms result in periods of low air pollution and excellent visibility. Precipitation and fog tend to reduce or limit pollutant concentrations. For instance, clouds and fog block sunlight, which is required to fuel photochemical reactions that form ozone. Because carbon monoxide (CO) is partially water soluble, precipitation and fog also tend to reduce concentrations of CO in the atmosphere. In addition, particulate matter (PM_{10}) can be washed from the atmosphere through wet deposition processes, such as rain, snow, and fog. However, between winter storms, high pressure and light winds contribute to low-level temperature inversions and stable atmospheric conditions, resulting in the concentration of air pollutants (e.g., CO, PM_{10}).

Criteria Air Pollutants

Concentrations of criteria air pollutant are used as indicators of ambient air quality conditions. Source types, health effects, and future trends associated with each air pollutant are described below along with the most current attainment area designations and monitoring data for the project area and vicinity.

Ozone

Short-term exposure to ozone can irritate the eyes and cause constriction of the airways. Besides causing shortness of breath, ozone can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema. Ozone is not emitted directly into the atmosphere, but is a secondary

air pollutant produced in the atmosphere through a complex series of photochemical reactions involving ROG and NO_x. ROG and NO_x are known as precursor compounds for ozone. Significant ozone production generally requires ozone precursors to be present in a stable atmosphere with strong sunlight for approximately three hours. Ozone is a regional air pollutant because it is not emitted directly by sources, but is formed downwind of sources of ROG and NO_x under the influence of wind and sunlight. Ozone concentrations tend to be higher in the late spring, summer, and fall, when the long sunny days combine with regional subsidence inversions to create conditions conducive to the formation and accumulation of secondary photochemical compounds, like ozone.

Carbon Monoxide

Ambient CO concentrations normally are considered a local effect and typically correspond closely to the spatial and temporal distributions of vehicular traffic. Wind speed and atmospheric mixing also influence carbon monoxide concentrations. Under inversion conditions, CO concentrations may be distributed more uniformly over an area that may extend some distance from vehicular sources. When inhaled at high concentrations, CO combines with hemoglobin in the blood and reduces the oxygen-carrying capacity of the blood. This results in reduced oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease, or anemia, as well as for fetuses.

CO concentrations have declined dramatically in California due to existing controls and programs and most areas of the state including the proposed project region have no problem meeting the CO State and federal standards. CO measurements and modeling were important in the early 1980's when CO levels were regularly exceeded throughout California. In more recent years CO measurements and modeling results have not been a priority in most California air districts due to the retirement of older polluting vehicles, lower emissions from new vehicles, and improvements in fuels.

Nitrogen Dioxide

Nitrogen Dioxide (NO_2) is a reddish brown gas that is a by-product of combustion processes. NO_2 may be visible as a coloring component of a brown cloud on high pollution days, especially in conjunction with high ozone levels.

Automobiles and industrial operations are the main sources of NO_2 which is an air quality concern because it acts a respiratory irritant and is a precursor of ozone. NO_2 is a major component of the group of gaseous nitrogen compounds, commonly referred to as NO_x, which $_x$ are produced by fuel combustion in motor vehicles, industrial stationary sources (such as industrial activities), ships, aircraft, and rail transit. Typically, NO_x emitted from fuel combustion are in the form of nitric oxide (NO) and NO_2. NO is often converted to NO_2 when it reacts with ozone or undergoes photochemical reactions in the atmosphere. Therefore, emissions of NO_2 from combustion sources are typically evaluated based on the amount of NO_x emitted from the source.

Sulfur Dioxide

Sulfur Dioxide (SO_2) is a combustion product of sulfur or sulfur-containing fuels such as coal and diesel. SO_2 is also a precursor to the formation of atmospheric sulfate, particulate matter and contributes to potential atmospheric sulfuric acid formation that could precipitate downwind as

acid rain. Concentration rather than duration of exposure is an important determinant of respiratory effects. Exposure to high SO_2 concentrations may result in edema of the lungs or glottis and respiratory paralysis.

Particulate Matter

PM_{10} and $PM_{2.5}$ consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter, respectively. (A micron is one-millionth of a meter). PM_{10} and $PM_{2.5}$ represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. Some sources of particulate matter, such as wood burning in fireplaces, demolition, and construction activities, are more local in nature, while others, such as vehicular traffic, have a more regional effect. Very small particles of certain substances (e.g., sulfates and nitrates) can cause lung damage directly, or can contain adsorbed gases (e.g., chlorides or ammonium) that may be injurious to health. Particulates also can damage materials and reduce visibility. Large dust particles (diameter greater than 10 microns) settle out rapidly and are easily filtered by human breathing passages. This large dust is of more concern as a soiling nuisance rather than a health hazard. The remaining fraction, PM_{10} and $PM_{2.5}$, are a health concern particularly at levels above the federal and state ambient air quality standards. $PM_{2.5}$ (including diesel exhaust particles) is thought to have greater effects on health, because these particles are so small and thus, are able to penetrate to the deepest parts of the lungs. Scientific studies have suggested links between fine particulate matter and numerous health problems including asthma, bronchitis, acute and chronic respiratory symptoms such as shortness of breath and painful breathing. Recent studies have shown an association between morbidity and mortality and daily concentrations of particulate matter in the air. Children are more susceptible to the health risks of PM_{10} and $PM_{2.5}$ because their immune and respiratory systems are still developing.

Mortality studies since the 1990s have shown a statistically significant direct association between mortality (premature deaths) and daily concentrations of particulate matter in the air. Despite important gaps in scientific knowledge and continued reasons for some skepticism, a comprehensive evaluation of the research findings provides persuasive evidence that exposure to fine particulate air pollution has adverse effects on cardiopulmonary health (Dockery and Pope, 2006). The California Air Resources Board (ARB) has estimated that achieving the ambient air quality standards for PM_{10} could reduce premature mortality rates by 6,500 cases per year (ARB, 2002).

Lead

Ambient lead concentrations meet both the federal and state standards in the proposed project area. Lead has a range of adverse neurotoxin health effects, and was formerly released into the atmosphere primarily via leaded gasoline products. The phase-out of leaded gasoline in California resulted in decreasing levels of atmospheric lead. The proposed project would not introduce any new sources of lead emissions; consequently, lead emissions are not required to be quantified and are not further evaluated in this analysis.

Monitoring Station Data and Sensitive Receptors

Concentrations of criteria air pollutants are measured at several monitoring stations in the SVAB. The North Highlands–Blackfoot Way (less than 10 miles to the southeast) and the Roseville-North Sunrise Avenue (less than 15 miles east of the project area) monitoring stations are the closest to the project area. Table 3.4-1 summarizes the air quality data from these stations for the most recent three years for ozone, PM_{10} and $PM_{2.5}$, the pollutants for which Sutter County remains "nonattainment" (as described below in the Regulatory Setting).

Some receptors are considered more sensitive than others to air pollutants. Reasons for greater sensitivity include pre-existing health problems, proximity to emissions source, or duration of exposure to air pollutants. Schools, hospitals and convalescent homes are considered to be relatively sensitive to poor air quality because children, elderly people and the infirm are more susceptible to respiratory infections and other air quality-related health problems than the general public. Residential areas are also sensitive to poor air quality because people usually stay home for extended periods of time. The project area in south Sutter County is largely undeveloped and sensitive receptors are not located near areas where be construction activities are expected.

TABLE 3.4-1
AIR QUALITY DATA SUMMARY (2005–2008) FOR THE PROJECT AREA

Pollutant	Standard[a]	Monitoring Data by Year 2006	2007	2008
Ozone: North Highlands: Blackfoot Way Monitoring Station				
Maximum concentration 1-hour (ppm)[b]	0.09	**0.135**	**0.109**	**0.121**
Number of days state standard exceeded 1-hour		15	1	2
Maximum concentration 8-hour (ppm)[b]		**0.093**	**0.096**	**0.082**
Number of days state standard exceeded 8-Hour	0.070	42	4	4
Number of days national standard exceeded 8-Hour	0.075	24	2	2
Particulate Matter (PM_{10}): North Highlands: Blackfoot Way Monitoring Station				
Maximum concentration state measurement ($\mu g/m^3$)[b]		**67**	**59**	**97**
Est. days over state standard[b]	50	17.9	13.0	*
Maximum concentration national measurement ($\mu g/m^3$)[b]		65	56	97
Est. days over national standard[b]	150	0	0	*
Particulate Matter ($PM_{2.5}$): Roseville: North Sunrise Avenue Monitoring Station				
Maximum concentration national measurement ($\mu g/m^3$)[b]		**45.0**	30.0	**60.0**
Est. days national standard exceeded[b]	35	11.5	0	**6.5**
State annual average ($\mu g/m^3$)[b]	12	10.5	**12.2**	**13.8**

a Generally, state standards and national standards are not to be exceeded more than once per year.
b ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter.
c PM_{10} and $PM_{2.5}$ is not measured every day of the year. Number of estimated days over the standard is based on 365 days per year.

NA = Not Available. Values in **Bold** exceed the respective air quality standard.

SOURCE: California Air Resources Board (ARB), 2009a. *Summaries of Air Quality Data*, 2005-2008; http://www.arb.ca.gov/adam/cgi-bin/db2www/polltrendsb.d2w/start

3.4.3 Regulatory Setting

The project area is located in the southern portion of Sutter County, California, where air quality is regulated by the U.S. Environmental Protection Agency (EPA), the ARB, the Feather River Air Quality Management District (FRAQMD), and Sutter County. Each of these agencies develops rules, regulations, policies, and/or goals to comply with applicable legislation. Although EPA regulations may not be superseded, both state and local regulations may be more stringent. Applicable regulations associated with criteria air pollutants are described below.

Federal

The federal Clean Air Act (FCAA) requires the EPA to identify National Ambient Air Quality Standards (NAAQS or national standards) to protect public health and welfare. National standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, $PM_{10,}$ $PM_{2.5}$, and lead. Table 3.4-2 shows current national and state ambient air quality standards and provides a brief discussion of the related health effects and principal sources for each pollutant.

TABLE 3.4-2
STATE AND NATIONAL CRITERIA AIR POLLUTANT STANDARDS, EFFECTS, AND SOURCES

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when reactive organic gases (ROG) and nitrogen oxides (NO_x) react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial / industrial mobile equipment.
	8 hours	0.07 ppm	0.075 ppm		
Carbon Monoxide	1 hour	20 ppm	35 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide	1 hour	0.18 ppm	0.100 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Avg.	0.030 ppm	0.053 ppm		
Sulfur Dioxide	1 hour	0.25 ppm	---	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.5 ppm		
	24 hours	0.04 ppm	0.14 ppm		
	Annual Avg.	---	0.03 ppm		
Respirable Particulate Matter (PM_{10})	24 hours	50 µg/m3	150 µg/m3	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Avg.	20 µg/m3	---		
Fine Particulate Matter ($PM_{2.5}$)	24 hours	---	35 µg/m3	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NO_x, sulfur oxides, and organics.
	Annual Avg.	12 µg/m3	15 µg/m3		

TABLE 3.4-2 (cont.)
STATE AND NATIONAL CRITERIA AIR POLLUTANT STANDARDS, EFFECTS, AND SOURCES

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Lead	Monthly Ave.	1.5 µg/m3	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction.	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Quarterly	---	1.5 µg/m3		
Hydrogen Sulfide	1 hour	0.03 ppm	No National Standard	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal Power Plants, Petroleum Production and refining
Sulfates	24 hour	25 µg/m3	No National Standard	Breathing difficulties, aggravates asthma, reduced visibility	Produced by the reaction in the air of SO_2.
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	No National Standard	Reduces visibility, reduced airport safety, lower real estate value, discourages tourism.	See $PM_{2.5}$.

ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter.

SOURCE: California Air Resources Board (ARB), 2010. *Ambient Air Quality Standards,* available at http://www.arb.ca.gov/research/aaqs/aaqs2.pdf Standards last updated February 16, 2010. California Air Resources Board, 2009b. *ARB Fact Sheet: Air Pollution Sources, Effects and Control,* http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm, page last reviewed December 2009.

Pursuant to the 1990 FCAAA, the EPA classifies air basins (or portions thereof) as "attainment" or "nonattainment" for each criteria air pollutants, based on whether or not the NAAQS had been achieved. Table 3.4-3 shows the current attainment status of the proposed project area.

TABLE 3.4-3
SUTTER COUNTY ATTAINMENT STATUS

	Designation/Classification	
Pollutant	**Federal Standards**	**State Standards**
Ozone – one hour	No Federal Standard	Nonattainment/Serious
Ozone – eight hour	Nonattainment/Serious	Nonattainment
PM_{10}	Unclassified	Nonattainment
$PM_{2.5}$	Nonattainment	Unclassified
CO	Unclassified/Attainment	Attainment
Nitrogen Dioxide	Unclassified/Attainment	Attainment
Sulfur Dioxide	Unclassified/Attainment	Attainment
Lead	No Designation	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified

SOURCE: California Air Resources Board (ARB), 2009c. *Area Designation Maps,* http://www.arb.ca.gov/desig/adm/adm.htm, page updated September 22, 2009 and accessed March 5, 2010. U.S. Environmental Protection Agency (EPA), 2010. *Criteria Pollutant Area Summary Report*, http://www.epa.gov/air/oaqps/greenbk/anay.html, page update January 6, 2010 and accessed March 5, 2010.

The FCAA requires each state to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The FCAAA added requirements for states containing areas that

violate the NAAQS to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is a living document that is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The EPA has responsibility to review all state SIPs to determine if they conform to the mandates of the FCAAA and will achieve air quality goals when implemented. If the EPA determines a SIP to be inadequate, it may prepare a Federal Implementation Plan (FIP) for the nonattainment area and may impose additional control measures. Failure to submit an approvable SIP or to implement the plan within mandated timeframes can result in sanctions being applied to transportation funding and stationary air pollution sources in the air basin.

State

The ARB manages air quality, regulates mobile emissions sources, and oversees the activities of county Air Pollution Control Districts and regional Air Quality Management Districts. ARB establishes state ambient air quality standards and vehicle emissions standards.

California has adopted ambient standards that are typically more stringent than the federal standards for the criteria air pollutants. These are shown in Table 3.4-2. Under the California Clean Air Act (CCAA) patterned after the FCAA, areas have been designated as attainment or nonattainment with respect to the state standards. Table 3.4-3 summarizes the attainment status with California standards in the proposed project area.

Regional and Local Plans, Policies, Regulations, and Ordinances

Feather River Air Quality Management District

FRAQMD attains and maintains air quality conditions in all of Sutter County through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean-air strategy of FRAQMD includes the preparation of plans and programs for the attainment of ambient air-quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. FRAQMD also inspects stationary sources of air pollution, responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by the FCAA, FCAAA, and CCAA. Air quality plans applicable to the proposed project are discussed below.

Air Quality Plans

FRAQMD, in coordination with other nearby air quality management and air pollution control districts (e.g., Placer County Air Pollution Control District and Sacramento Metropolitan AQMD), prepared and submitted the 1991 Air Quality Attainment Plan (AQAP) in compliance with the requirements set forth in the CCAA, which specifically addressed the nonattainment status for ozone and, to a lesser extent, CO and PM_{10}.

The CCAA also requires a triennial assessment of the extent of air quality improvements and emission reductions achieved through the use of control measures. As part of the assessment, the attainment plan must be reviewed and, if necessary, revised to correct for deficiencies in progress and to incorporate new data or projections. The requirement of the CCAA for a first triennial progress report and revision of the 1991 AQAP was fulfilled with the preparation and adoption of the 1994 Ozone Attainment Plan (OAP). The OAP stresses attainment of ozone standards and focuses on strategies for reducing the ozone precursors ROG and NO_x. It promotes active public involvement, enforcement of FRAQMD rules and regulations, public education in both the public and private sectors, development and promotion of transportation and land use programs designed to reduce vehicle miles traveled (VMT) in the region, and implementation of control measures for stationary and mobile sources. The OAP became part of the SIP in accordance with the requirements of the FCAAA and amended the 1991 AQAP. However, at that time, the region could not show that the national ozone (1-hour) standard would be met by 1999. In exchange for moving the deadline to 2005, the region accepted a designation of "severe nonattainment" coupled with additional emissions requirements on stationary sources. Additional triennial reports were also prepared in 1997, 2000, 2003, and 2006 in compliance with the CCAA and act as incremental updates (FRAQMD 2008).

The southern portion of Sutter County is also part of the Sacramento Federal Ozone Nonattainment Area (SFNA), which comprises all of Sacramento and Yolo Counties and portions of El Dorado, Placer, and Solano Counties.

As a nonattainment area, the region is also required to submit rate-of-progress milestone evaluations in accordance with the FCAAA. Milestone reports were prepared for 1996, 1999, 2002, 2006 and most recently in 2008 for the 8-hour ozone standard. These milestone reports include compliance demonstrations that the requirements have been met for the SFNA. The AQAPs and reports present comprehensive strategies to reduce emissions of ROG, NO_X, and PM_{10} from stationary, area, mobile, and indirect sources. Such strategies include the adoption of rules and regulations; enhancement of CEQA participation; implementation of a new and modified indirect-source review program; adoption of local air quality plans; and control measures for stationary, mobile, and indirect sources.

The Sacramento region was classified by EPA on June 15, 2004, as a "serious" nonattainment area for the national 8-hour ozone standard with an attainment deadline of June 15, 2013. Emission reduction needs to achieve the air quality standard were identified using an air quality modeling analysis. An evaluation of proposed new control measures and associated ROG and NO_x emission reductions concluded that no set of feasible controls was available to provide the needed emission reductions before the attainment deadline year. Given the magnitude of the shortfall in emission reductions and the schedule for implementing new control measures, the earliest possible attainment demonstration year for the Sacramento region is determined to be the "severe" area deadline of 2019. Section 181(b)(3) of the FCAA permits a state to request that EPA reclassify a nonattainment area to a higher classification and extend the time allowed for attainment. This process is appropriate for areas that must rely on longer term strategies to achieve the emission reductions needed for attainment.

The board of directors for each of the five air districts (including FRAQMD) that compose the SFNA requested that ARB submit a formal request for voluntary reclassification from "serious" to "severe" for the 8-hour ozone nonattainment area with an associated attainment deadline of June 15, 2019. ARB submitted that request on February 14, 2008.

On March 24, 2008, EPA published in the *Federal Register* a finding of Failure to Submit the 2011 Reasonable Further Progress Plan for the SFNA. The failure to submit finding triggered the following sanctions clocks:

- Offset sanctions: More stringent emission mitigation requirements for new and modified businesses, "major stationary sources" if a complete plan is not submitted within 18 months after EPA findings of failure to submit the plan.
- Federal highway funding sanctions: Prohibiting transportation projects from receiving federal transportation funding if a complete plan is not submitted within 24 months after EPA findings.

The sanctions clocks will stop after the air districts (including FRAQMD) submit the 2011 Reasonable Further Progress Plan and EPA accepts the plan as complete.

Rules and Regulations

As mentioned above, FRAQMD adopts rules and regulations. All projects are subject to FRAQMD rules and regulations in effect at the time of construction. Specific rules applicable to the proposed project may include, but are not limited to:

- Rule 3.0—Visible Emissions: As provided by Section 41701 of the California Health and Safety Code, a person shall not discharge into the atmosphere from any single source of emissions whatsoever, any air contaminants for a period or periods aggregating more than three minutes in any one hour which is:
  - As dark or darker in shade as that designated as No. 2 on the Ringlemen Chart, as published by the United States Bureau of Mines; or
  - Of such opacity as to obscure an observers view to a degree equal to or greater than does smoke described above.
- Rule 3.15—Architectural Coatings: The purpose of this rule is to limit the quantity of volatile organic compounds (VOCs) in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use.
- Rule 3.16—Fugitive Dust Emissions: The purpose of this rule is to reasonably regulate operations which periodically may cause fugitive dust emissions into the atmosphere. A person shall take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line, from which the emission originates, from any construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation. Reasonable precautions shall include, but are not limited to:
  - Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, construction of roadways, or the clearing of land;
  - Application of asphalt, oil, water, or suitable chemical on dirt roads, material stockpiles, and other surfaces which can give rise to airborne dusts; and

- Other means approved by the air pollution control officer (APCO).

- Rule 4—General Requirements:
  - No person shall cause or permit the construction or modification of any source without first obtaining, as required by regulations, an Authority to Construct or modify from the APCO so as to comply with applicable rules and regulations and ambient air quality standards.
  - The APCO shall not approve such construction or modification unless the applicant demonstrates, to the satisfaction of the APCO, that the new or modified source can be expected to comply with all applicable regulations and will not prevent the attainment or maintenance of air quality standards.
- Rule 10.1—New Source Review: The purpose of this rule is
  - To establish preconstruction review requirements including offsets, best available control technology (BACT) and analysis of air quality impacts for new and modified stationary sources and to insure that the operation of such sources does not interfere with the attainment or maintenance of ambient air quality standards.
  - To provide for no net increase in emissions pursuant to Section 40918 and 40920 of the California Health and Safety Code.

Sutter County

The following goals and policies from the Sutter County General Plan (Sutter County, 1996) related to air quality are applicable to the proposed project:

- **GOAL 4.I:** To protect, maintain and improve the air quality in Sutter County.
  - **Policy 4.I-1:** The County shall support FRAQMD in its development of improved ambient air quality monitoring capabilities and the establishment of appropriate standards and rules to address the air quality impacts of new development.
  - **Policy 4.I-2:** The County shall strive to submit development proposals to FRAQMD for review and comment in accordance with CEQA prior to consideration by the decision making body.

3.4.4 Impacts and Mitigation Measures

Significance Criteria

For the purpose of this analysis, the relevant standards of significance from the SPSP EIR have been used to determine whether implementing the proposed project would result in a significant impact. These standards of significance are also based on Appendix G of the State CEQA Guidelines and FRAQMD guidance. An air quality impact is considered significant if implementation of the proposed project would:

- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable NAAQS or CAAQS (including releasing emissions that exceed quantitative thresholds for ozone precursors).

As stated in Appendix G, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the above determinations. Thus, in accordance with FRAQMD-recommended thresholds for evaluating project-related air quality impacts (including FRAQMD's Indirect Source Review Guidelines), implementation of the proposed project would be considered significant if the proposed project would (FRAQMD 2008) emit (from all project sources, both stationary and mobile) greater than 25 lb/day for ROG or NO_x and 80 lb/day for PM_{10}. Since the maximum of daily criteria pollutant emissions would be generated during the construction phase, the FRAQMD recommended applying these thresholds to the construction phase as well as project operations (Andersson, 2010).

Methodology

Project-related air quality impacts fall into two categories, short-term impacts during construction, and long-term impacts during project operation. First, during project construction, construction activities would affect local particulate concentrations primarily because of fugitive dust emissions. Project construction would also result in increased ROG and NOx emissions from construction equipment. During the project operations phase, project-related motor vehicle trips would also increase emissions. Construction and operation emission modeling methodologies are described in the following discussion. Additional information and model results are presented in Appendix C.

Rimpo and Associates' URBEMIS 2007 software (version 9.2.4), was used to quantify off-road equipment construction emissions. It was assumed construction activities would occur sequentially and equipment would operate 8 hours per day. This analysis assumes these types of construction activities could occur during the entire 30-year construction schedule. The construction activities were evaluated for the year 2010, which would have higher exhaust emissions than years beyond 2010 because stricter emission standards become effective and older engines are replaced with newer engines. Therefore, the emissions presented below represent the peak daily emissions expected for each activity during the 30-year construction schedule. Although FRAQMD has not established a mass emission threshold for construction, the FRAQMD recommended applying the significance thresholds included in the FRAQMD Indirect Source Review to the proposed project construction emissions (Andersson, 2010).

Operational-phase emissions of ROG, NOx, CO, and PM_{10} were estimated using the EMFAC2007 emission factors for on-road motor vehicles. Estimated emissions were then compared to FRAQMD's significance thresholds. These operational emissions represent a conservative estimate, since operational trips would be for full build-out of the project yet were quantified using the 2018 (Phase 1 build-out) emission factors.

Impacts Adequately Analyzed in the SPSP EIR or not Applicable to the Project

As determined in the Environmental Checklist prepared for the proposed project, impacts relating to conflicts or obstruction with applicable air quality plans, or exposure of sensitive receptors to substantial pollutant concentrations or objectionable odors, were determined to have no impact or

be less than significant and were not evaluated in this section of the Focused Tiered EIR (see the Environmental Checklist in Appendix B).

Proposed Project Impacts and Mitigation Measures

Table 3.4-4 provides a summary of the impacts identified for the proposed project. The level of significance after any mitigation measures is also presented. Each of these impacts is discussed in more detail below.

TABLE 3.4-4
PROPOSED PROJECT IMPACT SUMMARY – AIR QUALITY

Impact	Phase 1		Phase 2, 3, and 4	
	Before Mitigation	After Mitigation	Before Mitigation	After Mitigation
Impact 3.4-1: Proposed project construction activities would generate temporary, short-term emissions of NO_x that could exceed FRAQMD-recommended thresholds.	S	SU	S	SU
Impact 3.4-2: Operation of the proposed project would generate long-term emissions of criteria pollutants that could exceed FRAQMD-recommended thresholds.	LS	NA	LS	NA

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NA = Not Applicable

Impact 3.4-1: Proposed project construction activities would generate temporary, short-term emissions of NO_x that could exceed FRAQMD-recommended thresholds.

All Project Phases

It is assumed that construction of water treatment would occur during all phases of development, and the construction of the water treatment plant alone would exceed the FRAQMD significance threshold for NO_x. As a result, the emissions presented in Table 3.4-5 represent a conservative estimate of daily peak emissions for all project phases.

Construction emissions were calculated in the PEA for exhaust emissions from construction equipment and vehicles (see Table 3.4-5 below). As described above, construction equipment exhaust and fugitive dust emissions were estimated using Rimpo and Associates' URBEMIS 2007 software (version 9.2.4). Construction activities include surveying, road construction, trenching, pipeline installation, hauling, storage tank construction, well drilling, water treatment plant construction, and clean-up. It was assumed construction activities would occur sequentially and equipment would operate 8 hours per day. This analysis assumes these types of construction activities could occur during the 30-year construction schedule. The construction activities were evaluated for the year 2010, which would have higher exhaust emissions than years beyond 2010 because stricter emission standards become effective and older engines are replaced with newer engines. Therefore, the emissions presented in Table 3.4-5 represent the peak daily emissions expected for each activity during the 30-year construction schedule. Although FRAQMD has not established a mass emission

threshold for construction, the FRAQMD recommended applying the significance thresholds included in the FRAQMD Indirect Source Review to the proposed project construction emissions (Andersson, 2010).

TABLE 3.4-5
PEAK DAILY EMISSIONS FROM PROJECT CONSTRUCTION

	Emissions (lb/day)		
Construction Activity	**ROG**	**NO_x**	**PM_{10}**
Survey	0	0	0
Access Road Construction	4	27	41
Trenching	3	21	1
Pipeline Installation	3	21	1
Material Haul	1	5	0
Storage Tank Foundation	2	10	1
Storage Tank Erection	2	13	1
Well Drilling	5	54	2
Water Treatment Plant Construction	8	80	3
Right of Way Restoration/Clean-up	1	7	20
Peak daily emissions	8	80	41
FRAQMD Significance Threshold	25	25	80
Significant?	No	Yes	No

SOURCE: California Public Utilities Commission, 2008

As shown in Table 3.4-7, emissions of NO_x during peak daily construction activities would exceed the FRAQMD-recommended threshold of significance without mitigation. Therefore, this is considered a ***significant impact***.

Mitigation Measures

Measure 3.4-1: Implement SPSP EIR Mitigation Measure 3.4-1 Specific to Sutter County (Develop and Implement Applicable Air District-Endorsed Air Quality Mitigation for All Phases of Construction) as described in the Sutter Pointe Specific Plan EIR.

The project applicant(s) of all project phases shall require their construction contractors, at the time construction is performed, to implement those construction mitigation measures that are required by the [FRAQMD]. For all construction activity on the project site, the project applicant(s) shall require construction contractors to implement both FRAQMD's Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in Sutter County. For all construction activity that would occur in another air district (i.e., outside of Sutter County), such as the installation of the sewer force main connection to SRCSD and other off-site improvements, the project applicant(s) shall require construction contractors to comply with the best management practices and construction emission reduction measures required by the respective local air district. No project-related construction activity shall occur until an emissions reduction plan developed by the contractor(s) is reviewed and approved in writing by Sutter County in consultation with the [FRAQMD] respective air district (i.e., FRAQMD, PCAPCD, or SMAQMD) , or, where air district approval is required by law, with the approval of the air district. The following list presents all of the FRAQMD-required measures. (Both PCAPCD and SMAQMD require similar measures.)

1. The applicant shall implement FRAQMD's Fugitive Dust Control Plan with the following mitigation measures:

    - All grading operations on a project shall be suspended when winds exceed 20 miles per hour (mph) or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.
    - Construction sites shall be watered as directed by the FRAQMD and as necessary to prevent fugitive dust violations.
    - An operational water truck shall be on-site at all times. Water shall be applied to control dust as needed to prevent visible emissions violations and off-site dust impacts.
    - On-site dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce windblown dust emissions. The use of approved nontoxic soil stabilizers shall be incorporated according to manufacturers' specifications to all inactive construction areas.
    - All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
    - Approved chemical soil stabilizers shall be applied according to the manufacturers' specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours), including unpaved roads and employee/equipment parking areas.
    - To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed before each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks and prevent/diminish track-out.
    - Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom permitted) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
    - Temporary traffic control shall be provided as needed during all phases of construction to improve traffic flow, as deemed appropriate by the appropriate department of public works and/or California Department of Transportation (Caltrans), and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.
    - Traffic speeds on all unpaved surfaces shall be reduced to 15 mph or less, and unnecessary vehicle traffic shall be reduced by restricting access. Appropriate training to truck and equipment drivers, on-site enforcement, and signage shall be provided.
    - Ground cover shall be reestablished on the construction site as soon as possible and before final occupancy through seeding and watering.
    - Open burning shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn

materials (e.g., trash, demolition debris) may be conducted at the project site. Vegetative wastes shall be chipped or delivered to waste-to-energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials off-site for disposal by open burning.

2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40% opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a notice of violation from FRAQMD.
3. The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained before and for the duration of on-site operation.
4. Idling time shall be minimized to 5 minutes in accordance with ARB airborne air toxic control measure 13 (CCR Chapter 10 Section 2485) unless more time is required per engine manufacturers' specifications or for safety reasons.
5. Existing power sources (e.g., power poles) or clean-fuel generators shall be used rather than temporary power generators.
6. A traffic plan shall be developed to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Operations that affect traffic shall be scheduled for off-peak hours. Obstruction of through-traffic lanes shall be minimized. A flag person shall be provided to guide traffic properly and ensure safety at construction sites.
7. Portable engines and portable engine-driven equipment units used on the project site, with the exception of on-road and off-road motor vehicles, may require ARB Portable Equipment Registration with the state or a local district permit. The owner/operator of the equipment shall be responsible for arranging appropriate consultations with ARB or the FRAQMD to determine registration and permitting requirements before the equipment is operated at the site.
8. The project proponent shall assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project and provide a plan for approval by FRAQMD demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used for construction, including owned, leased, and subcontractor vehicles, will achieve a projectwide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most recent ARB fleet average at the time of construction. These equipment emission reductions can be demonstrated using the most recent version of the Construction Mitigation Calculator developed by the SMAQMD. Acceptable options for reducing emissions may include use of late-model engines, low emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary off-site mitigation projects, the provision of funds for air district off-site mitigation projects, and/or other options as they become available. In addition, implementation of these measures would also result in a 5% reduction in ROG emissions from heavy-duty diesel equipment. FRAQMD shall be contacted to discuss alternative measures.

Significance after Mitigation: As described in the SPSP EIR, implementation of Mitigation Measure 3.4-1 would result in a minimum 20 percent reduction in NO_x emissions and a 45 percent reduction in PM_{10} exhaust emissions from heavy-duty diesel equipment, as compared with statewide average emissions. In addition, implementation of these measures would also result in a five percent reduction in ROG emissions from heavy-duty diesel equipment exhaust, and the dust control measures would reduce fugitive PM_{10} dust emissions by approximately 75 percent. Implementation of these measures would reduce temporary, short-term, construction-related emissions of ROG, NO_x, and PM_{10} generated by project construction, but not to a less-than-significant level for NO_x (which would be about 64 pounds per day after the 20 percent reduction). NO_x emissions would still potentially exceed the FRAQMD significance thresholds. As a result, construction emissions of NOx would be ***significant and unavoidable***.

Impact 3.4-2: Operation of the proposed project would generate long-term emissions of criteria pollutants that could exceed FRAQMD-recommended thresholds.

All Project Phases

The following discussion applies to all project phases of development. Project operational emissions provided in Table 3.4-6 represent a conservative estimate since operational emissions were quantified using the 2018 (Phase 1 build-out) emission factors.

The project would not include facility operations that would directly emit criteria air pollutants. However, two other sources of emissions are associated with operation of project facilities. Use of motor vehicles (mobile sources) to travel to and from project facilities would generate mobile sources of criteria pollutant emissions, and generation of electricity to serve the project would result in emissions outside of the project area. These are described below.

Mobile Sources. Operation of project facilities is anticipated to result in minimal on-road vehicle trips. For this analysis, it was assumed that two operators would be required for each water treatment plant (for a total of six operators) and that two truck trips would occur per day for routine inspection and maintenance of the project facilities. Operational emissions were modeled using EMFAC 2007 emissions factors and are depicted below in Table 3.4-6. As described above, these operational emissions represent a conservative estimate, since these trips would be for full build-out of the project yet were quantified using the 2018 (Phase 1 build-out) emission factors.

TABLE 3.4-6
PROJECT OPERATIONAL EMISSIONS (POUNDS PER DAY)

Operational Activity	Emissions (lb/day)[a]		
	ROG	NO_x	PM_{10}
On-Road Traffic	<1	1	<1
FRAQMD Significance Threshold	25	25	80
Significant?	No	No	No

a Emission factors were generated by the Air Board's EMFAC 2007 model for Sutter County. Additional information is provided in Appendix B.

As shown in Table 3.4-6, the addition of traffic from project operations would result in a negligible increase in regional emissions of criteria air pollutants.

Electricity. The project pumps would be powered by the existing electrical grid and would not generate local emissions. Emissions would be generated at distant power plants where the power is created. Power plant emissions are subject to the rules and regulations of the air district in which they are located and are subject to their own CEQA review. These emissions are, however, considered in Section 3.6 Climate Change of this Focused Tiered EIR.

In summary, the project would not result in operational emissions that would exceed FRAQMD's thresholds of significance. Consequently, the project-generated emissions would not be anticipated to result in a substantial contribution to a potential violation of NAAQS, CAAQS, or the nonattainment conditions. As a result, this impact would be ***less than significant***.

Mitigation: No mitigation measures are required.

3.4.5 References

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3.5 Biological Resources

3.5.1 Introduction

This section addresses potential impacts associated with biological resources, specifically impacts to potential loss and degradation of Jurisdictional Wetlands and other Waters of the U.S and riparian habitat, as a result of construction and operation of the proposed project. All other impacts related to biological resources, including impacts to special status plant and wildlife species, were determined to be adequately addressed in the SPSP EIR as discussed in the Environmental Checklist included as Appendix B in this Focused Tiered EIR. All relevant information, including applicable environmental and regulatory setting, standards of significance, and mitigation measures identified in Section 3.13 of the SPSP EIR, are incorporated by reference and summarized below as appropriate. This section is also based on information included in Section 5.4 of the CPCN PEA (CPUC, 2008).

No comments were received in response to the NOP related to biological resources (see Appendix A).

3.5.2 Environmental Setting

A large percentage of the project area has been under agricultural use for at least 50 years with most of the project area currently used for rice production. Uses on developed portions of the project area include light industrial uses, a food distribution facility, and a manufacturing plant. Rice fields and other agricultural uses surround most of the project area. Proposed new infrastructure is located primarily along the alignments of existing, paved roadways. Habitats located adjacent to these alignments are similar to those found on the project area, with rice and fallow rice fields the predominant habitat type. Located immediately west and north of the project area is a riparian corridor which exists along the banks of the Sacramento River and the NCC.

ECORP described and mapped wetland and other waters of the United States as defined by US Army Corps or Engineers (USACE) on the SPSP area during the 2005 field surveys (ECORP, 2007). The delineation has been submitted to USACE for verification in 2007 but it has not been verified. ICF/Jones and Stokes prepared a comprehensive habitat map developed during the 2007 growing season. The habitat types described below reflect conditions documented by ICF/Jones and Stokes and ECORP in 2005 and 2007. This habitat information was consolidated by EDAW into major habitat types, which are described below. Wetlands, other waters of the U.S., and riparian habitats that may occur along the proposed raw water transmission pipeline and at the Sankey Diversion have not been surveyed or delineated.

Wetland and Riparian Habitat Types

Wetland and riparian habitats are present within the SPSP Area along the proposed alignment of the raw water transmission pipeline and at the location of the proposed Sankey Diversion. These habitats include irrigation canals and ditches, seasonal wetlands, freshwater emergent marsh, and

riparian areas. Sensitive habitats at the location of the proposed water diversion facility and along the raw water transmission pipeline alignments have not been surveyed or delineated.

Irrigation Canals and Ditches

The SPSP Area includes an extensive network of canals and ditches that are part of a complex agricultural supply and drainage system managed by RD 1000 and the NCMWC. This system is completely enclosed by levees, so there is no natural drainage out of the basin. RD 1000 operates the primary drainage canals within the basin and is responsible for conveying and pumping storm runoff from the basin. The basin's closely related agricultural ditch system is operated by NCMWC. RD 1000 maintains drainage through miles of major and minor ditches using seven pump stations. Urban and agricultural drainage water is eventually pumped out of the basin and into the Sacramento River. Existing canals and ditches are located throughout the Natomas Basin. Outside of the Natomas Basin, canal and ditches are present along Pleasant Grove Road and Baseline Road.

ECORP Consulting, Inc. produced a wetland delineation report (ECORP, 2007) which documents the extent of features within the project area that may fall within the jurisdictional purview of the USACE. The report was written in 2007 and has not been verified by the USACE. The report identifies a total of 4.335 acres of seasonal wetlands and an additional 66.563 acres of irrigation canals within the project area as not falling within the jurisdictional purview of the USACE. Rice fields and other prior converted areas within the project area were not included as jurisdictional features. There are approximately 15 miles of canals, including 4 miles of the North Main Canal, and approximately 22 miles of ditches, including 4 miles of larger main drains on the project site. The NEMDC is located immediately east of the project area. Most of the ditches in the project area are unvegetated, except for relatively narrow strips of wetland vegetation at the ordinary high-water mark. Also present are scattered mature Goodding's black willow (*Salix gooddingii*) and Fremont's cottonwood (*Populus fremontii*) along the banks.

Seasonal Wetlands

Seasonal wetlands are characterized by depressions lacking an outlet that hold ponded water for short periods following winter and spring rains. These areas often have distinct substrates, such as a hardpan, claypan, or bedrock that prevent water loss from percolation.

A four acre seasonal wetland is located in the northeast corner of the SPSP Area. The seasonal wetland receives runoff during the wet season from natural precipitation and through periodic irrigation runoff from the adjacent rice field and pastures. The drainage pattern and the topography surrounding this wetland suggest that irrigation runoff contributes to the hydrology. The wetland is situated within a field that is planted for hay crops that has not been leveled. The field had been plowed before the ECORP field survey, so most of the vegetation could not be identified (ECORP 2007). Scattered plant species that remained identifiable included Mediterranean barley (*Hordeum marinurn*), ryegrass (*Lolium* spp.), vetch (*Vicia* spp.), and soft brome. Plant species present in the adjacent upland areas included wild oats and ryegrass.

Seasonal wetlands and intermittent and ephemeral drainages occur within the proposed raw water supply alignment but have not been delineated. These drainages range from narrowly cut channels

with rocky substrates and little in-channel vegetation to wide channels with little to no vegetation. Generally, standing water is present only during and shortly after storm events.

A swale that was formed by impounded water at the base of the NEMDC level is part of a larger seasonal wetland or wetland complex that parallels the canal. Most of the off-site seasonal wetlands are topographic drainages that primarily convey water during storm events. They occur in areas that remain saturated into the growing season, support wetland vegetation, and exhibit soil characteristics typical of wetlands. Seasonal wetlands within the alignments proposed for off-site improvement are typically dominated by herbaceous species, such as Italian ryegrass, curly dock (*Rumex crispus*), and nutsedge (*Cyperus eragrostis*), with occasional stands of Himalayan blackberry (*Rubus discolor*).

Freshwater Emergent Marsh

The SPSP Area includes approximately nine acres of freshwater emergent marsh (NBC 2007a). Part of this acreage corresponds to the remnant channel of Curry Creek, which was not included in the ECORP wetland delineation survey area. Curry Creek was redirected/channelized sometime after 1975, and only a truncated portion remains (ECORP 2007). The remnant creek bed is now used for irrigation purposes and functions much like an irrigation ditch, receiving controlled flows. The remainder of the freshwater emergent marsh habitat mapped on the project site is located along NEMDC at the eastern boundary of the SPSP Area. Vegetation commonly found in freshwater emergent marshes include cattail (*Typha* spp.), sedges (*Carex* ssp.), and bulrush (*Scirpus* spp.).

Off-site, freshwater emergent wetlands are located along Baseline Road and Pleasant Grove Road. The emergent wetlands along Baseline Road are less extensive than those along Pleasant Grove Road, where large stands of emergent vegetation are present.

Riparian Habitat

The project site includes approximately 2 acres of riparian habitat. Riparian habitat includes both scrub and woodland habitats. Riparian habitat is identified along the remnant portion of Curry Creek in the north central portion of the project area and riparian scrub along the Natomas East Main Canal. These areas are typified by the presence of woody vegetation, such as shrubby willows (*Salix exigua* and *Salix lasiolepis*) and cottonwood.

3.5.3 Regulatory Setting

Biological resources in California are protected and/or regulated by a variety of federal and state laws and policies. Key regulatory and conservation planning issues applicable to the proposed project are discussed below.

This section also describes the proposed project and its inclusion within the NBHCP. Development of the project area, which is located within the NBHCP Sutter Permit Area, is authorized under the NBHCP Sutter County incidental take permit (ITP). The ITP also covers proposed new infrastructure and improvements to existing infrastructure within the permit area. All

infrastructures will be located within the SPSP Area with the exception of the diversion facility and the raw water transmission pipeline.

Federal Plans, Policies, Regulations, and Laws

Clean Water Act

Section 404 of the federal Clean Water Act (CWA) establishes a requirement for a project proponent to obtain a permit from the USACE before engaging in any activity that involves any discharge of dredged or fill material into "waters of the United States," including wetlands. Waters of the United States include navigable waters of the United States, interstate waters, all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries. Wetlands are defined as those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Jurisdictional wetlands must meet three wetland delineation criteria: hydrophytic vegetation, hydric soil types, and wetland hydrology. Many surface waters and wetlands in California meet the criteria for waters of the United States, including intermittent streams and seasonal lakes and wetlands.

The first step in seeking a Section 404 permit is to determine whether the area in question contains jurisdictional waters of the United States[1]. Thus, the applicant should approach USACE for a verified jurisdictional determination, which the applicant typically performs through a submission of maps and data forms. The regulatory staff of USACE will then perform a field review. Any wetlands that are not jurisdictional would fall within the regulatory authority of the RWQCB, as discussed below, as "waters of the State."

In early 2001, the U.S. Supreme Court issued a landmark ruling regarding the regulation of isolated intrastate waters by USACE in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*. Before this decision, USACE generally extended its jurisdiction over wetlands beyond "adjacent wetlands" and regulated the discharge of dredged or fill material into any intrastate wetlands and isolated waters, whether or not they had a link to navigable waters. The U.S. Supreme Court held that USACE jurisdiction under Section 404 of the CWA does not extend to non-navigable, isolated, intrastate waters based solely on the fact that these waters are used as habitat by migratory birds. In 2006, the Supreme Court again attempted to clarify the extent of USACE jurisdiction of isolated waters in *Rapanos v. United States*. The test established in *Rapanos* is that only a water that possesses a "significant nexus to waters that are navigable-in fact or that could reasonably be so made" are subject to regulation under CWA.

On June 5, 2007, the EPA and USACE issued joint guidance to establish the protocol for determining the presence of waters of the United States under the U.S. Supreme Court's 2006

1 As stated above, the CWA prohibits the discharge of pollutants, including dredged and fill material, into "navigable waters" without a federal permit and defines the term "navigable waters" as "waters of the United States." By regulation, USACE's jurisdiction extends to wetlands "adjacent" to waters of the United States.

Rapanos decision. The guidance directs the agencies to more thoroughly document jurisdiction using a standardized form. Agencies will continue to assert jurisdiction over traditional navigable waters (TNWs) and adjacent wetlands. The agencies will have jurisdiction over a water body that is not a TNW if that water body is "relatively permanent." Jurisdiction will be asserted over tributaries that are not relatively permanent on a case-by-case basis applying a "significant nexus" analysis to determine whether there is a significant nexus between the tributary and a TNW.

In accordance with Section 401 of the CWA, projects that apply for a USACE permit for discharge of dredged or fill material must obtain water quality certification from the appropriate RWQCB, in this case, the Central Valley RWQCB, indicating that the proposed project would uphold state water quality standards.

State Plans, Policies, Regulations, and Laws

California Fish and Game Code Section 1602—Streambed Alteration

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife or fishery resources are subject to regulation by the California Department of Fish and Game (CDFG) under Section 1602 of the California Fish and Game Code. Under Section 1602, it is unlawful for any person, governmental agency, or public utility to do the following without first notifying CDFG: substantially divert or obstruct the natural flow of, or substantially change or use any material from, the bed, channel, or bank of any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. A stream is defined as a body of water that flows at least periodically or intermittently through a bed or, channel that has banks and supports fish or other aquatic life. This definition includes watercourses with a surface or subsurface flow that supports or has supported riparian vegetation. CDFG's jurisdiction within altered or artificial waterways is based on the value of those waterways to fish and wildlife. Proposed project facilities that would result in an impact on a river, stream, or lake will require a CDFG streambed alteration agreement.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, "waters of the state" fall under the jurisdiction of the appropriate RWQCB. The RWQCB must prepare and periodically update water quality control plans (basin plans). Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution to achieve and maintain these standards. Projects that discharge waste to wetlands or waters of the state or waters of the U.S. must meet waste discharge requirements of the RWQCB, which may be issued in addition to a water quality certification or waiver under Section 402 of the CWA. More recently, the appropriate RWQCB has also generally taken jurisdiction over "waters of the state" that are not subject to USACE jurisdiction under the CWA, in cases where USACE has determined that certain features do not fall under its jurisdiction. Mitigation requiring no net loss of wetlands functions and values of waters of the state is typically required.

Regional and Local Plans, Policies, Regulations, and Ordinances

Natomas Basin Habitat Conservation Plan

The NBHCP (City of Sacramento 2003) was developed to promote biological conservation within the Natomas Basin (Refer to Exhibit 3.13-1 of the SPSP EIR, which illustrates the NBHCP permit area in southern Sutter County) in conjunction with economic and urban development. The NBHCP is the conservation plan which supported acquisition of federal permits under Section 10(a)(1)(B) of the Endangered Species Act and incidental take permits under State law pursuant to Section 2081(b) of the California Fish and Game Code for the NBHCP permittees which include Sutter County.

Other permits, such as those required under Section 404 and 401 per the Clean Water Act, were not supported by the NBHCP. Thus, permittees must comply with all other applicable local, state and federal regulations, laws or ordinances. This includes, but is not limited to, the following: USACE CWA 404 permits; State Water Quality Control Board (SWRCB) discharge notification requirements; CDFG 1600 Streambed Alteration Agreements; State and Federal Departments of Transportation laws and regulations; and U.S. EPA and Department of Pesticide Regulation laws and regulations.

The NBHCP authorizes take associated with 17,500 acres of urban development in the Basin, within southern Sutter County and within the City and County of Sacramento. United States Fish and Wildlife (USFWS) approved the NBHCP in 2003 and issued ITPs to the City of Sacramento and Sutter County for take of federally listed species resulting from permitted activities. The ITPs provide authorization for take of covered species provided the proposed project conforms to the objectives and goals of the NBHCP. As shown in Exhibit 3.13-1 of the SPSP EIR, the boundaries of the project site are the same as the boundaries of the south Sutter permit area. Thus, conservation measures from the NBHCP will apply to the planned facilities.

The primary biological goal of the NBHCP is to create a system of reserves with both wetland and upland components that will contribute to the maintenance of viable populations of the giant garter snake, Swainson's hawk, and other covered species in the basin. The following are biological goals and objectives for the wetland habitat established by the NBHCP, which support specific Covered Species, including giant garter snake; California tiger salamander; vernal pool invertebrates; and several special-status plant species:

- Acquire, enhance and create a mosaic of wetland habitats with adjacent uplands and connecting corridors to provide breeding, wintering, foraging, and cover areas for wetland species in the Plan Area.
- Provide habitat to maintain, attract and sustain viable populations of the Covered Species. The habitat areas should be configured to encompass natural species migration areas, minimize species isolation, and prevent future habitat fragmentation.
- Document population trends of Covered Species through monitoring.

The NBHCP biological goals are the broad guiding principles for the operating conservation program and provide the rationale behind the minimization and mitigation strategies. The specific biological objectives are the measurable targets for achieving the biological goals. The goals and objectives

together provide a framework for developing a monitoring program that measures progress toward meeting those goals and objectives. The following NBHCP goals and objectives are considered relevant to the proposed project (City of Sacramento 2003):

- **Overall Goal 1:** Establish and manage in perpetuity a biologically sound and interconnected habitat reserve system that mitigates impacts on Covered Species resulting from Covered Activities and provides habitat for existing, and new viable populations of Covered Species.
- **Overall Goal 2:** Implement an adaptive management program that responds to changing circumstances affecting Covered Species and their habitats.
- **Overall Goal 3:** Preserve open space and habitat that may also benefit local, non-listed and transitory wildlife species not identified within the NBHCP.
- **Overall Goal 4:** Ensure that direct impacts of Authorized Development upon Covered Species are avoided or minimized to the maximum extent practicable.
- **Overall Objective 1:** Minimize conflicts between wildlife and human activities, including conflicts resulting from airplane traffic, roads and automobile traffic, predation by domestic pets, and harassment by people.
- **Overall Objective 3:** Ensure connectivity between NBC reserves to minimize habitat fragmentation and species isolation. Connections between reserves will generally take the form of common property boundaries between reserves, waterways (primarily irrigation and drainage channels) passing between reserves, and/or an interlinking network of water supply channels or canals.

Sutter County General Plan

The Sutter County General Plan (Sutter County 1996) provides overall guidance for resource conservation in Sutter County and includes several resource conservation goals and objectives. The Sutter County General Plan includes policies that generally address preservation of natural vegetation, including wetlands. It requires that new development mitigate for loss of federally protected wetlands to achieve "no net loss," but does not include any other specific requirements.

The Sutter County General Plan applies to the entirety of the project site, as well as to the proposed off-site improvement areas within Sutter County. The following goal and policies from the Sutter County General Plan regarding biological resources are applicable to the proposed project:

- GOAL 4.B: To protect wetland and riparian areas throughout Sutter County.
    - **Policy 4.B-1:** The County shall require new development to fully mitigate the loss of federally regulated wetlands to achieve "no net loss" through any combination of avoidance, minimization, or compensation.
    - **Policy 4.D-3:** The County shall require that new development projects avoid, to the maximum extent possible, ecologically-fragile areas (e.g., areas of rare, threatened or endangered species of plants, riparian areas, vernal pools).

3.5.4 Impacts and Mitigation Measures

Significance Criteria

For the purpose of this analysis, the relevant standards of significance from the SPSP EIR have been used to determine whether implementing the proposed project would result in a significant impact. These thresholds of significance are also based on Appendix G of the State CEQA Guidelines. A biological resources impact is considered significant if implementation of the proposed project would:

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFG or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marshes, vernal pools, and coastal areas) or any state-protected wetlands not subject to regulation under Section 404 of the CWA through direct removal, filling, hydrological interruption, or other means;

Methodology

Analysis presented in this section focuses on the permanent and temporary impacts to wetlands and other Waters of the U.S. and riparian habitat as a result of construction and operation of the proposed project. This analysis of impacts to biological resources resulting from implementing the proposed project and constructing off-site improvements is based on review of data collected during field surveys, existing documentation that addresses biological resources on or near the project site and proposed for the off-site improvement areas, geographic information systems (GIS) data, and site-specific information collected by biological resources consultants for the SPSP EIR.

Reconnaissance-level surveys of the project area were conducted by EDAW on September 29, 2006, and on June 13 and 14, 2007. Sources of site-specific information referenced herein prepared for the project applicant include:

- Wetland Delineation for Sutter Pointe Specific Plan, Sutter County, California (ECORP 2007) (Appendix H of the Sutter Pointe Specific Plan DEIR);
- Biological Effectiveness Monitoring for the NBHCP Area – 2006 Annual Survey Results (NBC 2007a).

This impact analysis assumes grading of areas within the project area that would support permanent facilities, such as the water conveyance pipelines, water treatment plants, groundwater wells, booster pump stations, and water storage tanks. Efforts would be made wherever possible to utilize existing utility or public easements during the installation of water pipeline alignments (treated, groundwater, and surface water). Criteria in choosing main location would avoid existing utilities and minimize repaving to the extent feasible. Main staging areas are likely to be located in an easily accessible area and would avoid environmentally sensitive areas.

The NBHCP establishes a multispecies conservation program to minimize and mitigate the expected loss of habitat values and incidental take of covered species that could result from these covered

activities. The marsh mitigation component required under the NBHCP would offset impacts on jurisdictional wetlands. Proposed project impacts not covered under the NBHCP would be mitigated separately from the mitigation provided by the NBHCP with a goal of no net loss of functions and values of all resources substantially affected by the project. Project consistency with the NBHCP is evaluated based on the potential for the proposed project to preclude the attainment of the attainment of the goals and objectives of the NBHCP.

Impacts Adequately Analyzed in the SPSP EIR or not Applicable to the Project

As determined in the Environmental Checklist provided in Appendix B, the proposed project would not directly or indirectly affect any migratory fish, wildlife, or plant species identified as a candidate, sensitive, or special-status. Additionally, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan or any local policies or ordinances protecting biological resources. These issues were determined to be adequately analyzed in the SPSP EIR and; therefore, are not evaluated in this section of the Focused Tiered EIR.

Summary of Impacts

Table 3.5-1 provides a summary of the impacts identified for the proposed project. The level of significance after any mitigation measures is also presented. Each of these impacts is discussed in more detail below.

TABLE 3.5-1
PROPOSED PROJECT IMPACT SUMMARY – BIOLOGICAL RESOURCE

Impact	Phase 1		Phase 2, 3, and 4	
	Before Mitigation	After Mitigation	Before Mitigation	After Mitigation
3.5-1: Implementation of the proposed project could place fill material into jurisdictional waters of the United States which could result in the potential loss and degradation of wetland habitats protected under federal, state and local regulations.	S	LS	S	LS
3.5-2: Implementation of the proposed project could result in the removal of riparian habitat that has the potential to support special-status species in areas within and adjacent to the proposed Sankey Diversion and along the raw water transmission pipeline alignments.	S	LS	S	LS

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NA = Not Applicable

Impact 3.5-1: Implementation of the proposed project could place fill material into jurisdictional waters of the United States which could result in the potential loss and degradation of wetland habitats protected under federal, state and local regulations.

Phase 1

A wetland delineation conducted by ECORP (2007) that covered most of the SPSP Area identified approximately 66 acres of irrigation canals and four acres of seasonal wetland located in the northeast corner of the SPSP Area. ECORP determined that the irrigation canals and seasonal wetlands in the project area do not appear to qualify for federal protection under Section 404 of the CWA. Approximately nine acres of freshwater emergent marsh occur within the remnant channel of Curry Creek and along NEMDC at the eastern boundary of the SPSP Area.

As proposed, project activities would avoid Curry Creek and NEMDC. If the wetland delineation written by ECORP is verified by the USACE, then no features which fall under the jurisdictional purview of the USACE exist within the project area.

Because the 2007 ECORP wetland delineation has not been verified it is assumed that some of the mapped features could fall within the jurisdictional purview of the USACE. As a result, temporary and permanent impacts to wetlands and/or waters of the U.S. could result from implementation of the proposed project.

Project activities that could require Section 404 permits from the USACE include placement of fill material, ditch excavation, land clearing, land leveling and other construction activities. Fill of any wetlands, including areas that could be determined to be jurisdictional by USACE, CDFG, and/or RWQCB, is a significant impact because these areas are considered sensitive habitats by CDFG, and they provide important ecological functions and values and can support a number of special-status species.

It is not anticipated that the canals and ditches would fall under the jurisdictional purview of the CDFG under Section 1602 of the California Fish and Game Code and impacts to Curry Creek and its associated wetland habitat would be avoided.

Subsequent Phases

Facilities developed during Phases 2, 3, and 4 would result in similar permanent and temporary impacts to jurisdictional features within the SPSP Area as developed in Phase 1. The surface and groundwater treatment plants, groundwater wells, and storage tanks and associated pumps would permanently impact jurisdictional features if construction occurs within these features.

Seasonal wetlands, including intermittent and ephemeral drainages, may be present within the proposed raw water transmission pipeline alignments outside of the SPSP area. Wetland delineations were not conducted for areas outside of the SPSP area; therefore, it has not been determined if these features are subject to USACE, RWQCB, and/or CDFG jurisdiction. It is likely that these features would meet the USACE wetland criteria and may be considered waters of the U.S. as defined under Section 404 of the CWA and waters of the state as defined under the California Porter-Cologne Water Quality Act as well as may fall under the jurisdictional purview of the CDFG under

Section 1602 of the California Fish and Game Code. The amount of anticipated impacts to jurisdictional waters of the U.S. is undetermined at this time because potential jurisdictional features located on off-site project areas have not been delineated.

Construction of the raw transmission pipeline from the Sankey Diversion could result in temporary impacts to jurisdictional features because it is anticipated that trenchless construction would be used to traverse drainage canals or waterways to reduce impacts to potentially jurisdictional features. Open-cut trenching would occur at minor ditch crossings and the ditches would be restored to the original condition at the completion of construction. Additionally, most of the wetland features within the proposed off-site infrastructure alignments would likely be avoided because the alignments are within existing roadways.

Summary

For all phases of development, construction and installation of proposed project facilities could include the placement of fill material into jurisdictional waters of the United States, including wetlands subject to USACE jurisdiction under the federal CWA, and the potential loss and degradation of wetland habitats protected under state and local regulations. This is considered a ***significant impact***.

If the 2007 wetland delineation written by ECORP is verified by the USACE and Curry Creek and NEMDC are avoided, then impacts to wetlands and/or waters of the U.S. would be avoided and no further action would be required.

If the USACE finds that some or all of the features identified in the 2007 wetland delineation do fall within their jurisdictional purview, then temporary impacts to wetlands and/or waters of the U.S. could result from construction and must be compensated to result in "no net loss" of wetlands. Prior to construction, GSWC would ensure compliance with federal and state permit requirements pertaining to impacts to wetlands and other waters of the state. To compensate for loss and disturbance of wetlands and waters of the U.S. resulting from construction activities, GSWC would demonstrate that the following mitigation measures are implemented prior to construction of the proposed project.

Mitigation Measures

> **Measure 3.5-1 (All Phases):** Conduct a Wetland Delineation per the USACE Wetland Delineation Manual; Secure Clean Water Act Section 404 and 401 Permits and California Fish and Game Code Streambed Alteration Agreements; Implement All Permit Conditions; and Ensure No Net Loss of Wetlands, Other Waters of the United States, and Associated Functions and Values.
>
> For each phase of development, GSWC shall demonstrate the avoidance of any net loss of wetland function and values for direct and indirect impacts to wetlands or other waters subject to federal, state, and/or local jurisdiction by demonstrating that applicable permits and regulatory approvals have been obtained and that all mitigation and permit conditions have been implemented which includes but may not be limited to:

- A qualified biologist shall be retained to delineate all wetlands and waters of the U.S. within proposed off-site improvement areas and all on-site areas not included in the ECORP wetland delineation. The findings shall be documented in a detailed report and submitted to USACE for verification as part of the formal Section 404 wetland delineation process. If wetland delineations for a particular phase conclude that wetlands and other waters of the U.S. are not present or would be avoided (no direct or indirect impacts), no further mitigation actions would be needed.

- If unavoidable impacts to habitats which fall under USACE jurisdiction would be incurred from project activities, a Section 404 permit shall be applied for and authorization from the USACE shall be secured before any fill is placed in jurisdictional wetlands or other waters of the U.S.

- Impacts to wetlands and waters of the U.S. shall be compensated for at a 1:1 ratio. In accordance with federal regulation, compensatory mitigation for wetland impacts would be carried out through acceptable methods including implementing permittee-responsible compensatory mitigation, payment of fees into an USACE-approved mitigation bank, payment of fees into the NBHCP, and payment of in-lieu mitigation fees. The mitigation methods, mechanisms and compensation ratios shall be detailed in a mitigation plan which shall be prepared in accordance with the USACE's Compensatory Mitigation Plan as required per federal regulations (33 CFR 332.4(c)/40 CFR 230.92.4(c)) and approved by the USACE. Proof of mitigation fulfillment shall be submitted to the USACE before the start of any grading activities.

- Methods for designing and implementing restored, rehabilitated, and replacement wetlands shall be determined by qualified restoration ecologists and geomorphologists to ensure that the desired results are achievable. The design shall include features to maximize the long-term maintenance of functions and values (e.g., fencing) and success criteria. A minimum of five years of monitoring shall be required for all restored, rehabilitated, and replacement wetlands. A monitoring plan shall be developed that includes remedial actions to be taken if the success criteria are not met. Before the mitigation design and monitoring plan are finalized, the project applicant(s) shall obtain the approval of USACE, and other agencies as appropriate, indicating that the planned features are sufficient to replace lost habitat values at equivalent or higher levels. Compensation requirements shall be evaluated in conjunction with any benefits obtained through compliance with the NBHCP.

- For temporary impacts such as open trench construction and excavation, GSWC shall demonstrate that the following mitigation measures are implemented:

    - Implement BMPs as described in SPSP EIR Mitigation Measure 3.7-1: Acquire Appropriate Regulatory Permits and Implement SWPPP and BMPs and SPSP EIR Mitigation Measure 3.7-5: Develop and Implement a BMP and Water Quality Maintenance and Monitoring Plan, incorporated into the Environmental Checklist provided in Appendix B, to reduce direct and indirect impacts to wetlands during open trench construction.

    - Conduct all trenching and construction activities across drainages and seasonal wetlands during low-flow or dry periods.

- Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone.

- Locate spoil sites such that they do not drain directly into the drainages and/or seasonal wetlands.

- Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 25 feet of drainages and wetland areas.

- Return an impacted wetland to original grade following pipeline installation. Any wetland area left bare following construction will be revegetated using hydroseed and/or plugs of native vegetation matching the species composition of adjacent wetland areas.

- A Water Quality Certification, pursuant to Section 401 of the CWA, shall be obtained from the Regional Water Quality Control Board as required for the issuance of any USACE permit. Any measures required as part of the issuance of Water Quality Certification, such as adherence to water quality standards, shall be implemented.

Significance after Mitigation: Implementation of Mitigation Measure 3.5-1 would ensure that project activities do not result in a net loss of wetlands and waters of the U.S. as well as ensure that current functions and values of onsite wetland habitats are maintained. As a result, impacts associated with fill in Waters of the United States would be reduced to ***less than significant***. It should be noted that it is assumed that the SPSP applicant will be responsible for obtaining all regulatory permits for development within the SPSP Area.

Impact 3.5-2: Implementation of the proposed project could result in the removal of riparian habitat that has the potential to support special-status species in areas within and adjacent to the proposed Sankey Diversion and along the raw water transmission pipeline alignments.

Phase 1

Phase 1 activities include the construction of facilities and infrastructures within the SPSP Area which are covered under the NBHCP ITP. All subsequent phases would be covered under the NBHCP ITP with the exception of facilities and infrastructures located outside of the SPSP Area, which includes the raw water transmission pipeline from the Sankey Diversion.

Riparian habitat occurs along the Sacramento River and NCC. However, with the exception of isolated trees and groups of trees along some segments of the drainage system, riparian vegetation accounts for approximately two acres in the interior portion of the project area. While unlikely, the installation of water infrastructure could result in the loss of some riparian habitat. Phase 1 facilities and infrastructures are anticipated to be designed and placed in areas that would avoid and/or minimize impacts on riparian habitats to the extent possible. It is anticipated that very limited riparian habitats will be impacted by construction activities during Phase 1. However, the potential disturbance and removal of riparian habitat is considered a *significant impact*.

Subsequent Phases

Construction of the raw water transmission pipeline from the Sankey Diversion to the water treatment plant could result in temporary impacts to riparian habitat; impacts are anticipated to be temporary due to the implementation of trenchless construction methods and/or restoration after the completion of open-cut trenching. Phase 2 through 4 facilities and infrastructures are anticipated to be designed and placed in areas that would avoid and/or minimize impacts on riparian habitats to the extent possible. It is anticipated that very limited riparian habitats would be impacted by construction activities during the remainder of the project phases.

Summary

For all phases of development, the installation of water infrastructure could result in the loss of limited riparian habitat in the project area. This is considered a ***significant impact***.

Mitigation Measures

Measure 3.5-2 (All Phases): Implement Avoidance and Minimization Measures for Impacts on Riparian Habitats.

GSWC shall implement the following measures are implemented:

- Retain a qualified biologist to survey and document all riparian habitats within proposed off-site improvement areas and all on-site areas not included in the ECORP wetland delineation and ICF/Jones and Stokes habitat map. The surveys shall identify riparian habitats that might be directly or indirectly affected by the project. If no riparian habitats are found during focused surveys, the biologist shall document the findings in a letter report to the CDFG and Sutter County, and no further mitigation shall be required.
- The project shall, if feasible, avoid vegetation removal within riparian areas. If complete avoidance is not feasible, construction shall not proceed until authorization has been issued by CDFG, and GSWC has abided by the conditions of the authorization, including the conservation and minimization measures intended to be completed before construction begins.
- CDFG authorization may require obtaining a Streambed Alteration Agreement to mitigate for any unavoidable impacts to habitats regulated under Section 1602 of the California Fish and Game Code. Impacted habitats shall be mitigated on a no-net-loss basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and shall be conducted by methods agreeable to CDFG. Minimization and compensation measures adopted through the Section 1602 permitting process shall be implemented.
- Implement Mitigation Measure 3.5-1.

Significance after Mitigation: Implementation of Mitigation Measures 3.5-1 and 3.5-2 would ensure that project activities do not result in a net loss of riparian habitat as well as ensure that current functions and values of onsite riparian habitats are maintained. As a result, direct and indirect impacts to riparian habitats would be reduced to a ***less than significant*** level. It should be noted that it is assumed that the SPSP applicant will be responsible for obtaining all regulatory permits for development within the SPSP Area.

3.5.5 References

CPUC, 2008. Certificate of Public Convenience and Necessity Proponent's Environmental Assessment for the Proposed Water Service for the *South Sutter County Service Area.*

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Sutter County. 1996. *Sutter County General Plan*. Available: <http://ceres.ca.gov/planning/genplan/sutter/natural7.html> and <http://ceres.ca.gov/planning/genplan/sutter/policy5.html>.

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

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3.6 Climate Change

3.6.1 Introduction

This section addresses potential impacts associated with climate change as a result of construction and operation of the proposed project. All relevant information, including applicable environmental and regulatory setting, standards of significance, and mitigation measures identified in Section 3.17 of the SPSP EIR, are incorporated by reference and summarized below as appropriate. This section is also based on preliminary analysis provided in the Environmental Checklist prepared for this Focused Tiered EIR (Appendix B) and information included in Section 5.3 of the CPCN PEA (CPUC, 2008).

No comments were received in response to the NOP related to climate change (see Appendix A).

3.6.2 Environmental Setting

Certain gases in the earth's atmosphere, classified as greenhouse gasses (GHG), play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface, and a smaller portion of this radiation is reflected back toward space. The absorbed radiation is then emitted from the earth, not as high-frequency solar radiation, but as lower frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. The earth has a much lower temperature than the sun; therefore, the earth emits radiation at lower frequencies (longer wavelengths). Most solar radiation passes through GHG's; however, infrared radiation is selectively absorbed by GHG's. As a result, infrared radiation released from the earth that otherwise would have escaped back into space is instead trapped, resulting in a warming of the atmosphere. This phenomenon, known as the "greenhouse effect," is responsible for maintaining a habitable climate on Earth. Without the greenhouse effect, Earth would be unable to support life as we know it.

Prominent GHGs contributing to the greenhouse effect are CO_2, methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. Human-caused emissions of these GHGs that exceed natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth's climate, known as global climate change. It is extremely unlikely that global climate change over the past 50 years can be explained without the contribution from human activities (Intergovernmental Panel on Climate Change [IPCC] 2007).

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (approximately 1 day), GHGs have long atmospheric lifetimes (1 year to several thousand years) and contribute to global climate change, thereby indirectly affecting ecological systems worldwide. GHGs persist in the atmosphere for long enough periods to be dispersed around the globe. The exact lifetime of any particular GHG molecule depends on multiple variables and cannot be identified; however, it is

understood that more CO_2 is currently emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO_2 emissions, approximately 54% is sequestered through uptake by the oceans, forest regrowth in the Northern Hemisphere, and other terrestrial sinks (or reservoirs) within a year, whereas the remaining 46% of human-caused CO_2 emissions remains stored in the atmosphere (Seinfeld and Pandis 1998). Vegetation and the ocean absorb CO_2 through photosynthesis and dissolution, respectively, two of the most common processes of CO_2 sequestration.

Similarly, impacts of GHGs are borne globally, as opposed to localized air quality effects of criteria air pollutants and TACs. The quantity of GHGs that it takes to ultimately result in climate change is not precisely known; suffice it to say that the quantity is enormous, and no single project would be expected to measurably contribute to a noticeable incremental change in the global average temperature or to global or local climates or a microclimate.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Air Resources Board [ARB] 2008a). In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation (California Energy Commission [CEC] 2006a). Emissions of CO_2 are byproducts of fossil fuel combustion.

California is the 12th to 16th largest emitter of CO_2 in the world (CEC 2006a). It produced 484 million metric tons (MMT) of CO_2 equivalent (CO_2e) in 2004 (ARB 2008a). CO_2e is a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential (GWP) of a GHG, depends largely on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, as described in the General Reporting Protocol of the California Climate Action Registry (CCAR) (2008), 1 ton of CH_4 contributes the same amount to the greenhouse effect as approximately 23 tons of CO_2, and 1 ton of N_2O contributes the same amount as approximately 310 tons of CO_2. Therefore, CH_4 and N_2O are much more potent GHGs than CO_2. CH_4 results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) associated largely with agricultural practices and landfills. Relatively small levels of N_2O are generated by internal combustion engines. Expressing emissions in CO_2e takes all GHG emissions that contribute to the greenhouse effect and converts them to a single unit, equivalent to the effect that would occur if only CO_2 were being emitted.

Combustion of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2004, accounting for 41% of total GHG emissions in the state (CEC 2006a). This sector was followed by the electric power sector (including both in-state and out-of-state sources) (22%) and the industrial sector (21%) (CEC 2006a).

Climate change has the potential to affect environmental conditions in California through a variety of mechanisms. One is sea level rise. Worldwide, sea level rose approximately seven inches during the last century (CEC 2006b), and it is predicted to rise an additional 7 to 22 inches by 2100, depending on the future levels of GHG emissions (IPCC 2007). However, the Delta Vision Blue Ribbon Task Force, appointed by Governor Arnold Schwarzenegger in 2007, has recommended

that the state plan for a scenario of 16 inches of sea level rise by 2050 and 55 inches by 2100 (ARB 2008a). Sea level rise could result in increased coastal flooding, saltwater intrusion (especially a concern in the low-lying Sacramento–San Joaquin Delta [Delta], where pumps delivering potable water could be threatened), and disruption of wetlands (CEC 2006b). Population displacement and economic disruption could occur in some low-lying populated areas throughout the Central Valley and Delta inundated by sea level rise.

As the existing climate throughout California changes over time, the ranges of various plant and wildlife species could shift or be reduced, depending on the favored temperature and moisture regimes of each species. In the worst cases, some species would become extinct or be extirpated from the state if suitable habitat conditions are no longer available. Additional concerns associated with climate change are a reduction in the snowpack, leading to less overall water storage in the mountains (the largest "reservoir" in the state), and the earlier melting of this snowpack each spring and at a faster rate. Increased risk of wildfire caused by changes in rainfall patterns and plant communities is also a major concern for California.

3.6.3 Regulatory Setting

Federal

The U.S. Supreme Court ruled on April 2, 2007, that CO_2 is an air pollutant as defined under the Clean Air Act (CAA) and that the U.S. Environmental Protection Agency (EPA) has the authority to regulate emissions of GHGs. However, at the time this Draft Focused Tiered EIR was written, no federal regulations or policies regarding GHG emissions were applicable to the proposed project.

State

Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness that even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is occurring, and that there is a real potential for severe adverse environmental, social, and economic effects in the long term. Every nation emits GHGs and therefore makes an incremental cumulative contribution to global climate change; therefore, global cooperation will be required to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

Assembly Bill 1493

In 2002, then-Governor Gray Davis signed Assembly Bill (AB) 1493 (Chapter 200, Statutes of 2002, amending Section 42823 of the California Health and Safety Code and adding Section 43018.5 to the code). AB 1493 required the California ARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty trucks and other vehicles determined by ARB to be vehicles whose primary use is noncommercial personal transportation in the State."

To meet the requirements of AB 1493, ARB approved amendments to the California Code of Regulations (CCR) in 2004 by adding GHG emissions standards to California's existing standards for motor vehicle emissions. Amendments to CCR Title 13, Sections 1900 and 1961 (13 CCR Section 1900, 1961) and adoption of Section 1961.1 (13 CCR Section 1961.1) require automobile manufacturers, beginning with the 2009 model year, to meet fleet-average GHG emissions limits for all passenger cars, light-duty trucks within various weight criteria, and medium-duty passenger vehicle weight classes (i.e., any medium-duty vehicle with a gross vehicle weight rating less than 10,000 pounds that is designed primarily for the transportation of persons). Emissions limits are reduced further for each model year through 2016.

In December 2004, a group of car dealerships, automobile manufacturers, and trade groups representing automobile manufacturers filed suit against ARB to prevent enforcement of 13 CCR Sections 1900 and 1961, as amended by AB 1493 and 13 CCR 1961.1 (*Central Valley Chrysler-Jeep et al. v. Catherine E. Witherspoon, in Her Official Capacity as Executive Director of the California Air Resources Board, et al.* [456 F.Supp.2d 1150, 1172 [E.D. Cal. 2006]). The suit in the U.S. District Court for the Eastern District of California contended that California's implementation of regulations that, in effect, regulate vehicle fuel economy violates various federal laws, regulations, and policies.

In January 2007, the judge hearing the case accepted a request from the California Attorney General's office that the trial be postponed until a decision is reached by the U.S. Supreme Court on a separate case addressing GHGs. In the Supreme Court case, *Massachusetts, et al., v. Environmental Protection Agency, et al.*, the primary issue in question was whether the CAA authorizes EPA to regulate CO_2 emissions. EPA contended that the CAA does not authorize regulation of CO_2 emissions, whereas Massachusetts and 10 other states, including California, sued EPA to begin regulating CO_2. As mentioned above, the U.S. Supreme Court ruled on April 2, 2007, that GHGs are "air pollutants" as defined under the CAA and that EPA is granted authority to regulate CO_2 (*Massachusetts v. U.S. Environmental Protection Agency* [2007] 549 U.S. 05-1120).

On December 12, 2007, the U.S. District Court for the eastern District Court rejected the automakers' claim by finding that if California receives appropriate authorization from EPA (the last remaining factor in enforcing the standard), these regulations would be consistent with and have the force of federal law. This authorization to implement more stringent standards in California was requested in the form of a CAA Section 209(b) waiver in 2005. Since that time, EPA has failed to act in granting California authorization to implement the standards. Governor Schwarzenegger and Attorney General Edmund G. Brown Jr. filed suit against EPA for the delay. EPA denied California's request for the waiver to implement AB 1493 in late December 2007. The State of California has filed suit against EPA for its decision to deny the CAA waiver.

Executive Order S-3-05

Executive Order S-3-05, which was signed by Governor Schwarzenegger in 2005, proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the snowpack in the Sierra Nevada, exacerbate California's air quality problems, and potentially cause a rise in sea level. To address those concerns, the executive order established

total GHG emission targets. Specifically, emissions must be reduced to the 2000 level by 2010, to the 1990 level by 2020, and to 80% below the 1990 level by 2050.

The executive order directed the secretary of the California Environmental Protection Agency (Cal/EPA) to coordinate a multiagency effort to reduce GHG emissions to the target levels. The secretary will also submit biannual reports to the governor and California Legislature describing the progress made toward the emissions targets, the impacts of global climate change on California's resources, and mitigation and adaptation plans to combat these impacts. To comply with the executive order, the secretary of Cal/EPA created the California Climate Action Team, made up of members from various state agencies and commissions. The team released its first report in March 2006. The report proposed to achieve the targets by building on the voluntary actions of California businesses, local governments, and communities and through state incentive and regulatory programs.

Assembly Bill 32, California Global Warming Solutions Act of 2006

In September 2006, Governor Schwarzenegger signed AB 32, the California Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006; California Health and Safety Code Sections 38500–38599). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished by enforcing a statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs ARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then ARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32. AB 32 requires ARB to adopt a quantified cap on GHG emissions representing 1990 emissions levels and disclose how it arrived at the cap; institute a schedule to meet the emissions cap; and develop tracking, reporting, and enforcement mechanisms to ensure that the state reduces GHG emissions enough to meet the cap. AB 32 also includes guidance on instituting emissions reductions in an economically efficient manner, along with conditions to ensure that businesses and consumers are not unfairly affected by the reductions.

In December 2007, ARB approved the 2020 emission limit of 427 million metric tons of CO_2e of greenhouse gases. The 2020 target of 427 million metric tons of CO_2e requires the reduction of 169 million metric tons of CO_2e, or approximately 30 percent, from the state's projected 2020 emissions of 596 million metric tons of CO_2e (business-as-usual).

Also in December 2007, ARB adopted mandatory reporting and verification regulations pursuant to AB 32. The regulations became effective January 1, 2009, with the first reports covering 2008 emissions. The mandatory reporting regulations require reporting for certain types of facilities that make up the bulk of the stationary source emissions in California. Currently, the regulation language identifies major facilities as those that generate more than 25,000 metric tons/year of CO_2e. Cement plants, oil refineries, electric-generating facilities/providers, cogeneration facilities, and hydrogen

plants and other stationary combustion sources that emit more than 25,000 metric tons/year CO_2e, make up 94 percent of the point source CO_2e emissions in California (ARB, 2007).

California Climate Action Registry

The CCAR was established in 2001 by Senate Bill (SB) 1771 and SB 527 (Chapter 1018, Statutes of 2000, and Chapter 769, Statutes of 2001, respectively) as a nonprofit voluntary registry for GHG emissions. The purpose of the CCAR is to help companies and organizations with operations in the state to establish GHG emissions baselines against which any future GHG emissions reduction requirements may be applied. CCAR has developed a general protocol (CCAR 2008) and additional industry-specific protocols that provide guidance on how to inventory GHG emissions for participation in the registry.

Senate Bill 1368

SB 1368 (Chapter 598, Statutes of 2006) is the companion bill of AB 32 and was signed by Governor Schwarzenegger in September 2006. SB 1368 required the CPUC to establish a performance standard for baseload generation of GHG emissions by investor-owned utilities by February 1, 2007. SB 1368 also required California Energy Commission (CEC) to establish a similar standard for local publicly owned utilities by June 30, 2007. These standards could not exceed the GHG emissions rate from a baseload combined-cycle natural gas–fired plant. Furthermore, the legislation states that all electricity provided to California, including imported electricity, must be generated by plants that meet the standards set by CPUC and CEC.

Executive Order S-1-07

Executive Order S-1-07, which was signed by Governor Schwarzenegger in 2007, proclaims that the transportation sector is the main source of GHG emissions in California, generating more than 40% of statewide emissions. It establishes a goal to reduce the carbon intensity of transportation fuels sold in California by at least 10% by 2020. This order also directs ARB to determine whether this Low Carbon Fuel Standard could be adopted as a discrete early-action measure as part of the effort to meet the mandates in AB 32.

Senate Bill 97

SB 97, signed August 2007 (Chapter 185, Statutes of 2007; Public Resources Code Sections 21083.05 and 21097), acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. This bill directs the Governor's Office of Planning and Research (OPR), which is part of the state Resources Agency, to prepare, develop, and transmit to ARB guidelines for the feasible mitigation of GHG emissions (or the effects of GHG emissions), as required by CEQA, by July 1, 2009. The Resources Agency is required to certify and adopt those guidelines by January 1, 2010. On December 31, 2009, the Natural Resources Agency delivered its rulemaking package to the Office of Administrative Law for their review pursuant to the Administrative Procedure Act. The adopted guidelines became effective on March 18, 2010.

Senate Bills 1078 and 107 and Executive Order S-14-08

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20% of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008 Governor Schwarzenegger signed Executive Order S-14-08, which expands the state's Renewable Energy Standard to 33% renewable power by 2020. Governor Schwarzenegger plans to propose legislative language that will codify the new higher standard (Office of the Governor 2008). During the 2007 year, Pacific Gas and Electric Company (PG&E), the electric utility that serves Sutter County, procured enough renewable energy to meet 13.1% of its electricity supply. PG&E is on pace to reach the 20% target by 2010 (PG&E 2008).

Senate Bill 375

SB 375, signed in September 2008 (Chapter 728, Statutes of 2008), aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocation. SB 375 requires metropolitan planning organizations (MPOs) to adopt a sustainable communities strategy or alternative planning strategy that will prescribe land use allocation in that MPOs regional transportation plan. ARB, in consultation with MPOs, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every 8 years but can be updated every 4 years if advancements in emissions technologies affect the reduction strategies to achieve the targets. ARB is also charged with reviewing each MPO's sustainable communities strategy or alternative planning strategy for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, transportation projects will not be eligible for funding programmed after January 1, 2012.

This law also extends the minimum time period for the regional housing needs allocation cycle from 5 years to 8 years for local governments located within an MPO that meets certain requirements. City or county land use policies (including general plans) are not required to be consistent with regional transportation plans and associated sustainable communities strategy or alternative planning strategy. However, new provisions of CEQA would incentivize (through streamlining and other provisions) qualified projects that are consistent with an approved sustainable communities strategy or alternative planning strategy, categorized as "transit priority projects."

SB 375 applies to the MPO in which the proposed project is located, the Sacramento Area Council of Governments (SACOG). SACOG's regional planning efforts, which preceded SB 375, are discussed further below.

Climate Change Scoping Plan

On December 11, 2008 ARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap of ARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations (ARB, 2008b). The Scoping Plan calls for the largest reductions in GHG emissions to be achieved by implementing the following measures and standards:

- improved emissions standards for light-duty vehicles (estimated reductions of 31.7 MMT CO_2e),
- the Low-Carbon Fuel Standard (15.0 MMT CO_2e),
- energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems (26.3 MMT CO_2e), and
- a renewable portfolio standard for electricity production (21.3 MMT CO_2e).

ARB has not yet determined what amount of GHG emissions reductions it recommends from local government land use decisions; however, the Scoping Plan does state that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions. ARB further acknowledges that decisions on how land is used will have large effects on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emission sectors. The Scoping Plan states that the ultimate assignment to local government operations is to be determined (ARB 2008b).

With regard to local land use planning, the Scoping Plan expects a reduction of approximately 5.0 MMT CO_2e from local land use changes associated with implementation of SB 375, discussed above. Also noteworthy is the fact that the Scoping Plan does not include any direct discussion about GHG emissions generated by construction activity.

The *Climate Change Scoping Plan* also includes recommended measures that were developed to reduce GHG emissions from key sources and activities while improving public health, promoting a cleaner environment, preserving our natural resources, and ensuring that the impacts of the reductions are equitable and do not disproportionately impact low-income and minority communities. These measures, shown below in **Table 3.6-1** by sector, also put the state on a path to meet the long-term 2050 goal of reducing California's GHG emissions to 80 percent below 1990 levels.

TABLE 3.6-1
LIST OF RECOMMENDED ACTIONS BY SECTOR

Measure No.	Measure Description	GHG Reductions (Annual Million Metric Tons CO_2e)
Transportation		
T-1	Pavley I and II – Light Duty Vehicle Greenhouse Gas Standards	31.7
T-2	Low Carbon Fuel Standard (Discrete Early Action)	15
T-3[1]	Regional Transportation-Related Greenhouse Gas Targets	5
T-4	Vehicle Efficiency Measures	4.5
T-5	Ship Electrification at Ports (Discrete Early Action)	0.2
T-6	Goods Movement Efficiency Measures. • Ship Electrification at Ports • System-Wide Efficiency Improvements	3.5
T-7	Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	0.93
T-8	Medium- and Heavy-Duty Vehicle Hybridization	0.5
T-9	High Speed Rail	1

TABLE 3.6-1 (cont.)
LIST OF RECOMMENDED ACTIONS BY SECTOR

Measure No.	Measure Description	GHG Reductions (Annual Million Metric Tons CO_2e)
Electricity and Natural Gas		
E-1	Energy Efficiency (32,000 GWh of Reduced Demand) • Increased Utility Energy Efficiency Programs • More Stringent Building & Appliance Standards Additional Efficiency and Conservation Programs	15.2
E-2	Increase Combined Heat and Power Use by 30,000 GWh (Net reductions include avoided transmission line loss)	6.7
E-3	Renewables Portfolio Standard (33% by 2020)	21.3
E-4	Million Solar Roofs (including California Solar Initiative, New Solar Homes Partnership and solar programs of publicly owned utilities) • Target of 3000 MW Total Installation by 2020	2.1
CR-1	Energy Efficiency (800 Million Therms Reduced Consumptions) • Utility Energy Efficiency Programs • Building and Appliance Standards • Additional Efficiency and Conservation Programs	4.3
CR-2	Solar Water Heating (AB 1470 goal)	0.1
Green Buildings		
GB-1	Green Buildings	26
Water		
W-1	Water Use Efficiency	1.4†
W-2	Water Recycling	0.3†
W-3	Water System Energy Efficiency	2.0†
W-4	Reuse Urban Runoff	0.2†
W-5	Increase Renewable Energy Production	0.9†
W-6	Public Goods Charge (Water)	TBD†
Industry		
I-1	Energy Efficiency and Co-Benefits Audits for Large Industrial Sources	TBD
I-2	Oil and Gas Extraction GHG Emission Reduction	0.2
I-3	GHG Leak Reduction from Oil and Gas Transmission	0.9
I-4	Refinery Flare Recovery Process Improvements	0.3
I-5	Removal of Methane Exemption from Existing Refinery Regulations	0.01
Recycling and Water Management		
RW-1	Landfill Methane Control (Discrete Early Action)	1
RW-2	Additional Reductions in Landfill Methane • Increase the Efficiency of Landfill Methane Capture	TBD†
RW-3	High Recycling/Zero Water • Commercial Recycling • Increase Production and Markets for Compost • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9†
Forests		
F-1	Sustainable Forest Target	5
High Global Warming Potential (GWP) Gases		
H-1	Motor Vehicle Air Conditioning Systems: Reduction of Refrigerant Emissions from Non-Professional Services (Discrete Early Action)	0.26
H-2	SF_6 Limits in Non-Utility and Non-Semiconductor Applications (Discrete Early Action)	0.3
H-3	Reduction of Perfuorocarbons in Semiconductor Manufacturing (Discrete Early Action)	0.15
H-4	Limit High GWP Use in Consumer Products Discrete Early Action (Adopted June 2008)	0.25

TABLE 3.6-1 (cont.)
LIST OF RECOMMENDED ACTIONS BY SECTOR

Measure No.	Measure Description	GHG Reductions (Annual Million Metric Tons CO_2e)
H-5	High GWP Reductions from Mobile Sources • Low GWP Refrigerants for New Motor Vehicle Air Conditioning Systems • Air Conditioner Refrigerant Leak Test During Vehicle Smog Check • Refrigerant Recovery from Decommissioned Refrigerated Shipping Containers • Enforcement of Federal Ban on Refrigerant Release during Servicing or Dismantling of Motor Vehicle Air Conditioning Systems	3.3
H-6	High GWP Reductions from Stationary Sources • High GWP Stationary Equipment Refrigerant Management Program: – Refrigerant Tracking/Reporting/Repair Deposit Program – Specifications for Commercial and Industrial Refrigeration Systems • Foam Recovery and Destruction Program • SF Leak Reduction and Recycling in Electrical Applications • Alternative Suppressants in Fire Protection Systems • Residential Refrigeration Early Retirement Program	10.9
H-7	Mitigation Fee on High GWP Gases	5
Agriculture		
A-1	Methane Capture at Large Dairies	1.0†

1 This is not the SB 375 regional target. ARB will establish regional targets for each MPO region following the input of the regional targets advisory committee and a consultation process with MPO's and other stakeholders per SB 375
† GHG emission reduction estimates are not included in calculating the total reductions needed to meet the 2020 target

SOURCE: ARB, 2008b

Attributing Greenhouse Gas Emissions and Land Use Linkages

Land use decisions and development projects are not recorded as an independent emissions sector in the state's GHG inventory. Rather, land use development projects draw from multiple emissions sectors (e.g., transportation, electricity, and waste). In other words, direct and indirect GHG emissions that are generated on-site or off-site, respectively, can be attributed to the operation of a land use development project. The people who would reside in and the visitors to a development would drive vehicles and generate GHGs that are accounted for in the transportation sector. Electricity consumed at buildings within a project site would indirectly cause GHGs to be emitted at a utility provider. These stationary-source GHG emissions associated with the operation of the utility would be closely controlled and regulated under AB 32 and SB 1368.

Transportation-related GHG emissions are a function of two parameters: emissions control technology and vehicle miles traveled (VMT). AB 1493 and Executive Order S-1-07 address emissions control technology, but not VMT. Since 1990, VMT per capita in California has been increasing at a faster rate than the state's population. Consequently, GHG emissions from increased VMT have outpaced the emissions reductions associated with improved vehicle emissions controls. SB 375, through its linkages of land use and transportation funding, addresses the need and provides incentive for VMT reductions.

California Air Pollution Control Officers Association (CAPCOA)

In January 2008, the CAPCOA issued a "white paper" on evaluating and addressing GHGs under CEQA (CAPCOA, 2008). This resource guide was prepared to support local governments as they

develop their programs and policies around climate change issues. The paper is not a guidance document. It is not intended to dictate or direct how any agency chooses to address GHG emissions. Rather, it is intended to provide a common platform of information about key elements of CEQA as they pertain to GHG, including an analysis of different approaches to setting significance thresholds.

The paper notes that for a variety of reasons local agencies may decide not to have a CEQA threshold. Local agencies may also decide to assess projects on a case-by-case basis when the projects come forward. The paper also discusses a range of GHG emission thresholds that could be used. The range of thresholds discussed includes a GHG threshold of zero and several non-zero thresholds. Non-zero thresholds include percentage reductions for new projects that would allow the state to meet its goals for GHG emissions reductions by 2020 and perhaps 2050. These would be determined by a comparison of new emissions versus business as usual emissions and the reductions required would be approximately 30 percent to achieve 2020 goals and 90 percent (effectively immediately) to achieve the more aggressive 2050 goals. These goals could be varied to apply differently to a new project, by economic sector, or by region in the state.

Other non-zero thresholds discussed in the paper include:

- 900 metric tons/year CO_2e (a market capture approach);
- 10,000 metric tons/year CO_2e (potential ARB mandatory reporting level with Cap and Trade);
- 25,000 metric tons/year CO_2e (the ARB mandatory reporting level for the statewide emissions inventory);
- 40,000 to 50,000 metric tons/year CO_2e (regulated emissions inventory capture – using percentages equivalent to those used in air districts for criteria air pollutants);
- Projects of statewide importance (9,000 metric tons/year CO_2e for residential, 13,000 metric tons/year CO_2e for office project, and 41,000 metric tons/year CO_2e for retail projects); and
- Unit-based thresholds and efficiency-based thresholds that were not quantified in the report.

ARB Draft GHG Significance Thresholds

On October 24, 2008, ARB released its *Preliminary Draft Staff Proposal on Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act* for review and public comment (ARB, 2008c). The proposal identifies benchmarks or standards that assist lead agencies in the significance determination for industrial, residential, and commercial projects. Staff intended to make its final recommendations on thresholds in early 2009, consistent with OPR's timeline for issuing draft CEQA guidelines addressing GHG emissions; however, as of March 2010, ARB has yet to issue a final recommendation for GHG significance thresholds.

The proposal currently focuses on two sectors for which local agencies are typically the CEQA lead agency: industrial projects; and residential and commercial projects. Future proposals will focus on transportation projects, large dairies and power plant projects.

For industrial projects, ARB recommends that projects below the industrial screening level (7,000 metric tons/year CO_2e not including traffic emissions) can be found to be less-than-significant. For residential and commercial projects, ARB staff's objective is to develop a threshold on performance standards that will substantially reduce the GHG emissions from new projects and streamline the permitting of carbon-efficient projects. Performance standards will address the five major emission sub-sources for the sector: energy use, transportation, water use, waste, and construction. Projects may alternatively incorporate mitigation equivalent to these performance standards, such as measures from green building rating systems.

Regional and Local Plans, Policies, Regulations, and Ordinances Metropolitan Transportation Plan and Sacramento Blueprint

Sutter County is a member of SACOG, which covers a six-county area. SACOG adopted a metropolitan transportation plan (MTP) for 2035 to provide a regional vision for all modes of surface transportation and a guide for regional transportation investments. The MTP uses federal and state funds for programs designed to meet goals such as clean air; for designing communities to encourage local pedestrian, bicycle, and transit travel; and for improvements to main routes that serve longer distance travel around the region (specifically freeways, rail lines, and major roadways and streets that serve regional traffic).

In December 2004 the SACOG Board of Directors adopted the Preferred Blueprint Scenario, a bold vision for growth through the year 2050 that promotes compact, mixed-use development and more transit choices as an alternative to low-density development. As part of the MTP, the Preferred Blueprint Scenario provides an example of how land use and transportation choices might be integrated within the region, built upon the principles of smart growth. These principles include promoting a wide range of housing products, reinvesting in already developed areas, protecting natural resource areas from urbanization, and providing alternative transportation choices. To a large degree, local governments in the Sacramento region are using Blueprint smart growth principles in built projects, plans, and general plans.

3.6.4 Impacts and Mitigation Measures

Significance Criteria

The SPSP EIR used a qualitative analysis to determine whether the GHG emissions associated with the proposed project would be cumulatively considerable (significant). The impact discussion addressed the question of whether land uses developed under the proposed SPSP would achieve a 30% reduction in GHG emissions compared to "business-as-usual" emission levels projected for 2020.

During the time of the preparation of the SPSP EIR, amendments to the CEQA Guidelines from the Governor's Office of Planning and Research (OPR, 2009) relating to climate change were not yet finalized. For the purposes of the proposed project, the amendments to the CEQA Guidelines from the Governor's Office of Planning and Research (OPR, 2009) were used to determine project significance with respect to green house gas emissions. The project would be considered to have a significant impact regarding GHG emissions if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions.

Additionally, the project would be considered to have a significant impact if it would be in conflict with the AB 32 state goals for reducing GHG emissions. It is assumed that AB 32 will be successful in reducing GHG emissions and reducing the cumulative GHG emissions statewide by 2020. It is important that the state has taken these measures, because no project individually could have a major impact (either positively or negatively) on the global concentration of GHG. The project will be reviewed to make sure it does not conflict with the goals of AB 32.

1. Any potential conflicts with the ARB's 39 recommended actions in California's AB 32 Climate Change Scoping Plan.
2. The relative size of the project. The project's GHG emissions will be compared to the size of major facilities that are required to report GHG emissions (25,000 metric tons/year of CO_2e)[1] to the state. The project size will also be compared to the California GHG emissions limit of 427 million metric tons per year of CO_2e emissions by 2020. In reaching its goals the ARB will focus upon the largest emitters of GHG emissions.
3. The basic energy efficiency parameters of a project to determine whether its design is inherently energy efficient.
4. Any potential conflicts with applicable Sutter County plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs.

Methodology

The impact analysis approach employed in this Focused Tiered EIR is both quantitative and qualitative. The quantitative approach is used to answer the first question of the CEQA Guidelines identified above (i.e., will the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment). If a project does not exceed the quantifiable threshold in the CEQA guidelines (i.e., exceed adopted numeric thresholds of an appropriate regulatory agency that, either directly or indirectly, that may have a significant impact on the environment), the qualitative approach addresses the second question of the CEQA Guidelines identified above (i.e., will the project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs). Theoretically, if a project implements reduction strategies identified in AB 32, the Governor's Executive Order S-3-05, or other strategies to help toward reducing GHGs to the level proposed by the governor, it could reasonably follow that the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Alternatively, a project could reduce a potential cumulative contribution to GHG emissions through energy efficiency features, density and locale (e.g., compact development near transit and activity nodes of work or shopping) and by contributing to available mitigation programs, such as reforestation, tree planting, or carbon trading.

However, the analysis in this Focused Tiered EIR considers that, because the quantifiable threshold was formulated based on AB 32 reduction strategies, a project cannot exceed the numeric threshold and fully comply with the second of the CEQA Guidelines and not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, if the project does not meet the first threshold and results in a significant cumulative impact because it exceeds the numeric threshold, the project would also result in a significant cumulative impact under the second threshold, even though the project may incorporate measures and have features that would reduce its contribution to cumulative GHG emissions.

Impacts Adequately Analyzed in the SPSP EIR or not Applicable to the Project

No impacts relating to GHG emissions or climate change for the proposed project were determined to be adequately addressed in the SPSP EIR or determined to have no impact or be less than significant or have no impact (see the Environmental Checklist in Appendix B).

Proposed Project Impacts and Mitigation Measures

Table 3.6-2 provides a summary of the impacts identified for the proposed project. The level of significance after any mitigation measures is also presented. Each of these impacts is discussed in more detail below.

TABLE 3.6-2
PROPOSED PROJECT IMPACT SUMMARY – CLIMATE CHANGE

	Phase 1		Phase 2, 3, and 4	
Impact	**Before Mitigation**	**After Mitigation**	**Before Mitigation**	**After Mitigation**
Impact 3.6-1: Construction and operation of the project would not result in a cumulatively considerable increase in greenhouse gas emissions and would not either directly or indirectly, have a significant impact on the environment or conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions.	LS	NA	LS	NA

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NA = Not Applicable

Impact 3.6-1: Construction and operation of the project would not result in a cumulatively considerable increase in greenhouse gas emissions and would not either directly or indirectly, have a significant impact on the environment or conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions.

All Project Phases

"The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide" (OPR, 2008). State law defines GHG to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. The calculation presented below includes annual CO_2e GHG emissions from off-road equipment, trucks, and workers during construction and energy consumption (from project water conveyance including pumping and treatment) and on-road vehicles associated with facility operations. Appendix C contains information regarding assumptions and emissions calculations used in this analysis.

With regard to GHG analysis Criterion A described above (potential conflict with the actions included in the Climate Change Scoping Plan), the project does not pose any apparent conflict with the most recent list of the ARB early action strategies (see Table 3.6-1, in particular measures W-1 through W-5).

TABLE 3.6-3
PROJECT OPERATIONS GREENHOUSE GAS EMISSIONS

Project Operations	Greenhouse Gas Emissions (metric tons/year)[1] CO_2e
Phase 1	
On-road Vehicles	88
Indirect Emissions from Electricity Generation[2]	1,380
Total Unmitigated Emissions (tons/year)	1,468
Project Buildout	
On-road Vehicles	88
Indirect Emissions from Electricity Generation[2]	5,993
Total Unmitigated Emissions (tons/year)	6,081

1. Emissions were modeled using several models and emission factors, which is described in more detail in Appendix B. These models and emission factors include EMFAC2007 for on-road vehicle exhaust (conservatively using 2018 vehicle emission factors for Phase 1 and full buildout operations), and indirect emissions from electricity generation were estimated based on the Local Government Operations Protocol (ARB et al., 2008)
2. Annual electricity usage was assumed to be 6,616 mWh/year for Phase 1 and 28,738 mWh/year for full buildout, which is based on total treatment capacity of the project and the average energy associated with water conveyance and treatment in Northern California (CEC, 2005).

With regard to GHG analysis Criterion B (relative size of the project), project GHG emissions during construction for a worse-case year would be approximately 1,189 metric tons CO_2e, which assumes that peak day construction would occur for the year. This estimate is very conservative and was developed in the absence of specific construction schedules. As shown in Table 3.6-3, the increase in GHG emissions from project operations after Phase 1 and full build-out would be approximately 1,468 metric tons/year CO_2e and 6,081 metric tons/year CO_2e, respectively. This is well under the 25,000 metric tons/year CO_2e threshold used to classify major emitters. The 2020 GHG emissions limit for California, as adopted by ARB in December of 2007 is approximately 427 million metric tons of CO_2e. The proposed project's annual contribution after Phase 1 and full buildout scenarios would be approximately 0.0003 percent and 0.001 percent of this total 2020 emissions limit, respectively, and therefore the project would not generate sufficient emissions of GHGs to contribute considerably to the cumulative effects of GHG emissions such that it would impair the state's ability to implement AB 32.

With respect to GHG analysis Criterion C (inherent energy efficiency of the project), the project would include pipelines that are sized to minimize friction loss and would develop all new pumping facilities that will make use of current, high energy efficiency equipment to minimize energy use.

Finally, with regard to GHG analysis Criterion D (potential conflict with applicable Sutter County plans, policies, or regulations adopted to reduce GHGs), Sutter County has not established GHG reduction plans or policies. Therefore, the project would not conflict with any local regulations pertaining to GHGs.

Based upon the analysis of Criteria A, B, C and D presented above, the project would not result in a cumulatively considerable increase in GHG emissions such that the project would impair the State's ability to implement AB 32. This impact would be ***less than significant***.

Mitigation: No mitigation measures are required.

3.6.5 References

California Air Pollution Control Officers Association (CAPCOA), 2008. *CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*.

California Air Resources Board (ARB), 2007. *Mandatory Reporting of California greenhouse gas Emissions*, Presentation at Cal/EPA Headquarters. August 29, 2007.

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California Energy Commission (CEC), 2005. *California's Water – Energy Relationship*. November 2005.

Governor's Office of Planning and Research (OPR), 2008. *Technical Advisory – CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*. June 19, 2008.

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CHAPTER 4
Alternatives

4.1 Introduction

Section 15126.6 of the CEQA Guidelines require an evaluation of "a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects, and evaluate the comparative merits of the alternatives." The purpose of the alternatives analysis is to determine whether or not a variation of the proposed project would reduce or eliminate significant project impacts in the basic framework of the project's objectives. The alternatives analysis should also discuss the comparative merits of the alternatives. The focus and definition of the alternatives evaluated in this Focused Tiered EIR is governed by the "rule of reason" in accordance with Section 15126.6(f) of the CEQA Guidelines requiring evaluation of only those alternatives "necessary to permit a reasoned choice." Further, an EIR "need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." The objectives of the GSWC – Sutter Pointe CPCN Project are provided in Section 2.0 - Project Description, and summarized below:

- Timely delivery of water infrastructure to support the Sutter Pointe project; and
- Development of an economically and environmentally sustainable water supply for Sutter Pointe.

The project alternatives were analyzed for their abilities to meet the basic objectives of the project. Where alternatives were found to attain most of the basic objectives, they were included as part of the detailed analysis presented in this chapter. Where alternatives were not found to attain most of the basic project objectives, they were eliminated from further detailed consideration. This alternatives analysis is also based on information included in Section 6.2 of the CPCN PEA (CPUC, 2008).

The alternatives considered but rejected are discussed in Section 4.2. The alternatives carried forward for analysis are discussed in Section 4.3. The CEQA Guidelines also requires that the "environmentally superior alternative" be identified in the EIR. Section 4.4 identifies the environmentally superior alternative.

4.2 Alternatives Considered but Rejected

This section presents an analysis of alternatives that were considered for the GSWC – Sutter Pointe CPCN EIR but were rejected because they would not meet basic project objectives, and/or were determined to be infeasible for technological, environmental, legal, social, or other reasons.

4.2.1 Alternative Site for Surface Water Treatment Facility

This Alternative Site for Surface Water Treatment Facility Alternative included the consideration of a new treatment facility location on parcel number (APN) 035-140-026 in Sutter County California. The 7.8-acre parcel of property is located on the southwestern corner of Barney Mound on Powerline Road just north of Sankey Road. However, it has been determined that this alternative is infeasible because it may have potential impacts on land use and planning beyond those identified for the proposed project because it is not located within the SPSP area. In addition, siting of this facility could also conflict with the Sutter County General Plan and NBHCP.

4.2.2 Surface Water Only Alternative

The Surface Water Only Alternative considers the possibility that GSWC would supply all of the water needs for the project using existing surface water rights and allocations. For GSWC to utilize transferred surface water, it would need to undertake efforts to make transferred surface water available. There are several efforts that can be made by the transferring agency, including:

- Rescheduling of water deliveries
- Groundwater substitutions
- Land conversion
- Water conservation measures
- Land fallowing

This alternative would eliminate any impact on local groundwater levels; however, it has been determined that this alternative is infeasible because the infrastructure to implement surface water delivery and treatment are not yet designed or built. Limitations to water delivery in July through September and permitting constraints also make this alternative infeasible. Lastly, because the development of surface water infrastructure is not in place, this alternative could result in a delay in the initial phases of the proposed SPSP development.

4.3 Alternatives Evaluated in Detail

The following impact discussion is limited to those environmental issue areas that were carried forward for analysis in the Focused Tiered EIR including aesthetics, agricultural resources, air quality, biological resources, and climate change. Because the following alternatives are contained within the SPSP area, the environmental issue areas determined to be adequately addressed in the SPSP

EIR, as discussed in the Environmental Checklist included as Appendix B, apply to all of these project alternatives. Alternatives evaluated in this Focused Tiered EIR include:

- No Action Alternative
- No Project Alternative
- Groundwater Only Alternative

4.3.1 No Action Alternative

The No Action Alternative would result if the CPUC and Sutter County take no action to approve a water supply project for the SPSP. Under this alternative, none of the water supply infrastructure proposed as part of the project would be constructed or operated. As a result, none of the environmental impacts would occur; however, this alternative would not be feasible because some type of water supply infrastructure is required to support development approved for the SPSP Area.

Project Objectives

The No Action Alternative would not meet any of the project objectives. It would not achieve the timely delivery of water infrastructure to support the Sutter Pointe project; and it would not develop an economically and environmentally sustainable water supply for Sutter Pointe.

4.3.2 No Project Alternative

CEQA Guidelines Section 15126.6 states that an EIR's "no project" analysis should discuss what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and public services. Under the No Project Alternative, GSWC would not be granted authorization by the CPUC to be the water service provider in the project area. However, it is assumed that another water purveyor would supply water to serve the SPSP development, such as the Sutter County Water Agency or other County-related entity, as described in the SPSP EIR and Chapter 1 of this Focused Tiered EIR. Because the process of conveying water to the SPSP Area is not expected to differ substantially from that proposed as part of the project, it is assumed that the No Project Alternative would result in similar environmental impacts as those identified for the proposed project.

Aesthetics

Under the No Project Alternative, construction of water supply facilities would be developed by another water purveyor to serve the SPSP development. It is assumed that the type and sizing of these facilities would be similar to those described under the proposed project. Similar to the proposed project, impacts related to the degradation of visual character from project construction and operations and skyglow associated with operational lighting would be significant. Identical to the proposed project, implementation of Mitigation Measure 3.2-1a would reduce significant impacts associated with temporary visual quality degradation for developed land uses from concurrent construction staging areas by providing visual screening and implementation of Mitigation Measure 3.2-1b

would provide reduced visual contrast through the use of neutral and non-reflective architectural coatings and through the use of landscape screening. Implementation of Mitigation Measure 3.2-2 would ensure that lighting used at proposed storage tanks and water treatment facilities would be shielded or directed away from the surrounding areas and would be limited to the minimal intensity needed for security and safety. As a result, identical to the proposed project, aesthetic impacts under the No Project Alternative would be less than significant.

Agricultural Resources

Under the No Project Alternative, construction of water supply facilities would be developed by another water purveyor to serve the SPSP development. It is assumed that the type and sizing of these facilities would be similar to those described under the proposed project and that there would be a similar conversion of Important Farm land to non-agricultural use. As a result, impacts to agricultural resources under the No Project Alternative would be significant and unavoidable, identical to those described for the proposed project.

Air Quality

Under the No Project Alternative, construction of similar water supply facilities would be developed by another water purveyor to serve the SPSP development. It is assumed that the type and sizing of these facilities would be similar to those described under the proposed project and; therefore, construction activities would result in similar short-term significant emissions of NO_x. Implementation of Mitigation Measure 3.4-1, which requires construction contractors to implement both FRAQMD's Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in Sutter County, would result in a reduction in NO_x generated by project construction, but not to a less-than-significant level . It is likely that NO_x emissions would still potentially exceed the FRAQMD significance thresholds. As a result, identical to the proposed project, construction emissions of NOx would remain significant and unavoidable.

Biological Resources

Under the No Project Alternative, construction of water supply facilities would be developed by another water purveyor to serve the SPSP development. It is assumed that the type and sizing of these facilities would be similar to those described under the proposed project and that their footprint would result in similar significant impacts to jurisdictional wetlands and other waters of the U.S. and State. Identical to the proposed project, Mitigation Measures 3.5-1 and 3.5-2 would reduce impacts to wetlands and other Waters of the U.S. and riparian habitat to less than significant. These measures would ensure that project activities do not result in a net loss of wetlands and waters of the U.S., and riparian habitat as well as ensure that current functions and values of onsite wetland habitats are maintained.

Climate Change

Under the No Project Alternative, construction and operation of water supply facilities would be provided by another water purveyor to serve the SPSP development. It is assumed that the type and sizing of these facilities would be similar to those described under the proposed project. Because No Project Alternative facilities would be similar to those described under the proposed project, it is assumed that construction and operational activities would contribute GHG emissions at levels similar to those attributed to the proposed project. Identical to the proposed project, this impact would be less than significant because this alternative would not result in a cumulatively considerable increase in GHG emissions such that it would impair the State's ability to implement AB 32.

Project Objectives

The No Project Alternative would meet all of the project objectives. It would be assumed that any water purveyor would achieve the timely delivery of water infrastructure to support the Sutter Pointe project and would develop an economically and environmentally sustainable water supply for Sutter Pointe.

4.3.3 Groundwater Only Alternative

Under this alternative, GSWC would develop groundwater within the project area for the purposes of meeting future M&I water supply demands of the SPSP. This would result in the construction of additional groundwater wells throughout the project area. Water conveyance facilities (distribution pipelines) would be reduced. Specifically the approximately 29,500 linear foot 42-inch diameter Sankey Diversion Raw Water Pipeline would not be installed. Other on-site water conveyance infrastructure, such as water storage and treatment facilities, would remain the same or be similar to those described under the proposed project. Groundwater quality was analyzed from existing wells in the service area and showed that local groundwater is a permissible source of drinking water; however, treatment may be required for some constituents, depending on the location of site specific wells. It is not expected that operation of the Groundwater Only Alternative wells would substantially lower groundwater levels because extraction would be consistent with the estimated annual safe yield of one acre-foot per acre. However, it is possible that some lowering of groundwater levels could occur if net extraction is consistently greater than recharge (CPUC, 2008).

Aesthetics

Under the Groundwater Only Alternative, construction of water supply storage and treatment facilities would similar in size and type to those described under the proposed project. Similar to the proposed project, impacts related to the degradation of visual character from project construction and operations and skyglow associated with operational lighting would be significant. Identical to the proposed project, implementation of Mitigation Measure 3.2-1a would reduce significant impacts associated with temporary visual quality degradation for developed land uses from concurrent construction staging areas by providing visual screening and implementation of Mitigation Measure 3.2-1b would provide reduced visual contrast through the use of neutral and non-reflective architectural coatings and through the use of landscape screening. Implementation of Mitigation Measure 3.2-2

would ensure that lighting used at proposed storage tanks and water treatment facilities would be shielded or directed away from the surrounding areas and would be limited to the minimal intensity needed for security and safety. As a result, identical to the proposed project, aesthetic impacts under the Groundwater Only Alternative would be less than significant.

Agricultural Resources

Under the Groundwater Only Alternative, additional groundwater wells would be developed throughout the project area but the Sankey Diversion Raw Water Pipeline would not be installed, reducing the length of pipeline compared to the proposed project. All other infrastructure, such as water storage and treatment facilities, would remain the same or be similar to those described under the proposed project. Similar to the proposed project, this alternative would result in a similar conversion of Important Farm land to non-agricultural use, but it would be less due to the reduction in the length of pipeline. Never the less, impacts to agricultural resources under the Groundwater Only Alternative would be significant and unavoidable, but they would be less in magnitude when compared to the proposed project.

Air Quality

Under the Groundwater Only Alternative, additional groundwater wells would be developed throughout the project area but the Sankey Diversion Raw Water Pipeline would not be installed, reducing the length of pipeline compared to the proposed project. All other infrastructure, such as water storage and treatment facilities, would remain the same or be similar to those described under the proposed project. Therefore, construction activities would result in similar short-term significant emissions of NO_x. Implementation of Mitigation Measure 3.4-1, which requires construction contractors to implement both FRAQMD's Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in Sutter County, would result in a reduction in NO_x generated by project construction, but not to a less-than-significant level . It is likely that NO_x emissions would still potentially exceed the FRAQMD significance thresholds. As a result, similar to the proposed project, construction emissions of NOx would remain significant and unavoidable; however, they would be less in magnitude because there would be less construction activities due to the installation of less length of pipeline.

Biological Resources

Under the Groundwater Only Alternative, additional groundwater wells would be developed throughout the project area but the Sankey Diversion Raw Water Pipeline would not be installed, reducing the length of pipeline compared to the proposed project. All other infrastructure, such as water storage and treatment facilities, would remain the same or be similar to those described under the proposed project. Because the project would have a similar foot print compared to the proposed project, the Groundwater Only Alternative would result in similar significant impacts to jurisdictional wetlands and other Waters of the U.S. and State. However, because the Sankey Diversion Raw Water Pipeline would not be installed, the impact is likely to be less when compared to the proposed project. Identical to the proposed project, Mitigation Measures 3.5-1 and 3.5-2 would reduce impacts to wetlands and other waters of the U.S. and riparian habitat to less than significant. These measures

would ensure that project activities do not result in a net loss of wetlands and Waters of the U.S., and riparian habitat as well as ensure that current functions and values of onsite wetland habitats are maintained.

Climate Change

Under the Groundwater Only Alternative, additional groundwater wells would be developed throughout the project area but the Sankey Diversion Raw Water Pipeline would not be installed, reducing the length of pipeline compared to the proposed project. All other infrastructure, such as water storage and treatment facilities, would remain the same or be similar to those described under the proposed project. Because Groundwater Only Alternative facilities would be similar to those described under the proposed project, it is assumed that construction and operational activities would contribute GHG emissions at levels similar, but less than those attributed to the proposed project. Identical to the proposed project, this impact would be less than significant because this alternative would not result in a cumulatively considerable increase in GHG emissions such that it would impair the State's ability to implement AB 32.

Project Objectives

The Groundwater Only Alternative would meet all of the project objectives. It would be assumed that installation and operation of groundwater wells would achieve the timely delivery of water infrastructure to support the Sutter Pointe project; and that it would provide for development of an economically and environmentally sustainable water supply for Sutter Pointe.

4.4 Environmentally Superior Alternative

CEQA requires identification of an environmental superior alternative; that is, the alternative that has the least significant impacts on the environment. Table 4-1 presents a comparison of impacts by issue area after mitigation for the proposed project and each of the alternatives. While the No Action Alternative would result in no impacts when compared to the proposed project because no infrastructure would be installed, it would not achieve any of the proposed project objectives. As shown in Table 4-1 and as discussed in the alternatives analysis above, the Groundwater Only Alternative would be the environmentally superior alternative. This alternative would have similar but less environmental impacts when compared to the proposed project because less construction would take place due to the elimination of the Sankey Diversion raw water pipeline and as a result less short term construction emissions of criteria pollutants would occur. It would also meet all of the proposed project objectives. However, unlike with implementation of the proposed project, the Groundwater Only Alternative would result in new potentially significant impacts associated with increased prolonged withdrawal of groundwater and may affect the safe groundwater yield within the underlying groundwater basin (CPUC, 2008).

TABLE 4-1
COMPARISON OF SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE ALTERNATIVES TO THE PROPOSED PROJECT

Environmental Issue Area	Proposed Project	No Action	No Project	Groundwater Only Alternative
Aesthetics	LS	NI	LS	LS - Less
Air Quality	SU	NI	SU	SU - Less
Agricultural Resources	SU	NI	SU	SU - Less
Biological Resources	LS	NI	SU	LS - Less
Climate Change	LS	NI	SU	LS - Less

SU = Significant and Unavoidable Impact
S = Significant Impact
LS = Less than Significant Impact
NI = No Impact

4.5 References

California Public Utilities Commission (CPUC). 2008. Certificate of Public Convenience and Necessity Proponent's Environmental Assessment for the Proposed Water Service for the *South Sutter County Service Area.*

CHAPTER 5
Other CEQA Considerations

As discussed in Chapter 1 of this Focused Tiered EIR, this EIR is tiered from the 2009 SPSP EIR (SCH #2007032157). In the July 2009 MOA signed between Sutter County, SCWA, and GSWC it was agreed that the CPUC would tier from and incorporate by reference relevant information from the WSA prepared for the SPSP and the SPSP EIR. In addition, Sutter County and SCWA reaffirmed their interpretation that the WSA and SPSP EIR adequately analyzed the impacts of providing water service to Sutter Pointe whether such water service is by a County-related entity or by GSWC.

As further discussed, tiering allows this Focused Tiered EIR to rely on the SPSP EIR for long-term cumulative impacts and overall growth-related issues. Therefore, Section 5.1 Growth Inducing Impacts and Section 5.2, Cumulative Impacts incorporates by reference these analyses contained in the SPSP EIR.

5.1 Growth Inducing Impacts

5.1.1 CEQA Definition of Growth Inducement

The CEQA Guidelines require that an EIR evaluate the growth-inducing impacts of a proposed project (Section 15126.2[d]). A growth-inducing impact is defined by the CEQA Guidelines as:

> *[T]he ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth... It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.*

A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project resulted in establishing a new demand for public services, facilities, or infrastructure, such as construction of new housing. A project can have indirect or secondary growth-inducement potential if it would establish substantial new permanent employment opportunities (e.g., commercial, industrial or governmental enterprises) or if it would involve a substantial construction effort with substantial short-term employment opportunities and indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, as explained in the CEQA Guidelines, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint or increasing the capacity of a required public service, such as increased water supply capacity.

5.1.2 Approach to Analyzing Growth Inducing Effects

Per CEQA (Section 15126.2(d)) growth inducement is not in and of itself an "environmental impact", however growth can result in adverse environmental consequences. Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and policies for the affected area. Local land use plans, typically general plans, provide for land use development patterns and growth policies that allow for the "orderly" expansion of urban development supported by adequate urban public services, such as water supply, sewer service, and new roadway infrastructure. A project that would induce "disorderly" growth (i.e., a project in conflict with local land use plans) could indirectly cause adverse environmental impacts, for example, loss of agricultural land that has not been addressed in the planning process. To assess whether a project with the potential to induce growth is expected to result in significant impacts, it is important to assess the degree to which the growth associated with a project would or would not be consistent with applicable land use plans.

5.1.3 Overview of the Induced Growth Potential

Providing a domestic water supply is one of the primary public services needed to support population growth and development. The proposed project would develop the infrastructure necessary to provide a reliable drinking water supply to the SPSP Area through buildout (2030). The proposed project would be built in phases over the life of the SPSP buildout. Some facilities, such as the raw water pipeline, would be sized for full buildout capacity during Phase 2 of project development. Therefore, the proposed project could remove an obstacle to population growth because earlier phased facilities would be sized to accommodate full buildout of the SPSP. As described above, the significance of this growth inducing potential is determined if the proposed project would or would not be consistent with applicable land use plans. The following discusses the relationship of the proposed project with the growth planned for by the Sutter County General Plan, Measure M objectives, and the recently adopted SPSP.

Sutter County General Plan

The 1996 Sutter County General Plan designated 9,500 acres in South Sutter County, including the proposed project area, as Industrial/Commercial (I/C) Reserve. The I/C designation allows for large-scale industrial and commercial development. Therefore, the proposed project area has been planned for development; therefore, the proposed project area was identified for growth; and that growth was adopted as part of the Sutter County General Plan.

Measure M

In November of 2004, Sutter County voters approved Measure M, an advisory measure that gave the Board of Supervisors direction for the planning of growth on approximately 7,500 acres in the South Sutter County I/C Reserve known as the Sutter Point Area. Measure M identified the development of a mix of land uses, including industry, commerce, education, housing, recreation, and open space and would be integrated within the NBHCP (Sutter County, 2008).

Sutter Pointe Specific Plan and EIR

The SPSP was adopted in 2009 and an EIR was certified by the Sutter County Board of Supervisors. The SPSP EIR included a programmatic assessment of development of the entire SPSP Area, including water supply infrastructure. The SPSP EIR stated that it was the intent of the County and the SCWA to form a community services district or other County-related entity to provide water utility service for the SPSP Area but also identified the intent of GSWC to provide water service for the SPSP Area. The SPSP EIR analysis of impacts associated with water services assumed that such services could be provided either by a County-related entity or by GSWC, and that, "[r]egardless of the entity that provides the service,…the same sources of water supply would be used, therefore the analysis of the physical water availability would not change …."

The SPSP would include development of 17,500 new residential units and 3.627 acres of commercial and industrial land uses at buildout. The SPSP would support an estimated population of 46,900 new residents and would create 57,651 jobs. The SPSP EIR noted that development of the SPSP would be growth inducing because it would involve improving public utilities and services including the construction of roadways into undeveloped areas, the provision of school capacity beyond that needed to serve the SPSP, an increase in demand for goods and services in Sutter County and the Sacramento region, and increased pressure on adjacent agricultural lands to convert to urban uses. The SPSP EIR found the growth induced by the development of the SPSP has been evaluated and provided for in the Sutter County General Plan, NBHCP, and other relevant City, County, and regional planning documents (Sutter County, 2008).

5.1.4 Potential Growth Inducement of the Project

As discussed on page 6-4 of the SPSP EIR, the proposed SPSP would include a conjunctive use water supply program that would use both groundwater and surface water to meet the water supply demands at buildout of the SPSP (Sutter County, 2008). For purposes of sizing transmission, treatment, and distribution facilities, the total water supply demand buildout was assumed to be 25,199 AFY. It was further noted in the SPSP EIR that groundwater would provide water supplies to SPSP Phase 1/A development and a portion of SPSP Phase 2/B development (approximately the first 11 years of development) until surface water entitlements are approved and off-site water facilities have been constructed and are online. As development on the SPSP Area occurs, and as the surface water element is phased in, the groundwater element would transition from a year-round supply to principally a wintertime supply to meet the demands of the proposed SPSP.

According to the water supply assessment prepared for the SPSP, groundwater supply in the Natomas Basin and the North American Subbasin is sufficient to meet the demands of the SPSP and other existing and future planned groundwater uses that would rely on these basins. In addition, the SPSP water supply assessment concluded that, after surface water entitlements have been approved and off-site water facilities have been constructed and are online, surface water supply would be able to meet all of SPSP's water supply demands. The growth-inducing analysis (Section 6.3 of the SPSP EIR) concluded that water supply distribution facilities (including wells, treatment facilities, and pipelines) would be constructed specifically to serve the proposed SPSP and would not be

connected to any existing water supply system. Furthermore, the groundwater and surface water supply would be equivalent to the estimated demand. The SPSP EIR growth-inducing analysis concluded, on page 6-4, that implementing the proposed SPSP would not add capacity available for uses outside the SPSP Area or cause capacity to be added to existing water systems; therefore, it would not be growth inducing.

To meet projected demand at buildout of the SPSP (estimated to be approximately 25,000 AFY), GSWC would implement a conjunctive (groundwater and surface water) water supply program that includes a network of water extraction, transmission, storage, and treatment facilities. The infrastructure proposed as part of the project, is consistent with that which was assumed and analyzed in the growth-inducing analysis for the SPSP EIR (Section 6.3).

GSWC proposes to construct the infrastructure necessary to provide approximately 25,000 AFY of M&I water to support growth associated with the buildout of the SPSP. The proposed infrastructure would allow population growth to occur within the scope of both the SPSP and the Sutter County General Plan. It would not support development densities higher than those allowed in these adopted plans. Therefore, the proposed project would not induce growth above what has been planned for by Sutter County and evaluated within the Sutter County General Plan and the SPSP EIR; and therefore, the proposed project would not be growth-inducing.

5.2 Cumulative Impacts

5.2.1 Methodology

A project may have significant environmental effects when viewed in connection with the effects of past, other current and probable future projects. CEQA Guidelines Section 15065(a)(3) and 15130(a) define these effects as "cumulatively considerable," and require that these impacts are discussed within an EIR. This chapter presents a discussion of potential cumulative effects of the proposed project, along with feasible mitigation measures that may reduce the impacts to less than significant.

Section 15130(b) of the CEQA Guidelines states that the following three elements are necessary to an adequate discussion of significant cumulative impacts:

- Either: (A) a list of past, present, and probable future projects producing related or cumulative impacts, including those projects outside the control of the Lead Agency (i.e., the list approach); or (B) a summary of projections contained in an adopted general plan or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact (i.e., the plan approach). Any such planning document shall be referenced and made available to the public at a location specified by the Lead Agency.
- A summary of expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
- A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the Project's contribution to any significant cumulative effects.

This analysis uses the "list" method for identifying and evaluating potential cumulative impacts. The past, present, and probable future projects listed in Table 5-1 are located within the vicinity of the proposed project and may affect the same environmental resources. The identified projects are in various stages of development and include projects that are under construction, have been recently approved, or are pending approval as of January 2010, when the NOP was issued for this EIR.

5.2.2 Description of Cumulative Projects

Sutter Pointe Specific Plan

The SPSP provides direction for a 7,500-acre master-planned community (commercial, industrial, and residential developments) proposed for future development in the area. Cumulative impacts were analyzed within the context of concurrent development of the project with development of the surrounding land. The proposed project intends to provide M&I water for this development (Sutter County, 2008).

Metro Air Park,

Metro Air Park, located just east of Sacramento International Airport, is a 1,892-acre, mixed-use, commercial and industrial park. It will ultimately include 20 million square feet of space under roof, as well as an 18-hole golf course. Development is planned to be completed in six phases. Cumulative impacts were analyzed within the context of concurrent development of the project with development of the surrounding land (Sutter County, 2009).

Placer Vineyards

The Placer Vineyards Specific Plan area encompasses approximately 5,230 acres in the southwest corner of Placer County. At buildout, the Placer Vineyards Specific Plan would include 14,132 dwelling units; 274 acres of commercial development; and 1,560 acres of parks, open space, schools, and major roadways. The Placer County Board of Supervisors approved the Placer Vineyards Specific Plan in July 2007 and construction is projected to occur over a 20 to 30 year time frame (Sutter County, 2009).

Elverta Specific Plan

The Elverta Specific Plan area includes 1,744 acres in the north-central portion of Sacramento County and approximately 10 miles northeast of downtown Sacramento. The Rio Linda/Elverta Specific Plan includes the development of 881 acres of urban residential land uses and 552 acres of agricultural-residential land uses with an anticipated total number of 4,950 dwelling units. In addition, the Rio Linda/Elverta Specific Plan includes 19.4 acres of commercial and office/professional land uses; and 303 acres of parks, open space, schools, and detention facilities (Sacramento County, 2007).

TABLE 5-1
PROJECTS WHICH MAY CONTRIBUTE TO CUMULATIVE EFFECTS

Project Name	Acreage	Location	Description	Status	Potential Cumulative Environmental Impacts
Sutter Pointe Specific Plan	7,500	Unincorporated Sutter County, Surrounding the project site.	Specific Plan that includes the action area to include a mix of commercial and industrial job producing development. Includes the project site as part of the specific plan area.	SPSP and EIR Adopted in December 2009.	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Cultural Resources, Climate Change, Transportation Noise, Transportation/Circulation, Wastewater Treatment and Conveyance.
Metro Air Park	1,892	East of Sacramento International Airport in Sacramento County	Mixed-use, commercial and industrial park.	Various phases approved and constructed – not built out	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Cultural Resources, Drainage, Flooding, Geologic/Seismic, Noise, Public Services, Soil Erosion, Toxic/Hazardous, Traffic/Circulation, Water Quality, Water Supply, and Land Use.
The Placer Vineyards Specific Plan	5,230	0.5-mile east of the project site	14,132 dwelling units; 274 acres of Commercial development; and 1,560 acres of parks, open space, schools, and major roadways.	Adopted July 2007 and construction is projected to occur over a 20- to 30-year time frame.	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Cultural Resources, Drainage, Flooding, Geologic/Seismic, Noise, Public Services, Soil Erosion, Toxic/Hazardous, Traffic/Circulation, Water Quality, Water Supply, and Land Use.
Elverta Specific Plan	1,744	North-central Sacramento County	Village-scaled community with an eventual build-out of up to 4,950 new homes.	Adopted August 8, 2007. Construction anticipated to being in 2010	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Cultural Resources, Drainage, Flooding, Geologic/Seismic, Noise, Public Services, Soil Erosion, Toxic/Hazardous, Traffic/Circulation, Water Quality, Water Supply, and Land Use.
The Natomas Basin HCP	8,750	Unincorporated Sutter County, Surrounding the project site.	To provide a sanctuary and refuge for species displaced by development in the Natomas Basin.	On-going	No significant adverse impacts; beneficial effects to terrestrial habitat and species.
Natomas Levee Improvement Program	n/a	Sacramento River in the vicinity of the project site.	Bank protection measures at nine sites along the east (left) bank of the Sacramento River in order to control erosion and improve flood protection. Project area is located between River Mile 69 (at approximately the Interstate 5 river crossing) and RM 79 (the confluence with the Natomas Cross Canal).	Construction in progress – not built out	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Fisheries Cultural Resources, Drainage, Flooding, Geologic/Seismic, Noise, Soil Erosion, Toxic/Hazardous, Traffic/Circulation, Water Quality.
North Natomas Community Plan	Over 9,000	City of Sacramento, County of Sacramento, approximately 5.5 miles east of the project site.	Includes residential, commercial, and industrial land uses. Includes Natomas Panhandle.	Ranges from environmental review to construction and development phases.	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Cultural Resources, Drainage, Flooding, Geologic/Seismic, Noise, Public Services, Soil Erosion, Toxic/Hazardous, Traffic/Circulation, Water Quality, Water Supply, and Land Use.

TABLE 5-1
PROJECTS WHICH MAY CONTRIBUTE TO CUMULATIVE EFFECTS

Project Name	Acreage	Location	Description	Status	Potential Cumulative Environmental Impacts
Sacramento International Airport Master Plan	5,670	Unincorporated Sacramento County, approximately 2.5 miles east of the project site.	The SMF Master Plan covers planned airport improvements through 2020. The EIR for the SMF Master Plan was certified and the project approved in August 2007. The master plan includes three phases, as described below. The new facilities are planned to be constructed within the boundaries of existing airport property, which totals approximately 5,670 acres, 2,300 acres of which are currently developed.	Construction in progress – not built out	Aesthetics, Agricultural Land, Air Quality, Biological Resources, Cultural Resources, Drainage, Flooding, Geologic/Seismic, Noise, Public Services, Soil Erosion, Toxic/Hazardous, Traffic/Circulation, Water Quality, and Land Use.
Sacramento River Water Reliability Study	n/a	Encompassing portions of southern Sutter County, northern Sacramento County, and western and southern Placer County. Facilities proposed north and south of the project site along the Sacramento River	Water supply infrastructure components, including water diversion from the Sacramento River, water treatment facilities, and water conveyance pipelines. The project extends from the Sacramento River east into Placer County.	Draft EIR/EIS being prepared.	Water Supply, Vegetation, Wildlife, Fisheries, Loss of Agricultural Land, Water Quality, Land Use, Noise, Aesthetics, and Cultural Resources.

Natomas Basin HCP

The Natomas Basin Conservancy acquires and manages mitigation land under the Natomas Basin HCP. The purpose of the HCP is to provide a sanctuary and refuge for species displaced by development in the Natomas Basin. Under the terms of the HCP, 8,750 acres of land are to be acquired to mitigate the loss of 17,500 acres of land to be developed. As 2006 came to an end, the Natomas Basin Conservancy had acquired approximately half the land needed to implement the HCP. Development of the proposed project is considered a covered activity per the ITP issued as part of the HCP (Sutter County, 2009).

Natomas Levee Improvement Program

In 2007, the Sacramento Area Flood Control Agency (SAFCA) released a Final EIR on its proposed assessment district to fund the local share of the Natomas Levee Improvement Program (NLIP). The EIR identified many NLIP features spanning several phases analyzed at both a programmatic and project specific level. Affected areas include the east levee of the Sacramento River, the south levee of the NCC, and the west levees of the Pleasant Grove Creek Canal (PGCC) and the NEMDC. Project features include:

- Increasing freeboard so the top of the levee height remains three feet above the water elevation of a 200-year flood. This could affect five miles of the north levee of the NCC as well as about 20 miles of the levees referenced above.
- Preventing erosion at areas that could be prone to erosion-induced levee failure (a total of about three miles).
- Remedying subsurface seepage affecting 20-30 miles including sections of the above levees plus the north levee of the American River. This seepage is a hazard where the soils below the levee are permeable, allowing water to seep under the levee during high flows. Such seepage can lead to erosion of the levee foundation and ultimately failure of the levee.

SAFCA has certified and is the process of preparing several EIR's to cover the various phases of the project, some of which are currently under construction. A notice of preparation for a joint EIR/EIS for Phase 4b was released on November 5, 2009 (SAFCA, 2009).

North Natomas Community Plan

The North Natomas Community Plan (NNCP) area, approximately 9,038-acre, is designated in the City of Sacramento's General Plan as the city's major growth area for new housing and employment opportunities. The NNCP area is bounded by Elkhorn Boulevard to the north, Interstate 80 to the south, the NEMDC to the east, and the West Drainage Canal and SR 99 to the west. Within this area, the City of Sacramento envisions the development of urban land uses consisting of residential, employment, commercial, and civic land uses that would be interdependent on local transit service and transit routes, including light rail.

The environmental consequences of buildout of the NNCP were addressed in the 1986 NNCP EIR (certified by the Sacramento City Council in May 1986) as well as the 1993 supplement to the 1986 NNCP EIR) (City of Sacramento, 1994). Development within the NNCP started in 1999.

There are several development projects in the North Natomas community that have been approved but are yet to be fully built out have been identified and anticipated by the NNCP and the associated environmental review documents (City of Sacramento, 1986).

Sacramento International Airport Master Plan

The Sacramento International Airport Master Plan addresses future development of the airport to the year 2020 in two phases. The first phase will occur from 2007 through 2013 and the second phase from 2014 through 2020. The Master Plan also includes possible development at the airport in a third phase occurring beyond 2020. Master Plan Improvements include runway extension and widening, development of a new terminal, changing land uses, including about 366 acres of aviation- or non-aviation- related development, 360 acres of commercial development, 114 acres for expansion of ground transportation, 269 acres of land acquisition for the new runway, and 438 acres to prevent encroachment of incompatible uses from the south, and drainage improvements to accommodate expansion and increase in impermeable surfaces. The final EIR for the Sacramento Airport Master Plan was approved by the County of Sacramento Board of Supervisors on July 17, 2007 (SCAS, 2009). Construction of the first phase of improvements is currently underway.

Sacramento River Water Reliability Study

Studies for the Sacramento River Water Reliability Study (SRWRS) project are funded jointly by the U.S. Bureau of Reclamation and Placer County Water Agency (PCWA). This project consists of a new water diversion and pump station on the Sacramento River near the end of Elverta Road north of the Sacramento International Airport. The diversion would have a capacity of 235 mgd (about 365 cfs). A water treatment plant would be built on 100 acres along Elverta Road near the diversion, and pipelines would be built connecting the diversion to the treatment plant and the treatment plant to the systems of the SRWRS project partners, the City of Sacramento, the City of Roseville, the Sacramento Suburban Water District (SSWD), and the PCWA.

The objective of the SRWRS is to construct a new diversion on the Sacramento River to provide water to the project partners while preserving the American River consistent with the Water Forum Agreement. The Notice of intent for the project was published July 30, 2003 with Scoping meetings held in September of 2003. The Draft EIS/EIR is currently being completed with no estimated date for completion (USBR, 2010).

5.2.3 Cumulative Impact Analysis

The following contains a discussion of the cumulative impacts for each of the technical issue areas included in Chapter 3 of this Focused Tiered EIR. A cumulative context is presented for each issue area which varies depending on the technical issue area. For example, air quality impacts are evaluated against conditions in the SVAB. The cumulative impact analysis takes into consideration whether the projects listed in Table 5-1 in combination with the proposed project would have the potential to affect the same resources. If there is not a combined effect then a finding of no impact is made. If there would be a combined effect, then a determination is made if that combined effect would: (1) result in a significant cumulative effect; and (2) if the proposed project's contribution

to the effect would be considerable. Finally, a determination is made as to whether mitigation measures recommended for the project-specific impact would reduce the proposed project's contribution to the cumulative impact to a less than considerable level; therefore, resulting in a less-than-significant cumulative impact.

Aesthetic Resources

The cumulative context for aesthetic resources is viewsheds in and adjacent to southern Sutter County.

Impact 5.3-1: Implementation of the proposed project in combination with other planned projects or projects under construction could alter and degrade the existing visual character and introduce new sources of light and glare in southern Sutter County.

The proposed project area is primarily undeveloped. Development of planned and projects under construction would change the visual character of southern Sutter County by introducing more urbanized uses than currently exist. Concurrent construction activities could result in the siting of multiple staging areas which would be used to store construction equipment that could be visible from numerous locations in the viewshed. In addition, urban development would introduce new sources of light and glare that do not currently exist. This is considered a significant cumulative impact.

As discussed under 5.7.16 Visual Resources on page 5-30 of the SPSP EIR, the assessment of visual quality is a subjective matter and reasonable people may differ as to the aesthetic value of the agricultural lands in the project area, and whether development of urban uses would constitute a substantial degradation of the existing visual character or quality of the project area and its surroundings. Implementation of the proposed project would include installation of groundwater wells and conveyance pipelines and construction and operation of water treatment and storage facilities. New night lighting would also be introduced to the project area. Therefore, the proposed project would contribute to altering the rural character of southern Sutter County. While the actual facilities themselves would not result in a substantial change, because they would support development of the SPSP the proposed project's contribution to this significant cumulative impact would be considerable. Therefore, this would be a ***significant cumulative impact***.

Mitigation Measures

Measure 5.3-1: Implement Mitigation Measures 3.2-1 and 3.2-2.

Significance after Mitigation: Implementation of Mitigation Measure 3.2-1a would reduce the proposed project's contribution to significant cumulative impacts associated with temporary visual quality degradation for developed land uses from concurrent construction staging areas by providing visual screening. Mitigation Measure 3.2-1b would provide reduced visual contrast through the use of neutral and non-reflective architectural coatings and through the use of landscape screening. Implementation of Mitigation Measure 3.2-2 would ensure that lighting used at proposed storage tanks and water treatment facilities would be shielded or directed away from the surrounding areas and would be limited to the minimal intensity

needed for security and safety. Implementation of Mitigation Measure 5.2-1 would reduce the project's contribution to cumulative aesthetic resource impacts to less than considerable; therefore, this would be a ***less than significant cumulative impact***.

Agricultural Resources

The cumulative context for agricultural resources is Sutter County.

Impact 5.3-2: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to the conversion of Important Farmland to nonagricultural uses in Sutter County.

As described in the SPSP EIR on page 5-25, approximately 83% (or 389,439 acres) of Sutter County is agricultural land, including 292,256 acres of Important Farmland. Implementation of the proposed project in combination with other development projects in Sutter County would result in the conversion of Important Farmland to non agricultural uses. This is considered a significant cumulative impact.

Proposed project facilities including wellheads, treatment plant, and storage tanks, would be located above ground and are anticipated to permanently convert approximately 29 acres of Important Farmland to nonagricultural uses. While this represents less than one percent of the total conversion of Important Farmland anticipated with buildout of the SPSP, it still represents a permanent conversion of Important Farmland and is considered considerable. Therefore, this would be a ***significant cumulative impact***.

Mitigation Measures

No feasible mitigation measures are available.

Participation in the NBHCP program would partially offset conversions of Important Farmland associated with the proposed project. However, because no new farmland would be made available and the productivity of existing farmland would not be improved as a result of the conservation easements, full compensation for losses of farmland would not be achieved and a net loss of Important Farmland would still occur. Related projects outside of the NBHCP would further convert Important Farmland to urban uses. These related projects would not be required to participate in the NBHCP, and it is unknown whether these related projects would implement appropriate mitigation. Therefore, the proposed project's contribution would remain considerable and the cumulative conversion of Important Farmland to non urban uses would remain a ***cumulatively significant and unavoidable impact***.

Air Quality

The cumulative context for air quality is the SVAB.

Impact 5.3-3: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to cumulative emissions of NO_x that exceed FRAQMD thresholds.

Construction and operation of the proposed project, in combination with other planned or under construction projects would result in significant cumulative increases in criteria pollutant emissions, including NO_x associated with both construction and operational activities in the SVAB. Vehicle trips associated with proposed project operations would be minimal and would result in a negligible increase in cumulative mobile source criteria pollutant emissions. Therefore; the project's contribution to cumulative long-term operational emissions would not be considerable.

Construction activities associated with the proposed project would contribute ozone precursor emissions on a regional basis. Due to the size of proposed project construction, the contribution to cumulative NO_x emissions would be considerable. Therefore, this would be a ***significant cumulative impact***.

Mitigation Measures

> **Measure 5.2-3:** Implement Mitigation Measure 3.4-1.
>
> **Significance after Mitigation**: Implementation of Mitigation Measure 3.4-1 would reduce the project's contribution to cumulative NO_x emissions; however, construction generated NO_x would still exceed the FRAQMD-recommended threshold and this impact would remain considerable and cumulative increases in NO_x emissions would remain ***cumulatively significant and unavoidable***.

Biological Resources

The cumulative context for biological resources in Sutter County and the Natomas Basin.

Impact 5.3-4: Implementation of the proposed project in combination with other planned projects or projects under construction in the area, could contribute to cumulative loss and degradation of wetland habitats protected under federal, state and local regulations and loss of riparian habitat in Sutter County and the Natomas Basin.

As described in the SPSP EIR on page 5-27, past development in Sutter, Sacramento and Placer Counties has resulted in the conversion of native habitat, including wetland and riparian habitat, to other uses. Future development would be expected to mitigate for impacts to threatened and endangered species and other sensitive biological resources that are provided with regulatory protection. The proposed project area is located within the NBHCP which provides a comprehensive program for the preservation and protection of habitat for threatened and endangered species found in northwestern Sacramento County and southern Sutter County. As described in the SPSP EIR, approximately 8,750 acres of land would be acquired or preserved through implementation of the NBHCP.

Installation of proposed project facilities could include the placement of fill material into jurisdictional Waters of the U.S., including wetlands subject to USACE jurisdiction under the federal CWA, and the potential loss and degradation of wetland habitats protected under federal, state and local regulations would be considerable. Installation of water infrastructure could also result in the loss of limited riparian habitat in the vicinity of the Sankey Diverison.

With respect to the loss of wetlands, if the 2007 wetland delineation written by ECORP is verified by the USACE and Curry Creek and NEMDC are avoided, then proposed project impacts to wetlands and/or waters of the U.S. would be avoided and no further action would be required. However, if the USACE finds that some or all of the features identified in the 2007 wetland delineation do fall within their jurisdictional purview, then temporary impacts to wetlands and/or Waters of the U.S. could result from construction and must be compensated to result in "no net loss" of wetlands. Therefore, this would be a ***significant cumulative impact***.

Mitigation Measures

Measures 5.3-4: Implement Mitigation Measures 3.5-1 and 3.5-2.

Significance after Mitigation: Prior to construction, GSWC shall ensure compliance with federal and state permit requirements pertaining to impacts to wetlands and other waters of the state. To compensate for loss and disturbance of wetlands and waters of the U.S. resulting from construction activities, GSWC shall demonstrate that Mitigation Measures 3.5-1 and 3.5-2 is implemented prior to project construction. Mitigation Measures 3.5-1 and 3.5-2 would ensure that project activities do not result in a net loss of wetlands and waters of the U.S. as well as ensure that current functions and values of onsite wetland habitats are maintained. Mitigation Measures 3.5-1 and 3.5-2 would also ensure that project activities do not result in a net loss of riparian habitat as well as ensure that current functions and values of onsite riparian habitats are maintained. Implementation of Mitigation Measure 5.3-4 would reduce the project's contribution to cumulative loss of wetland and riparian habitat to less than considerable; therefore, this would be a ***less than significant cumulative impact***.

Climate Change

Climate change analysis is inherently cumulative in nature. Therefore, the project impact described in Section 3-6, Climate Change is the same as the cumulative impact.

As identified under Impact 3.6-1, with regard to GHG analysis Criterion A (potential conflict with the actions included in the Climate Change Scoping Plan), the project does not pose any apparent conflict with the most recent list of the ARB early action strategies (see Table 3.6-1 in Section 3-6).

With regard to GHG analysis Criterion B (relative size of the project), project GHG emissions during construction for a worse-case year would be approximately 1,189 metric tons CO_2e, which assumes that peak day construction would occur for the year. This estimate is very conservative and was developed in the absence of specific construction schedules. As shown in Table 3.6-3 in Section 3-6, the increase in GHG emissions from project operations after Phase 1 and full build-out would be well under the 25,000 metric tons/year CO_2e threshold used to classify major emitters. The 2020

GHG emissions limit for California, as adopted by ARB in December of 2007 is approximately 427 million metric tons of CO_2e. The proposed project's annual contribution after Phase 1 and full buildout scenarios would be approximately 0.0003 percent and 0.001 percent of this total 2020 emissions limit, respectively, and therefore the project would not generate sufficient emissions of GHGs to contribute considerably to the cumulative effects of GHG emissions such that it would impair the state's ability to implement AB 32.

With respect to GHG analysis Criterion C (inherent energy efficiency of the project), the project would include pipelines that are sized to minimize friction loss and would develop all new pumping facilities that will make use of current, high energy efficiency equipment to minimize energy use.

Finally, with regard to GHG analysis Criterion D (potential conflict with applicable Sutter County plans, policies, or regulations adopted to reduce GHGs), Sutter County has not established GHG reduction plans or policies. Therefore, the project would not conflict with any local regulations pertaining to GHGs.

Construction and operation of the project would not result in a cumulatively considerable increase in GHG emissions such that the project would impair the State's ability to implement AB 32. Therefore, cumulative GHG emissions would be ***less than significant***.

Mitigation: No mitigation measures are required.

5.3 Significant Irreversible Environmental Changes

The CEQA Guidelines (Section 15126.2[c]) require an evaluation of the significant irreversible environmental changes that would be caused by a project if implemented, as described below:

> *Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse there after unlikely. Primary impacts, and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

In general, the CEQA Guidelines refer to the need to evaluate and justify the consumption of nonrenewable resources and the extent to which the project commits future generations to similar uses of nonrenewable resources. In addition, CEQA requires that irreversible damage resulting from an environmental accident associated with the project be evaluated.

Implementation of the proposed project would indirectly result in the commitment of nonrenewable natural resources used in the construction process; gravel, petroleum products, steel, and other materials. The proposed project would also result in the commitment of slowly renewable resources, such as wood products. Operation of the proposed project would also result in commitment of

energy resources such as fossil fuels, electricity, and chemicals used within the water treatment process. However, the amount of nonrenewable energy resources required to serve the proposed project would be limited. Compliance with all applicable building codes, as well as mitigation measures, planning policies, and standard conservation features would ensue that natural resources are conserved to the maximum extent possible. It is assumed that the rate and amount of energy consumption would not result in the unnecessary, inefficient or wasteful use of resources and would be accomplished in a manner consistent with applicable laws and regulations. It is also possible that new technologies or systems will emerge, or will become more cost-effective or user-friendly, to further reduce the reliance on nonrenewable natural resources.

5.4 Significant Unavoidable Impacts

Public Resources Code Section 21100(b) (2) requires that any significant effect on the environment that cannot be avoided be identified. Additionally, CEQA section 15093(a) allows the lead agency to determine that the benefits of a proposed project outweigh the unavoidable adverse environmental impacts of implementing the project. Under this rule, the Lead Agency may approve a project with unavoidable adverse impacts if it prepares a "Statement of Overriding Considerations" that sets forth specific reasons for making such a decision.

In addition to the cumulative impacts identified in the preceding portions of this chapter, the following impacts associated with construction and operations of the proposed project, have been determined to be significant and unavoidable:

Agriculture

- **Impact 3.3-1:** Implementation of the proposed project would result in the permanent conversion of Important Farmland to nonagricultural uses.

Air Quality

- **Impact 3.4-1:** Proposed project construction activities would generate temporary, short-term emissions of NO_x that could exceed FRAQMD-recommended thresholds.

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CHAPTER 6
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CHAPTER 7
Bibliography

Executive Summary

No sources are cited in this chapter.

Chapter 1.0 - Introduction

No sources are cited in this chapter.

Chapter 2.0 - Project Description

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Appendix A

Notice of Completion
Notice of Preparation
and Public Comments

ESA

Appendix A-1
Notice of Completion

ESA

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2010012025

Project Title: Golden State Water Company - Sutter Pointe CPCN EIR

Lead Agency: California Public Utilities Commission — Contact Person: Andrew Barnsdale
Mailing Address: CPUC c/o ESA, 2600 Capitol Avenue, Ste 200 — Phone: (916)-231-1273
City: Sacramento California — Zip: 95816 — County: Sacramento

Project Location: County: Sutter County — City/Nearest Community: Yuba City
Cross Streets: State Route 99, Riego Road, Sankey Road, Powerline Road — Zip Code: ____
Longitude/Latitude (degrees, minutes and seconds): ____° ____′ ____″ N / ____° ____′ ____″ W Total Acres: ____
Assessor's Parcel No.: various — Section: ____ Twp.: ____ Range: ____ Base: ____
Within 2 Miles: State Hwy #: 99 — Waterways: Sac. River, Natomas Cross Canal, Pleasant Grove Cana
Airports: Sacramento International — Railways: ____ Schools: ____

Document Type:

CEQA: ☑ NOP ☐ Draft EIR — NEPA: ☐ NOI — Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) ____ ☐ Draft EIS ☐ Other: ____
☐ Mit Neg Dec Other: ____ ☐ FONSI

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☑ Other: CPCN

Development Type:

☐ Residential: Units ____ Acres ____
☐ Office: Sq.ft. ____ Acres ____ Employees ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees ____
☐ Industrial: Sq.ft. ____ Acres ____ Employees ____
☐ Educational: ____
☐ Recreational: ____
☑ Water Facilities: Type Water Supply MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☐ Power: Type ____ MW ____
☐ Waste Treatment: Type ____ MGD ____
☐ Hazardous Waste: Type ____
☐ Other: ____

Project Issues Discussed in Document:

☑ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☑ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☐ Water Quality
☑ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☑ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☑ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☑ Growth Inducement
☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other: Climate Change

Present Land Use/Zoning/General Plan Designation:
Industrial/Commercial Reserve; Z: General Agricultural (AG) and General Industrial (M-2)

Project Description: *(please use a separate page if necessary)*
See Attached

RECEIVED JAN 1 2010 STATE CLEARINGHOUSE

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2008

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

x	Air Resources Board		Office of Emergency Services
	Boating & Waterways, Department of	x	Office of Historic Preservation
	California Highway Patrol		Office of Public School Construction
x	Caltrans District #3		Parks & Recreation, Department of
	Caltrans Division of Aeronautics		Pesticide Regulation, Department of
	Caltrans Planning		Public Utilities Commission
x	Central Valley Flood Protection Board	x	Regional WQCB # 5
	Coachella Valley Mtns. Conservancy	x	Resources Agency
	Coastal Commission		S.F. Bay Conservation & Development Comm.
	Colorado River Board		San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
	Conservation, Department of		San Joaquin River Conservancy
	Corrections, Department of		Santa Monica Mtns. Conservancy
	Delta Protection Commission	x	State Lands Commission
	Education, Department of		SWRCB: Clean Water Grants
	Energy Commission	x	SWRCB: Water Quality
x	Fish & Game Region # 2	x	SWRCB: Water Rights
x	Food & Agriculture, Department of		Tahoe Regional Planning Agency
	Forestry and Fire Protection, Department of		Toxic Substances Control, Department of
	General Services, Department of	x	Water Resources, Department of
x	Health Services, Department of		
	Housing & Community Development		Other:
	Integrated Waste Management Board		Other:
x	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date 1/14/2010 Ending Date 2/12/2010

Lead Agency (Complete if applicable):

Consulting Firm: ESA
Address: 2600 Capitol Avenue
City/State/Zip: Sacramento , California 95816
Contact: Catherine McEfee
Phone: (916)-231-1273

Applicant:
Address:
City/State/Zip:
Phone:

Signature of Lead Agency Representative: **Date:** 1-14-2010

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Appendix A-2
Notice of Preparation

ESA

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

To: Responsible Agencies and Interested Parties
Subject: Notice of Preparation of a Focused Environmental Impact Report for the Golden State Water Company – Sutter Pointe Certificate of Public Convenience and Necessity Project
Date: January 14, 2010

In accordance with the provisions of the California Environmental Quality Act (CEQA), the California Public Utilities Commission (CPUC) has prepared a Notice of Preparation (NOP) for a Focused Tiered Environmental Impact Report (EIR) for the establishment of a non-contiguous water service area and associated water supply infrastructure located in the southern, unincorporated portion of Sutter County, known as the Sutter Pointe Specific Plan Area. The CPUC will be the Lead Agency pursuant to CEQA. The CPUC is requesting comments from responsible and trustee agencies and other interested parties regarding the scope and content of the environmental information to be included in the EIR. This NOP for the proposed Golden State Water Company – Sutter Point Certificate of Public Convenience and Necessity (GSWC-Sutter Pointe CPCN or proposed project) EIR is issued pursuant to Section 15082 of the State CEQA Guidelines.

The CPUC is soliciting the views of interested persons, organizations, and agencies regarding the scope and content of the environmental information in connection with the proposed project. In addition, each responsible agency shall provide CPUC with specific detail about the scope, significant environmental issues, reasonable alternatives, and mitigation measures related to each responsible agency's area of statutory responsibility that must be explored in the EIR. In accordance with CEQA Guidelines Section 15082(b)(1)(B), responsible and trustee agencies should indicate their respective level of responsibility for the project in their response.

Responsible and trustee agencies under CEQA may include: The U.S. Army Corps of Engineers (Corps); U.S. Fish and Wildlife Service (USFWS); California Department of Fish and Game (CDFG); California Department of Public Health; California Department of Transportation; Central Valley Regional Water Quality Control Board (CVRWQCB); the State Water Resources Control Board (SWRCB); and the County of Sutter.

All comments received will be made available for public review in their entirety, including the names and addresses of the respondents.

This NOP will be circulated for a public response period beginning January 14, 2010 and ending February 12, 2010. At the end of the public response period, the CPUC will consider all comments received from interested persons, organizations, and agencies in preparing the environmental analysis to be included in the EIR.

Two scoping meetings will be held to receive agency and public comments at the following location and time:

Wednesday February 3, 2010
2:00 pm – 4:00 pm & 6:00 pm to 8:00 pm
Veterans Memorial Community Building
1425 Veterans Memorial Circle,
Yuba City, CA 95993

Please submit your comments at the earliest possible date, but no later than 5 p.m. on February 12, 2010. Written comments on the scope of the EIR should be sent to:

Andrew Barnsdale c/o
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento California 95816
Attn: Sutter Pointe Project
Phone: (916)-231-1273
Fax: (916) 564-4501
Email: CPUC-GSWC@esassoc.com
Website: http://www.cpuc.ca.gov/Environment/info/esa/gswc_sp/index.html

The following information includes project background, project objectives, a preliminary project description and a summary of possible environmental effects anticipated to be evaluated in the EIR. Comments received on the NOP, received in writing or provided at the scoping meetings may identify additional potential environmental impacts to be evaluated in the EIR.

Project Background

Golden State Water Company (GSWC) has submitted Application 08-08-022 to the CPUC for a Certificate of Public Convenience and Necessity (CPCN) to establish a non-contiguous service area comprised of the southern, unincorporated portion of Sutter County that falls within the corporate boundaries of Natomas Central Mutual Water Company (NMWC). GSWC, through its parent company American States Water Company (ASWC), has an agreement with NMWC to provide municipal and industrial (M&I) water service to a proposed service area in south Sutter County known as the Sutter Pointe Specific Plan Area.

An EIR for the Sutter Pointe Specific Plan was certified by the Sutter County Board of Supervisors on June 30th, 2009. The EIR included a programmatic assessment of development of the entire specific plan area and a project-level analysis for the first phase of development. The EIR stated that it was the intent of the County and the Sutter County Water Agency (SCWA) to form a community services district or other County-related entity to provide water utility service for Sutter Pointe but also identified the intent of GSWC to provide water service for Sutter Pointe. The Sutter Pointe Specific Plan EIR analysis of impacts associated with water services assumed that such services could be provided either by a County-related entity or by GSWC, and that, "[r]egardless of the entity that provides the service,…the same sources of water supply would be used, therefore the analysis of the physical water availability would not change …."

In July 2009, a Memorandum of Agreement (MOA) was signed between Sutter County, SCWA, and GSWC. In the MOA, it was agreed that the CPUC would tier from and incorporate by reference information to the extent relevant and appropriate from the Water Supply Assessment (WSA) prepared for the Sutter Pointe Specific Plan (adopted June 30, 2009) and the Sutter Pointe EIR in the environmental review document prepared for Application 08-08-022. In addition, Sutter County and SCWA reaffirmed their interpretation that the WSA and Sutter Pointe EIR adequately analyzed the impacts of providing water service to Sutter Pointe whether such water service is by a County-related entity or by GSWC. Therefore, the CPUC will prepare a Focused Tiered EIR to address the environmental impacts associated with the construction and operation of new water supply infrastructure to support development of the Sutter Pointe Specific Plan Area.

Project Objectives

The purpose of the proposed project is to construct and operate the infrastructure necessary to provide municipal and industrial (M&I) water supply to planned development consistent with the Sutter County General Plan in south Sutter County. Project objectives include:

- Timely delivery of water infrastructure to support the Sutter Pointe project; and
- Development of an economically and environmentally sustainable water supply for Sutter Pointe.

Project Description

Project Location

The Sutter Pointe Specific Plan Area presently includes agricultural (primarily rice fields) and industrial uses, encompassing approximately 7,500 acres of south Sutter County (**Figure 1**). The general project area is bordered on the west by the Sacramento River, on the east by the Natomas East Main Drainage Canal, on the north by the Natomas Cross Canal, and on the south by the Sacramento County line.

Project Elements

The proposed project would include an integrated network of water extraction, transmission, storage, and treatment facilities to convey groundwater and surface water to municipal and industrial development in the Sutter Pointe Specific Plan Area (**Figure 2**). The water supply infrastructure would be developed in four phases of varying lengths to correspond with buildout of the Sutter Pointe Specific Plan over an approximately 20-year period. The first phase would involve the development of groundwater wells, treatment, storage, and distribution infrastructure. Additional groundwater wells, treatment, storage, and distribution infrastructure would be developed under Phases 2, 3 and 4, as well as infrastructure for receipt, conveyance and treatment of surface water. At buildout, the proposed project would include the conjunctive use of groundwater and surface water to serve the Sutter Pointe Specific Plan Area which is estimated to require a water supply of approximately 25,200 acre-feet per year (AFY). Specific facilities proposed under Phases 1 through 4 of the proposed project are summarized below.

Phase 1

Phase 1 of the proposed project includes development and operation of the following infrastructure:

- nine groundwater wells with yields of approximately 1,800 gallons per minute (gpm) each;
- a western groundwater treatment plant capable of treating approximately 12.5 million gallons per day (mgd) at buildout;
- approximately 16 miles of interconnected water transmission and distribution pipelines varying in size from 8- to 36-inch diameter; and
- one 7.5 million gallon storage tank and one five million gallon storage tank, and associated pumps to process and distribute water.

All facilities constructed during Phase 1 would be developed entirely within the Sutter Pointe Specific Plan Area. Phase 1 will be evaluated at a project-level in the EIR.

Phases 2, 3 and 4

Phases 2, 3 and 4 of the proposed project include development and operation of the following infrastructure:

- a 42-inch raw water transmission pipeline from the Sankey Diversion (or the existing Bennett Pumping Plant if the proposed Sankey Diversion has not been constructed) to either the western or eastern groundwater treatment plant site;
- a phased surface water treatment plant built adjacent to the groundwater treatment plant site capable of treating approximately 30 mgd at buildout;
- seven groundwater wells with yields of approximately 1,800 gpm each;
- an eastern groundwater treatment plant capable of treating approximately 12.5 mgd at buildout;
- approximately 28 miles of interconnected water transmission and distribution pipelines varying in size from 8- to 36-inch diameter; and
- four 5-million gallon storage tanks, and associated pumps to process and distribute water.

With the exception of the raw water transmission pipeline and pump station (and potential improvements to the Bennett pumping plant, if the Sankey Diversion has not been constructed), all facilities constructed during Phases 2, 3 and 4 would be developed entirely within the Sutter Pointe Specific Plan Area. Phases 2, 3 and 4 have been conceptually developed and will be analyzed in the EIR at a programmatic level.

Surface Water Diversion Facilities

Currently, surface water is provided to the NMWC service area by five existing surface water diversions located on the Sacramento River and the Natomas Cross Canal. As identified and evaluated in the American Basin Fish Screen and Habitat Improvement Project EIR/EIS (SCH # 2003092006; certified July, 2008), NMWC plans to consolidate its five existing surface water intakes into two intakes. The 420 cubic feet per second (cfs) Sankey Diversion would be located approximately one-quarter mile downstream of the confluence of the Natomas Cross Canal and the Sacramento River. The 210 cfs Elkhorn Diversion would be located approximately 0.9 miles downstream of Elverta Road near the existing Elkhorn pumping plant. The Sankey Diversion would be the source of the M&I water to be transmitted through the raw water pipeline to the surface water treatment plant facilities proposed to be installed as part of Phases 2, 3 and 4 of the proposed project (see Project Elements). Construction of the American Basin Fish Screen and Habitat Improvement Project is expected to commence in 2010, thus it is estimated that the Sankey Diversion would be constructed before the end of Phase 1 of development of the Sutter Pointe Specific Plan Area.

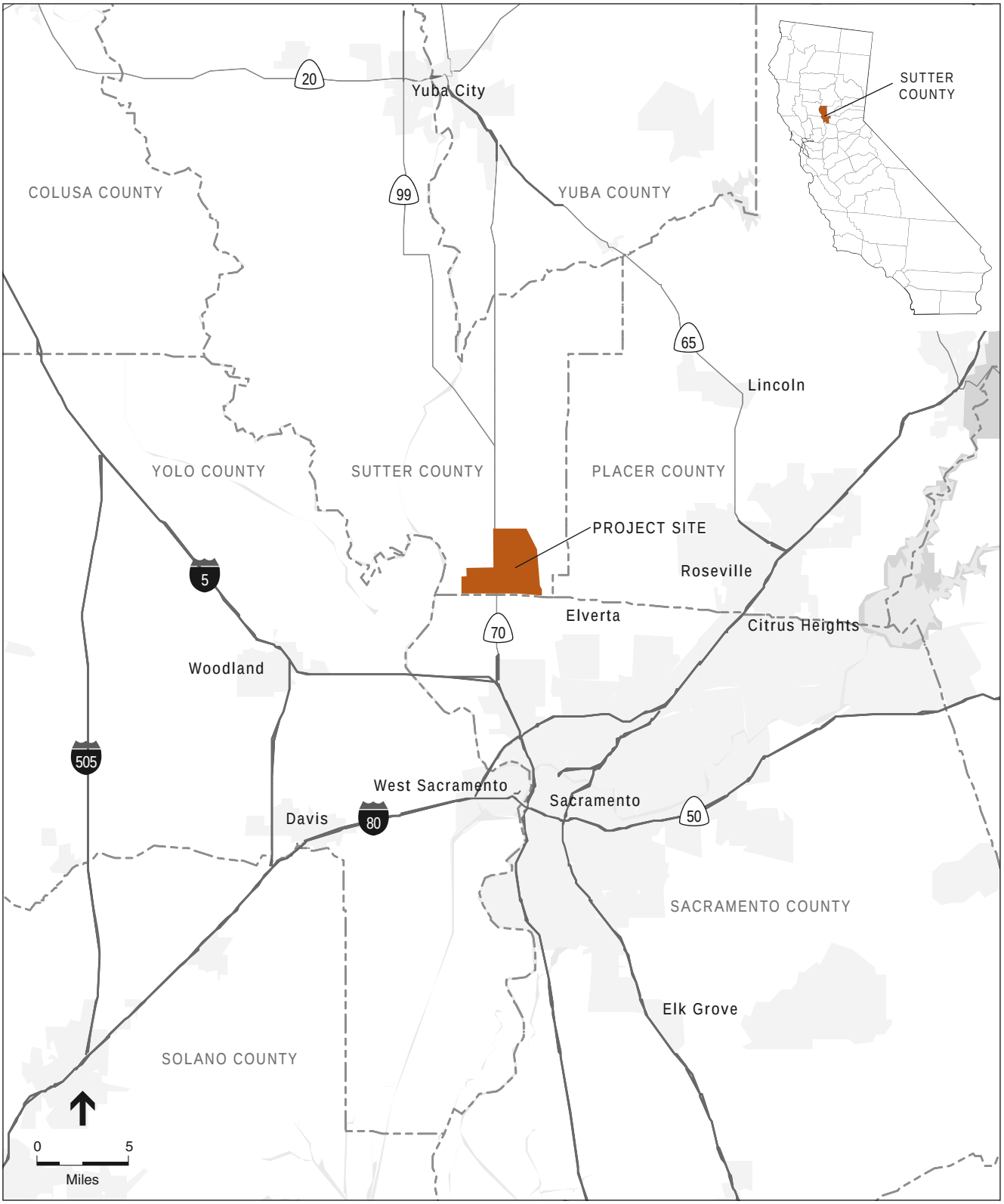
Potential Environmental Effects

The EIR will evaluate potential project-specific and cumulative environmental effects associated with the construction and/or operation of the proposed project. It is anticipated that potential environmental effects would be focused to include, but may not be limited to, the following:

- Agricultural land uses – potential short-term disruption or permanent loss of prime farmland and disruption of crop production associated with the installation of project facilities.
- Air Quality – temporary construction related emissions and long term operational emissions associated with the proposed project.
- Biological Resources (Wetland Resources) - potential loss and degradation of jurisdictional wetlands and other waters of the United States.
- Climate Change – potential short-term and long-term impacts attributed to greenhouse gas emissions and how climate change could affect proposed project operation.
- Cultural Resources – potential damage or destruction of historic-era cultural resources associated with the construction of project facilities.
- Growth Inducing Impacts – potential growth inducing impacts associated with the expansion of water supply facilities in Sutter County.
- Visual Resources – temporary construction related impacts to visual resources and the conversion of agricultural land to urban uses.

It is anticipated that the following resource areas will remain unchanged from the Sutter Pointe EIR and will not be contribute significant impacts to the Phase 1 project:

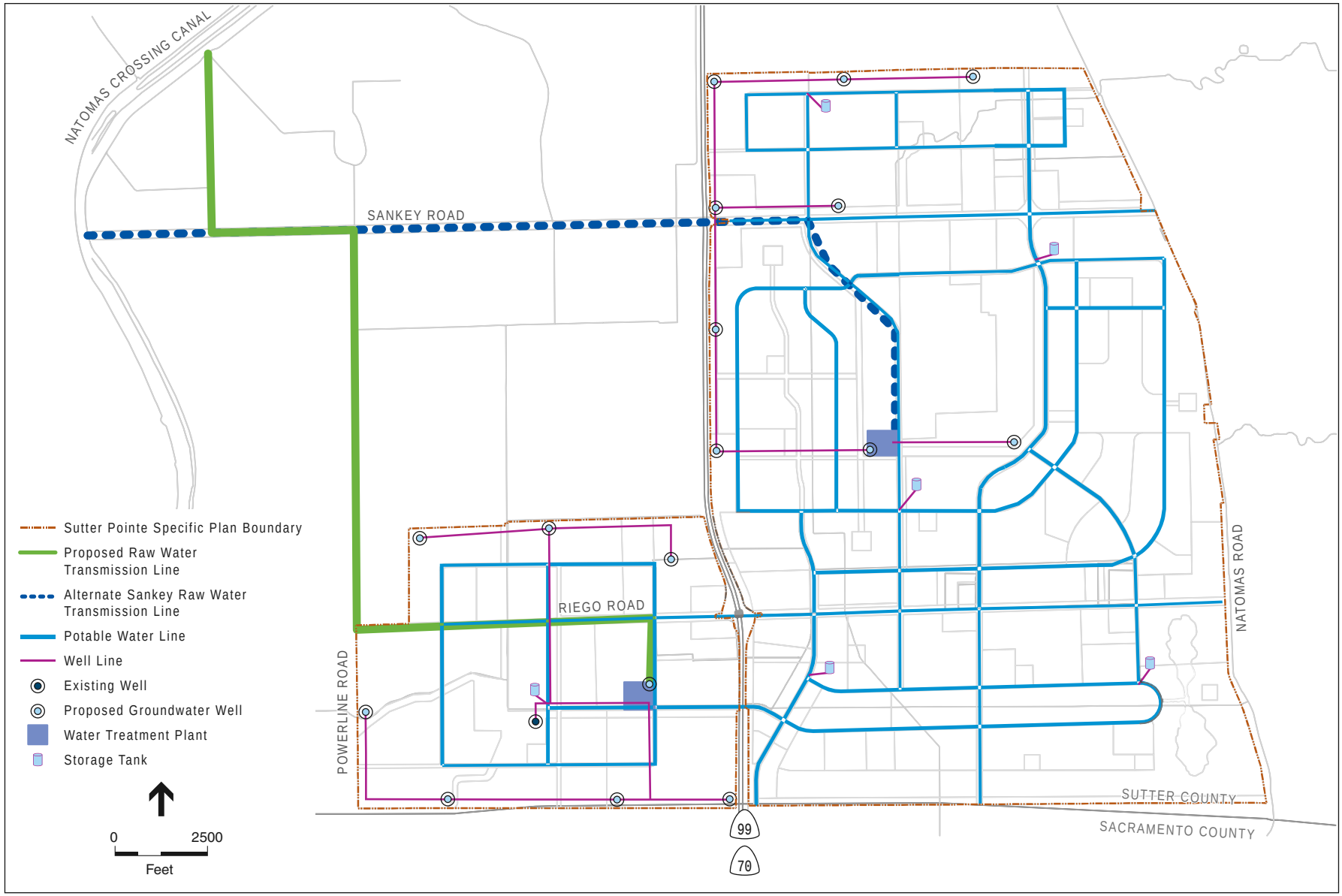
- Geology and Soils
- Hazardous Materials / Public Health
- Land Use and Planning
- Hydrology and Water Quality
- Noise
- Public Services and Utilities
- Recreation
- Transportation and Circulation



GSWC – Sutter Pointe CPCN EIR . 207584

SOURCE: DeLorme Street Atlas USA, 2000; and ESA, 2009

Figure 1
Regional Location



SOURCE: MacCay & Somps, 2008; and ESA, 2009

GSWC – Sutter Pointe CPCN EIR . 207584

Figure 2
Proposed Facility Layout

Appendix A-3

Comments on the Notice of Preparation

ESA

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

RECEIVED
JAN 21 2010
By

Notice of Preparation

January 14, 2010

To: Reviewing Agencies

Re: Golden State Water Company - Sutter Pointe CPCN EIR
SCH# 2010012025

Attached for your review and comment is the Notice of Preparation (NOP) for the Golden State Water Company - Sutter Pointe CPCN EIR draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Andrew Barnsdale
California Public Utilities Commission
CPUC c/o ESA
2600 Capitol Avenue, Suite 200
Sacramento, CA 95816

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Acting Director

Attachments
cc: Lead Agency

Document Details Report
State Clearinghouse Data Base

SCH#	2010012025
Project Title	Golden State Water Company - Sutter Pointe CPCN EIR
Lead Agency	Public Utilities Commission

Type	**NOP** Notice of Preparation
Description	The proposed project would include an integrated network of water extraction, transmission, storage, and treatment facilities to convey groundwater and surface water to municipal and industrial development in the Sutter Pointe Specific Plan Area. The water supply infrastructure would be developed in four phases of varying lengths to correspond with buildout of the Sutter Pointe Specific Plan over an approximately 20 year period. The first phase would involve the development of groundwater wells, treatment storage, and distribution infrastructure. Additional groundwater wells, treatment, storage, and distribution infrastructure would be developed under Phases 2, 3 and 4, as well as infrastructure for receipt, conveyance and treatment of surface water. At buildout, the proposed project would include the conjunctive use of groundwater and surface water to serve the Sutter Pointe Specific Plan Area which is estimated to require a water supply of approximately 25,200 acre-feet per year (AFY).

Lead Agency Contact

Name	Andrew Barnsdale		
Agency	California Public Utilities Commission		
Phone	916 231-1273	*Fax*	
email			
Address	CPUC c/o ESA 2600 Capitol Avenue, Suite 200		
City	Sacramento	*State* CA	*Zip* 95816

Project Location

County	Sutter			
City	Yuba City			
Region				
Cross Streets	SR 99, Riego Road, Sankey Road, Powerline Road			
Lat / Long				
Parcel No.	various			
Township		*Range*	*Section*	*Base*

Proximity to:

Highways	Hwy 99
Airports	Sacramento Int'l
Railways	
Waterways	Sacramento River, Natomas Cross Canal, Pleasant Grove Canal
Schools	
Land Use	Industrial/Commercial Reserve; Z: General Agricultural (AG) and General Industrial (M-2)

Project Issues	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Growth Inducing; Other Issues

Reviewing Agencies	Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 2; CA Department of Public Health; Native American Heritage Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 3; State Water Resources Control Board, Division of Water Rights; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Sacramento)

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 01/14/2010 *Start of Review* 01/14/2010 *End of Review* 02/16/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: JUTTY

SCH# [illegible]

Resources Agency

- Resources Agency — Nadell Gayou
- Dept. of Boating & Waterways — Mike Sotelo
- California Coastal Commission — Elizabeth A. Fuchs
- Colorado River Board — Gerald R. Zimmerman
- Dept. of Conservation — Rebecca Salazar
- California Energy Commission — Eric Knight
- Cal Fire — Allen Robertson
- Office of Historic Preservation — Wayne Donaldson
- Dept of Parks & Recreation — Environmental Stewardship Section
- Central Valley Flood Protection Board — James Herota
- S.F. Bay Conservation & Dev't. Comm. — Steve McAdam
- Dept. of Water Resources — Resources Agency, Nadell Gayou
- _____ Conservancy

ish and Game

- Depart. of Fish & Game — Scott Flint, Environmental Services Division
- Fish & Game Region 1 — Donald Koch
- Fish & Game Region 1E — Laurie Harnsberger
- Fish & Game Region 2 — Jeff Drongesen
- Fish & Game Region 3 — Charles Armor
- Fish & Game Region 4 — Julie Vance
- Fish & Game Region 5 — Don Chadwick, Habitat Conservation Program
- Fish & Game Region 6 — Gabrina Gatchel, Habitat Conservation Program
- Fish & Game Region 6 I/M — Brad Henderson, Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M — George Isaac, Marine Region

Other Departments

- Food & Agriculture — Steve Shaffer, Dept. of Food and Agriculture
- Depart. of General Services — Public School Construction
- Dept. of General Services — Anna Garbeff, Environmental Services Section
- Dept. of Public Health — Bridgette Binning, Dept. of Health/Drinking Water

Independent Commissions,Boards

- Delta Protection Commission — Linda Flack
- Office of Emergency Services — Dennis Castrillo
- Governor's Office of Planning & Research — State Clearinghouse
- Native American Heritage Comm. — Debbie Treadway
- Public Utilities Commission — Leo Wong
- Santa Monica Bay Restoration — Guangyu Wang
- State Lands Commission — Marina Brand
- Tahoe Regional Planning Agency (TRPA) — Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics — Sandy Hesnard
- Caltrans - Planning — Terri Pencovic
- California Highway Patrol — Scott Loetscher, Office of Special Projects
- Housing & Community Development — CEQA Coordinator, Housing Policy Division

Dept. of Transportation

- Caltrans, District 1 — Rex Jackman
- Caltrans, District 2 — Marcelino Gonzalez
- Caltrans, District 3 — Bruce de Terra
- Caltrans, District 4 — Lisa Carboni
- Caltrans, District 5 — David Murray
- Caltrans, District 6 — Michael Navarro
- Caltrans, District 7 — Elmer Alvarez
- Caltrans, District 8 — Dan Kopulsky
- Caltrans, District 9 — Gayle Rosander
- Caltrans, District 10 — Tom Dumas
- Caltrans, District 11 — Jacob Armstrong
- Caltrans, District 12 — Chris Herre

Cal EPA

Air Resources Board

- Airport Projects — Jim Lerner
- Transportation Projects — Douglas Ito
- Industrial Projects — Mike Tollstrup

- California Department of Resources, Recycling & Recovery — Sue O'Leary
- State Water Resources Control Board — Regional Programs Unit, Division of Financial Assistance
- State Water Resources Control Board — Student Intern, 401 Water Quality Certification Unit, Division of Water Quality
- State Water Resouces Control Board — Steven Herrera, Division of Water Rights
- Dept. of Toxic Substances Control — CEQA Tracking Center
- Department of Pesticide Regulation — CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- RWQCB 1 — Cathleen Hudson, North Coast Region (1)
- RWQCB 2 — Environmental Document Coordinator, San Francisco Bay Region (2)
- RWQCB 3 — Central Coast Region (3)
- RWQCB 4 — Teresa Rodgers, Los Angeles Region (4)
- RWQCB 5S — Central Valley Region (5)
  - RWQCB 5F — Central Valley Region (5), Fresno Branch Office
  - RWQCB 5R — Central Valley Region (5), Redding Branch Office
- RWQCB 6 — Lahontan Region (6)
  - RWQCB 6V — Lahontan Region (6), Victorville Branch Office
- RWQCB 7 — Colorado River Basin Region (7)
- RWQCB 8 — Santa Ana Region (8)
- RWQCB 9 — San Diego Region (9)

- Other _____

Last Updated on 01/04/2010

A.08-08-022 ALJ/KK2/sbf

ALTERNATE PROPOSED DECISION

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. LL40
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682

January 20, 2010

Andrew Barnsdale
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento, CA 95816
Attn: Sutter Pointe Project

Dear Mr. Barnsdale:

Notice of Preparation – Focused Environmental Impact Report for the Golden State Water Company Sutter Pointe

Staff for 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 (Formerly known as The Reclamation 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 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 (Title 23, California Code of Regulations CCR Section 131).

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at http://www.cvfpb.ca.gov/. Contact your local, federal and state agencies, as other permits may apply.

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

Sincerely,

James Herota

James Herota
Staff Environmental Scientist
Floodway Protection Section

cc:

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

State of California—Health and Human Services Agency

California Department of Public Health

MARK B HORTON, MD, MSPH
Director

ARNOLD SCHWARZENEGGER
Governor

January 25, 2010

Andrew Barnsdale
California Public Utilities Commission
2600 Capitol Avenue, Suite 200
Sacramento, CA 95816

RE: Golden State Water Company – Sutter Pointe CPCN EIR - 2010012025

Dear Mr. Barnsdale,

The California Department of Public Health (CDPH), Environmental Review Unit (ERU) is in receipt of the Notice of Preparation for the above project. As a responsible agency under the California Environmental Quality Act (CEQA), we appreciate the opportunity to comment.

The CDPH, Division of Drinking Water and Environmental Management is responsible for issuing water supply permits administered under the Safe Drinking Water Program. A new Water Supply Permit will need to be issued for the new groundwater wells, storage and treatment. These future developments may be subject to separate environmental review.

For questions or information on the Water Supply Permit application process, please contact the CDPH Valley District office at (530) 224-4800.

Sincerely,

Bridget Binning
CDPH Environmental Review Unit

Cc:
Project File
Richard Hinrichs

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From: Donald Kessel [redacted] Sent: Mon 2/8/2010 11:11 AM

To: CPUC-GSWC

Cc:

Subject: Sutter Pointe Specific Plan

Attachments:

View As Web Page

Andrew Barnsdale

I am interested is seeing the live comments and written comments made by the public about the Sutter Point project CPUC/EIR meetings scheduled by your office. Where can I review these comments?

Don Kessel

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1900**
Contact FAX: **(916) 574-1885**

February 9, 2010

File Ref: SCH# 2010012025

Mr. Andrew Barnsdale
California Public Utilities Commission
CPUC c/o ESA
2600 Capitol Avenue, Suite 200
Sacramento, CA 95816

Subject: Notice of Preparation of a Focused Environmental Impact Report for the Golden State Water Company – Sutter Pointe Certificate of Public Convenience and Necessity Project

Dear Mr. Barnsdale:

Staff of the California State Lands Commission (CSLC) has reviewed the subject document. Under the California Environmental Quality Act (CEQA), the Stockton East Water District is the Lead Agency and the CSLC is a Responsible and Trustee Agency for any and all portions of the project that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters.

As general background, the State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes of waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. The State owns sovereign fee title to tide and submerged lands landward to the mean high tide line (MHTL) as they existed in nature, prior to fill or artificial accretions. On navigable non-tidal waterways, the State holds fee ownership of the bed landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, as they last naturally existed. The State's sovereign interests are under the jurisdiction of the CSLC.

To the extent the proposed project involves State-owned sovereign lands including, but not limited to, the Sacramento River, a lease from the Commission may be required. Please contact Diane Jones at 916-574-1843 for information concerning our leasing requirements.

The CSLC staff has no comments on the Notice of Preparation. However, we look forward to receiving a copy of the Draft EIR once it is released for public review.

Sincerely,

Marina R. Brand

Marina R. Brand, Acting Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
D. Jones, CSLC
C. Spurr, CSLC

NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

801 K STREET • MS 20-22 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 322-1110 • FAX 916 / 322-1201 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

February 9, 2010

Andrew Barnsdale c/o
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento, CA 95816

Subject: Notice of Preparation (NOP) of a Focused Environmental Impact Report for the Golden State Water Company – Sutter Pointe Certificate of Public Convenience and Necessity Project, SCH 2010012025

Dear Mr. Barnsdale:

The Department of Conservation's Division of Gas, Oil, and Geothermal Resources (Division) has reviewed the above referenced document. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4 of the California Code of Regulations (CCR). The Department offers the following comments for your consideration.

There are four (5) plugged and abandoned wells within the project area. The wells are identified as:

1. Chevron U.S.A. Inc. **"Lauppe" 1-28** (API#101-20168) Located Sec. 28, T. 11N, R. 4E; and,

2. Mobil Expl. & Prod. N.A., Inc. **"Spangler" 1-31**, (API#101-20109) Sec. 31, T.11N, R. 4E; and,

3. Venoco Inc. **"Natomas" 1**, (API#101-00095) Sec. 4, T. 10N, R. 4E; and

4. Venoco Inc. **"Natomas" 2**, (API#101-00096) Sec. 5, T. 10N, R. 4E; and

5. Venoco Inc. **"Natomas" 3** (API#101-00097) Sec. 6, T.10N, R. 4E.

Information submitted with this document was insufficient to comment specifically on the proximity of the wells to proposed construction. A map of sufficient detail and scale should be submitted to the Division's district office in Sacramento to accurately locate the wells prior to construction. It may be necessary to excavate the wells to

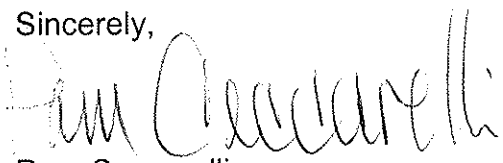
locate them precisely with respect to structures. Further requirements would be specified, based on the proximity of the wells to structures, and/or if any well casings or surface plugs are disturbed during grading or excavation.

Regardless, if any other abandoned or unrecorded wells are uncovered or damaged during excavation or grading, remedial plugging operations may be required. This office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

The Division recommends that no structure be built over or in proximity to an abandoned well location. Section 3208.1 of the Public Resources Code authorizes the State Oil and Gas Supervisor to order the re-abandonment of a previously abandoned well when construction of any structure over or in the proximity of a well could result in a hazard. The cost of re-abandonment operations is the responsibility of the owner or developer of the project upon which the structure will be located. If a well requiring re-abandonment is on an adjacent property and near the common property line, the Division recommends that the structure be set back sufficiently to allow future access to the well.

Thank you for the opportunity to comment on the NOP. If you have any questions, please contact me by phone at (916) 322-1110, or at the email address below.

Sincerely,



Pam Ceccarelli
Associate Oil and Gas Engineer
Dogdist6@conservation.ca.gov

DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

February 11, 2010

VIA FACSIMILE (916) 564-4501
Mr. Andrew Barnsdale c/o
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento California 95816

Subject: Golden State Water Company – Sutter Pointe Certificate of Public Conveyance and Necessity Project. - SCH# 2010012025

Dear Mr. Barnsdale:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation for Golden State Water Company – Sutter Pointe Certificate of Public Conveyance and Necessity Project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description:

Golden State Water Company (GSWC) has submitted Application 08-08-022 to the California Public Utilities Commission (CPUC) for a Certificate of Public Convenience and Necessity to establish a non-contiguous service area in the southern, unincorporated portion of Sutter County. The GSWC has an agreement with the Natomas Central Mutual Water Company to provide municipal and industrial water service to a proposed service area in south Sutter County known as the Sutter Pointe Specific Plan Area. The Plan Area presently includes agriculture (primarily rice fields) and industrial uses, encompassing approximately 7,500 acres in south Sutter County. It is the intent of the County and the Sutter County Water Agency to provide a new water supply infrastructure to support development of the Sutter Pointe Specific Plan Area.

The proposed project would include an integrated network of water extraction, transmission, storage, and treatment facilities to convey groundwater and surface water to municipal and industrial development in the Sutter Pointe Specific Plan Area.

The water supply infrastructure would be developed in four phases of varying lengths to correspond with build-out of the Sutter Pointe Specific Plan over an approximately 20 year period. The first phase would involve the development of groundwater wells, treatment storage, and distribution infrastructure. Additional groundwater wells, treatment, storage, and distribution infrastructure would be developed under Phases 2, 3 and 4, as well as infrastructure for receipt, conveyance and treatment of surface water. At build-out, the proposed project would include

the conjunctive use of groundwater and surface water to serve the Sutter Pointe Specific Plan Area which is estimated to require a water supply of approximately 25,200 acre-feet per year.

CEQA Project Background

An EIR for the Sutter Pointe Specific Plan was certified by the Sutter County Board of Supervisors on June 30th, 2009. The EIR included a programmatic assessment of development of the entire specific plan area and a project-level analysis for the first phase of development.

It was agreed that the CPUC would tier from and incorporate by reference information to the extent relevant and appropriate from the Water Supply Assessment prepared for the Sutter Pointe Specific Plan (adopted June 30, 2009) and the Sutter Pointe EIR in the environmental review document prepared for Application 08-08-022. In addition, Sutter County and the Sutter County Water Agency reaffirmed their interpretation that the Water Supply Assessment and Sutter Pointe EIR adequately analyzed the impacts of providing water service to Sutter Pointe whether such water service is by a County-related entity or by GSWC. Therefore, the CPUC will prepare a Focused Tiered EIR to address the environmental impacts associated with the construction and operation of new water supply infrastructure to support development of the Sutter Pointe Specific Plan Area.

Division Comments:

Per a review of the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) map for Sutter County, the proposed project site is designated Farmland of Statewide Importance, Grazing Land, Other, Urban and Built-Up, and possibly Prime Farmland.

The NOP stated that the CPUC would tier from the Water Supply Assessment prepared for the Sutter Pointe Specific Plan and from the Sutter Pointe EIR prepared for Application 08-08-022. The Division requests that any discussion and mitigation measures in the previous EIR related to agricultural impacts be discussed in the Sutter Pointe Certificate of Public Conveyance and Necessity Project Draft EIR. The Division also recommends that the Draft EIR address the following items to provide a comprehensive discussion of potential impacts of the proposed project on agricultural land and activities:

Agricultural Setting of the Project

- Location and extent of Prime Farmland, Farmland of Statewide Importance, and other types of agricultural land in and adjacent to the project area.

- Current and past agricultural use of the project area. Please include data on the types of crops grown, and crop yields and farm gate sales values.

To help describe the full agricultural resource value of the soils on the site, the Department recommends the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. Two

sources of economic multipliers can be found at the University of California Cooperative Extension Service and the United States Department of Agriculture (USDA).

Project Impacts on Agricultural Land

When determining agricultural value of the land, the Division's opinion is that although the agricultural value of a property may have been reduced over the years due to inactivity, it does not hold that there is no longer any agricultural value. The *inability* to farm the land for agriculture, rather than the refusal to do so, is what could constitute a lower agricultural value. If the lack of agriculture on agricultural land is by choice, then the property still retains agricultural value. The Division recommends the following discussion under the Agricultural Recourses section of the Draft EIR:

- Type, amount, and location of farmland conversion resulting directly and indirectly from project implementation and growth inducement from the Sutter Pointe Specific Plan, respectively.

- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, etc.

- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely projects in the future.

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

http://www.consrv.ca.gov/DLRP/qh_lesa.htm

Agricultural Preserves and Williamson Act Lands

If the project area is in an Agricultural Preserve, under a Williamson Act contract, or adjacent to such uses, then the Department recommends that the following information be provided and/or discussed in the Draft EIR:

- A map detailing the location of agricultural preserves and contracted land within each preserve. The CEQA document should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.

- An agricultural preserve is a zone authorized by the Williamson Act and established by the local government to designate qualified land to be placed under the Williamson Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Therefore, the CEQA document should also discuss any proposed General Plan or zoning designation changes within agricultural preserves affected by the project.

Mitigation Measures

The NOP stated that the project would potentially include the construction of groundwater wells, treatment storage, and distribution infrastructure, as well as infrastructure for receipt, conveyance and treatment of surface water. Some of these structures and easements may have direct impacts agricultural resources in the area.

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If growth inducing or cumulative agricultural impacts are involved, the Department recommends that this ratio of conservation easements to lost agricultural land be increased. Mitigation for the loss of Prime Farmland is suggested at a 2:1 ratio due to its importance in the State of California.

Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with California Environmental Quality Act (CEQA) Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should be conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Public Improvements and Agricultural Preserves

Government Code §51290 through §51295 explains the process and considerations that must be taken into account to place a Federal, State, or local public improvement in an agricultural preserve. It is the policy of the State to avoid, whenever practicable, the location of any public improvements or public utilities on land in an agricultural preserve. This also applies to the acquisition of land located in an agricultural preserve (§51290(a)). The Williamson Act also

states that no public agency or person shall locate a public improvement within an agricultural preserve unless the following findings can be made (§51292):

- The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (§ 51292(a)).

- If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement (§ 51292(b)).

Public Acquisitions of Contracted Land

A public acquisition is an acquisition of land located in an agricultural preserve by a public agency or person (§51291) for a public improvement (§51290.5).

Whenever it appears that land within an agricultural preserve may be acquired by a public agency or person for a public use, the public agency or person is required to advise the Director of Conservation, and the local governing body responsible for the administration of the agricultural preserve, of its intent to consider the location of a public improvement within the preserve (§51291(b)). The exception to this requirement is for the erection, construction, or alteration of gas, electric, piped subterranean water or wastewater, or communication facilities (§51291.5). In other words, all underground structures are exempt from the notification requirement; however, any above ground structures that displace agriculture on land in a preserve or under contract are not exempt and must follow the noticing requirements (*see the Public Acquisition Notification Process handout attached to this letter*)

Eminent Domain

Public agency acquisition of Williamson Act land must meet the requirements of acquisition by eminent domain or in lieu of eminent domain (e.g., Code of Civil Procedure 1230.010 et seq. and Government Code §7260 et seq.) in order to void the contract pursuant to §51295.

The Department does not provide counsel regarding eminent domain law but encourages the County to obtain legal counsel for this purpose. However, when an acquisition by a public agency with eminent domain authority, occurs without the use of eminent domain power (or in lieu of), the contract remains in effect until and unless terminated by nonrenewal (§51245), cancellation (§51282 – 51284.1), easement exchange (§51256 - 51256.1) or rescission and entry into an open space easement (§51255). Since the contract continues in effect, the uses on the land proposed by a public agency must be compatible with the contract, local rules and ordinances, and Williamson Act statute. If an agency does not have eminent domain authority or chooses not to carry out its eminent domain authority, then the project should be pursued through the termination processes mentioned above.

Thank you for giving us the opportunity to comment on the Notice of Preparation for Golden State Water Company – Sutter Pointe Certificate of Public Conveyance and Necessity Project. Please provide this Department with the completed Draft EIR, the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,

Dan Otis
Program Manager
Williamson Act Program

Enclosure: Public Acquisition Notification Process

cc: State Clearinghouse

LAND CONSERATION (WILLIAMSON) ACT
PUBLIC ACQUISITION NOTIFICATION PROCESS

The following is information about public acquisition and the notification process for public acquisition of land located in an Agricultural Preserve and/or under Land Conservation (Williamson) Act contract:

What is Public Acquisition?
Acquisition of land located in an "agricultural preserve" by a "public agency" or "person" (Government Code section 51291, subd. (a)) for a "public improvement" as defined by Government Code section 51290.5 (which includes interests in real property).

When is Notice Required?
Whenever it appears that land within an agricultural preserve may be required by a public agency or person (acting on behalf of a public agency) for a public use, the public agency or person shall advise the Director of Conservation and the local governing body responsible for the administration of the agricultural preserve of its intention to consider the location of a public improvement within the preserve (Government Code section 51291(b)).

What is Not Considered a Notice
A Public Acquisition Notice must be provided separately from a CEQA environmental notice. CEQA documents do not equal a Williamson Public Acquisition Notice.

What are the Legal Requirements for Notice?
The requirement to notice occurs three times in Williamson Act statute.

FIRST NOTICE: A public agency must notify (1) the Director of the Department of Conservation and (2) the local jurisdiction administering the agricultural preserve (City/County) when the public acquisition has the intention to acquire land in an agricultural preserve for a public purpose (Government Code section 51291(b)). The First Notice prior to acquisition should include the following information:

1. The public agency's explanation of [its] preliminary considerations of the findings of Government Code section 51292 (a) and (b));
2. A description of the agricultural preserve land the public agency intends to acquire for the public improvement;
3. A copy of any Williamson Act contract which pertains to the subject land (Government Code section 51291(b)).

- The Department must be notified in advance of any proposed public acquisition (Government Code sections 51290-51295), and specific findings must be made by the public agency.
- The public agency must consider the Department of Conservation's comments in response to the first notice prior to taking action on the acquisition.
- The property must be acquired by eminent domain or in lieu of eminent domain in order to void the contract (Government Code section 51295).

SECOND NOTICE: After acquisition (escrow has closed), the public agency shall notify the Director of Conservation within 10 working days (Government Code Section 51291 (c). The Second Notice occurs within 10 days of acquisition and should include:

1. The notice shall include a general explanation of the decision and the finings made pursuant to section 51292.
2. A general description, in text or by diagram, of the agricultural preserve land acquired (a vicinity map is good);
3. And, a copy of any applicable Williamson Act contract(s).

THIRD NOTICE (if needed):

- If there is a significant change in the public improvement, the public agency must provide notice to the Department and the local jurisdiction (e.g. the amount of land acquired increases or decreases, or project design changes) (Government Code section 51291(d)); **OR**
- If the public agency decides not to acquire the property and/or decides to return the property to private ownership;
- If the public agency decides not to use the land for the public improvement the land must be placed under a contract that is as restrictive as the one it was under before acquisition occurred (Government Code Section 51295).

All required Notices should be sent to:

Bridgett Luther, Director
Department of Conservation
Division of Land Resource Protection
801 K Street, MS 18-01
Sacramento, CA 95814-3528

DEPARTMENT OF TRANSPORTATION
DISTRICT 3
703 B STREET
P. O. BOX 911
MARYSVILLE, CA 95901-0911
PHONE (530) 741-4025
FAX (530) 741-4825
TTY (530) 741-4509

Flex your power!
Be energy efficient!

February 11, 2010

032009SUT0004
Sutter Pointe Water Infrastructure
NOP - EIR
SCH#2010012025

Mr. Andrew Barnsdale
California Public Utilities Commission
2600 Capitol Avenue, Suite 200
Sacramento, CA 95816

Dear Mr. Barnsdale,

We appreciate the opportunity to review and provide comments on the Notice of Preparation (NOP) of the Environmental Impact Report (DEIR) for the Sutter Pointe water infrastructure project in the Sutter Pointe Specific Plan Area. Caltrans has the following comments:

Traffic and Circulation

A significant traffic impact may be introduced from the construction of the proposed project. To assess the impacts to traffic circulation; Construction Duration, Trip Generation, Trip Distribution Diagram, and a Traffic Management Plan should be provided. Trip Generation rates should include the percentage of truck trips.

Hydrology

Project details including a drainage report should be submitted, to ensure there is no change in existing surface water drainage patterns in the State right-of-way.

Encroachment Permits

All work proposed and performed within the State Highway right-of-way must be in accordance with Caltrans' standards and require a Caltrans Encroachment Permit prior to commencing construction. For more information on encroachment permits, the requirements, and an application form, please visit our web page at www.dot.ca.gov/doingbusiness and then click on "Encroachment Permits" or contact the Caltrans District 3, Office of Permits at (530) 741-4403.

Please provide our office with copies of any further actions regarding this project. If you have any questions regarding these comments, please contact Sarah (Sadie) Smith, Local Development/Inter-Governmental Review Coordinator, at (530) 741-4004 or sarah_smith@dot.ca.gov.

Sincerely,

SUKHVINDER (SUE) TAKHAR, Chief
Office of Transportation Planning – North

CITY OF ROSEVILLE CALIFORNIA
Community Development
311 Vernon Street
Roseville, California 95678-2649

February 16, 2010

Andrew Barnsdale c/o
Environmental Science Associates
2600 Capitol Avenue, Ste. 200
Sacramento California 95816
Attn: Sutter Pointe Project

Via: Standard and Electronic Mail *Email: CPUC-GSWC@esassoc.com*

Subject: Focused Environmental Impact Report for the Golden State Water Company – Sutter Pointe Certificate of Public Convenience and Necessity Project. Request to be added to the Project's CEQA Distribution List

Dear Mr. Barnsdale:

The City of Roseville understands that the NOP comment period for the subject Focused EIR recently closed. Although we have no NOP comments the City does request to be added to the CEQA notices distribution list as follows:

Mr. Mark Morse, Environmental Coordinator
Roseville Community Development Department
311 Vernon Street
Roseville, CA 95678

Thank you for consideration of the above. If you have any questions please contact me at 916/774-5334.

Sincerely,

Mark Morse
Environmental Coordinator

Appendix B
Environmental Checklist

ESA

APPENDIX B
Environmental Checklist

Introduction

The California Public Utilities Commission (CPUC) has determined it would prepare a Focused Tiered Environmental Impact Report (EIR) consistent with CEQA Guidelines Section 15152 to provide the public and decision-makers with additional information regarding the conformity of the facilities proposed under the Golden State Water Company – Sutter Pointe Certificate of Pubic Convenience and Necessity Project (GSWC – Sutter Pointe CPCN or proposed project) with the facilities proposed in the Sutter Pointe Specific Plan (SPSP) and evaluated in the SPSP EIR. The SPSP EIR (SCH #2007032157) was certified by the Sutter County Board of Supervisors on June 30th, 2009. The SPSP EIR included a programmatic assessment of development of the entire specific plan area and a project-level analysis for the first phase of development (Program EIR). The SPSP EIR stated that it was the intent of Sutter County and the Sutter County Water Agency (SCWA) to form a community services district or other County-related entity to provide water utility service for the SPSP but also identified the intent of GSWC to provide water service for the SPSP. The SPSP EIR analysis of impacts associated with water services assumed that such services could be provided either by a County-related entity or by GSWC, and that, "[r]egardless of the entity that provides the service,…the same sources of water supply would be used, therefore the analysis of the physical water availability would not change …."

This Environmental Checklist identifies the project-specific effects of the proposed project, and whether or not those effects have been adequately addressed in the SPSP EIR. Consistent with CEQA Guidelines Section 15150, the SPSP EIR is incorporated by reference into this Environmental Checklist, including applicable environmental setting, impact analysis and mitigation measures. Information developed as part of the Certificate of Public Convenience and Necessity Proponent's Environmental Assessment (PEA) (CPUC, 2008) is also included in the Environmental Checklist discussions. A more detailed discussion of tiering is included in Chapter 1, Introduction, of this Focused Tiered EIR. A complete description of the proposed project is presented in Chapter 2, Project Description. Additional analysis of environmental impacts not adequately addressed in the SPSP EIR is included in the technical issue sections of Chapter 3, Environmental Analysis.

Environmental Checklist

This Environmental Checklist is based on the checklist suggested in Appendix G of the CEQA Guidelines. The checklist has been updated to include proposed amendments to the CEQA Guidelines, including Appendix G, anticipated to be adopted in early 2010. The checklist has also

been adapted to assist in evaluating the environmental effects of the proposed project with respect to the analysis in the SPSP EIR.

Each environmental issue includes a discussion of the following: background (where in SPSP EIR the environmental issue is discussed; summary of existing conditions; applicable SPSP EIR standards of significance; applicable SPSP EIR impacts and mitigation measures; and discussion of environmental checklist items, including findings for potential project effects. The Environmental Checklist identifies potential project effects as corresponding to the following categories of environmental impacts:

- **Potentially Significant Impact**: An affect that was not adequately address in the SPSP EIR and may be significant based on substantial evidence and the significance criteria. This impact is will be further evaluated in the GSWC – Sutter Pointe CPCN Focused Tiered EIR.
- **Less than Significant Impact**: An effect for which no significant impacts, only less than significant impacts, result.
- **No Impact**: The project does not create an impact.
- **Impact Adequately Addressed in SPSP EIR**: An effect that was adequately addressed and mitigated to the extent feasible in the SPSP EIR. For these effects an explanation is provided as to how the effect was addressed in the SPSP EIR and why the criteria for supplemental environmental review under CEQA Section 21166 (project changes, changed circumstances, and/or new information) have not been triggered. Effects correspond to this category under the following circumstances:
    - The SPSP EIR found that the impact would be reduced to a less-than-significant level with the implementation of applicable SPSP EIR mitigation measures. Mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate identified impacts associated with implementation of the proposed project. These mitigation measures would be implemented, enforced and monitored as defined in the Mitigation Monitoring and Reporting Program (MMRP) for the SPSP EIR. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements of the SPSP EIR MMRP.
    - The impact is significant unavoidable at a project level, but the SPSP EIR contained an adequate project-level analysis for the impact.

Summary of Environmental Factors Potentially Affected

As identified in this Environmental Checklist, it has been determined that the proposed project would not result in any potentially significant impacts that are not sufficiently addressed and mitigated by the SPSP EIR with the exception of the following environmental issues checked below:

☒ Aesthetics	☒ Agriculture and Forest Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Geology, Soils and Seismicity
☒ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials	☐ Hydrology and Water Quality
☐ Land Use and Land Use Planning	☐ Mineral Resources	☐ Noise
☐ Population and Housing	☐ Public Services	☐ Recreation
☐ Transportation and Traffic	☐ Utilities and Service Systems	

The analysis of these environmental issues is included in Chapter 3 of this Focused Tiered EIR.

Aesthetics

Section 3.16 of the SPSP EIR addresses the aesthetics effects of build out of the SPSP. The following discussion summarizes information presented in Section 3.16, page 3.16-18 through 3.16-23 of the SPSP EIR.

Environmental Setting

The project area is a generally flat, low-lying alluvial plain; elevation varies from approximately 15 feet above mean sea level at the west end of the project area to 37 feet above mean sea level at the east end. The project area is primarily in agricultural use, with the majority being rice fields. The project area includes approximately 5,203 acres of active rice fields and approximately 863 acres of fallow rice fields. There are also approximately 242 acres of upland cropland present in the project area (wheat and other grain crops, safflower, and alfalfa), approximately 827 acres of nonnative annual grassland, and approximately 27 acres of irrigated grassland managed primarily for hay production. The project area also includes a network of canals and ditches used to support the existing on-site agricultural activities (Sutter County, 2008).

The project area also includes approximately 381 acres of non agricultural lands and facilities typically found in agricultural settings, such as equipment storage facilities, sheds, single-family dwellings, and irrigation canals and equipment, as well as a number of industrial/commercial facilities. These facilities are located primarily along Pacific Avenue and Natomas Road and include the 50-acre Sysco Corporation warehouse and distribution center, the Holt Tractor manufacturing facility, and an approximately 30-acre area occupied by A&N Auto Repair and AR Readymix.

The project area is most visible from State Route (SR) 99/70, which provides the most common viewing corridor. The project area is also visible from public roadways that border and cross the project area, including Powerline Road on the west, Riego Road through the southern portion of the project area, Pacific Avenue and Sankey Road in the northern portion of the project area, and Natomas Road along the eastern boundary of the area. Although the project area is visible from the vantage of agricultural lands, isolated farmsteads or rural residences, and commercial buildings, these views are seen exclusively from limited numbers of privately owned properties. There are no designated scenic vistas or designated state scenic highways in the project area.

SPSP EIR Standards of Significance

The SPSP EIR considered an aesthetic impact significant if build out of the SPSP would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on aesthetic resources are evaluated in Section 3.16 of the SPSP EIR. Aesthetic resource impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Aesthetics		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.16-1	**Alteration of a Scenic Vista**. Implementation of the proposed project would not result in the degradation of the visual quality of a scenic vista.	LS	NA
3.16-2	**Damage to Scenic Resources within a State Scenic Highway**. Implementation of the proposed project would not damage scenic resources and is not visible from a state-designed scenic highway.	LS	NA
3.16-3	**Degradation of Visual Character.** Project implementation would substantially alter the visual character of the project site through conversion of agricultural land to developed urban uses.	S	SU
3.16-4	**Temporary Degradation of Visual Character for Developed Project Land Uses during Construction.** The presence and movement of heavy construction equipment and staging areas could temporarily degrade the existing visual character and/or quality of the project site and surrounding area.	S	SU
3.16-5	**New Light and Glare.** Project implementation would require lighting of new development, which could inadvertently cause increased light and glare.	S	LS
3.16-6	**New Skyglow Effects.** The proposed project would require lighting of new development that would result in increased skyglow effects, effectively obscuring views of stars, constellations, and other features of the night sky.	S	SU

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate aesthetic impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Aesthetics	
3.16-4	Screen Construction Staging Areas.
3.16-5	Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan.

Environmental Checklist and Discussion

The following section addresses the effects of the proposed project on aesthetics.

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
1.	**AESTHETICS—Would the project:**				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor?	☐	☐	☒	☐
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☒	☐	☐	☐
d)	Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	☒	☐	☐	☐

Discussion

a) Because none of the features of the proposed project would be visible from a publicly accessible location that provides a scenic vista, no impact would occur and this issue will not be evaluated in the Focused Tiered EIR.

b) The project site is more than 10 miles from the closest officially designated State Scenic Highway and is not be visible from it. No impact would occur and this issue will not be evaluated in the Focused Tiered EIR.

c) Temporary construction activities and proposed project facilities such as storage tanks, treatment plants, booster pumps and to a lesser extent wellheads, could affect the existing visual character and quality of the project area. Even with the implementation of SPSP EIR Mitigation Measure: 3.16-4 project features could potentially alter the existing agricultural character of the project area. This issue will be evaluated in the Focused Tiered EIR.

d) Night lighting of project facilities for operation and safety could potentially create new sources of light and glare. Water treatment facilities and storage tanks would be operated 24 hours per day, 7 days per week and would require night lighting for safety and security. The lights would provide illumination on under normal conditions, for safety under emergency conditions, and for manual operations during a power outage. Even with the implementation of SPSP EIR Mitigation Measure: 3.16-5 project lighting could result in increased skyglow effects, effectively obscuring views of stars, constellations, and other features of the night sky. This issue will be evaluated in the Focused Tiered EIR.

Summary

Because the project site would not impact a scenic resource or is within a state scenic highway, the project would have no impact no these resources. SPSP EIR Mitigation Measures 3.16-4 and 3.16-5 would be implemented as part of the proposed project and would reduce impacts relating

to the degradation of the visual character of the project area; however, project impacts could remain significant and unavoidable and they will be evaluated in the Focused Tiered EIR.

Agricultural and Forest Resources

Section 3.11 of the SPSP EIR addresses the effects to agricultural resources under build out of the SPSP. The following discussion summarizes information presented in Section 3.11, page 3.11-5 through 3.11-9 of the SPSP EIR.

Environmental Setting

Prior to the adoption of the SPSP, the proposed project area was within the 9,500-acre "Sutter County Industrial-Commercial Reserve" designated in the 1996 Sutter County General Plan to accommodate employment-related uses. Most of the undeveloped land in the proposed project area and vicinity was zoned General Agricultural (AG) with 80-acre minimum lot sizes. Upon adoption of the SPSP in 2009, the area was rezoned with a new Specific Plan (SP) zoning district and removed all agricultural zoning.

The Sutter County Important Farmland map, published by CDC's Division of Land Resource Protection, designates the project area as Important Farmland (CDC 2004a). The project area currently includes 1,899 acres of Prime Farmland, 5,036 acres of farmland of statewide importance, 332 acres of grazing land, and 113 acres of other land. The project area contains a total of approximately 6,935 acres of Important Farmland, which accounts for approximately 2.4 percent (%) of Important Farmland in Sutter County. None of the land within the project area is held under Williamson Act contract. In addition, there are no forest resources on the project site.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact to agricultural resources significant if build out of the SPSP would:

- Convert Important Farmland (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use;
- Conflict with existing zoning for agricultural use or a Williamson Act contract; and
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland to nonagricultural use.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on agricultural and forest resources are evaluated in Section 3.11 of the SPSP EIR. Agricultural and forest resource impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Agricultural Resources		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.11-1	**Permanent Conversion of Important Farmland to Nonagricultural Urban Uses**. Implementation of the proposed project would result in the permanent conversion of Important Farmland to nonagricultural uses.	S	SU
3.11-2	**Cancellation of Williamson Contracts**. Implementation of the proposed project would not result in the cancellation of Williamson Act contracts, because none of the lands are currently under Williamson Act.	LS	NA
3.11-3	**Conflict with Existing On-Site and Off-Site Agricultural Operations**. Implementation of the proposed project would locate urban land uses adjacent to existing agricultural lands, which could impair adjacent agricultural activities, result in land use compatibility conflicts, and potentially result in the ultimate conversion of this land to nonagricultural land uses.	S	SU
3.11-4	**Potential Temporary, Short--Term Disruption of Existing Agricultural Operations during Construction**. Implementation of the proposed project could potentially affect existing agricultural operations and result in a temporary, short- or long-term loss in agricultural productivity.	PS	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

No Mitigation Measures from the SPSP EIR are relevant to the proposed project for agricultural resources.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
2. AGRICULTURAL AND FOREST RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland of Statewide Importance to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

a) The majority of the soil map units within the project area are considered Prime or Farmland of Statewide Importance. Project facilities, including wellheads, treatment plants, storage tanks, and booster pumps would be sited on areas of important farmlands and this is a potentially significant impact. This issue will be evaluated in the Focused Tiered EIR.

b) Per the adopted SPSP Land Use and Development Code, the project area is not zoned for agricultural use nor is any part of the project area under Williamson Act Contract (Sutter County, 2009). As a result, implementation of the proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur and this issue will not be evaluated in the Focused Tiered EIR.

c,d) Per the adopted SPSP Land Use and Development Code, the project area is not zoned as forest land and would therefore not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur and this issue will not be evaluated in the Focused Tiered EIR.

e) The proposed project would be the first step in the approved conversion of the project area from farmland to nonagricultural use. This development is consistent with the Sutter County General Plan, Sutter County Measure M objectives, and the recently adopted SPSP and EIR. Implementation of the proposed project would not contribute to the conversion of farmland above and beyond the levels already evaluated in the SPSP EIR. This impact is considered to be adequately addressed in the SPSP EIR and will not be further evaluated in the Focused Tiered EIR.

Summary

Implementation of the proposed project would not conflict with zoning for agricultural or forest lands, conflict with existing Williamson Act contracts, or result in the conversion of farmland or forest lands to urban uses outside that already planned by the SPSP EIR. However, the proposed project could permanently convert important farmland to nonagricultural urban uses and this will be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Sutter County, 2009. Sutter Pointe Specific Plan Land Use and Development Code, June 2009.

Air Quality

Section 3.4 of the SPSP EIR addresses the air quality effects of growth under build out of the SPSP. The following discussion summarizes information presented in Section 3.4, page 3.4-16 through 3.4-23 of the SPSP EIR

Environmental Setting

May through October is ozone season in the Sacramento Valley Air Basin (SVAB) and is characterized by poor air movement in the mornings and the arrival of the Delta sea breeze from the southwest in the afternoons. In addition, longer daylight hours provide a plentiful amount of sunlight to fuel photochemical reactions between Reactive Organic Gasses (ROG) and Nitrogen Oxides (NO_x), which in turn result in ozone formation. Typically, the Delta breeze transports air pollutants northward out of the SVAB; however, during approximately half of the time, from July through September, a phenomenon known as the Schultz Eddy prevents this from occurring. The Schultz Eddy phenomenon causes the wind pattern to shift southward, blowing air pollutants back into the SVAB. This phenomenon exacerbates the concentration of air.

Mobile sources are the largest contributor to the estimated annual average levels of ROG, carbon monoxide (CO), and NO_X in Sutter County, accounting for approximately 40%, 72%, and 72%, respectively, of the total emissions. Areawide sources account for approximately 83% and 64% of the county's PM_{10} and $PM_{2.5}$ emissions, respectively. Stationary and mobile sources account for approximately 43% and 31%, respectively, of the County's emissions of sulfur oxides (SOX) (ARB 2008f).

SPSP EIR Standards of Significance

The SPSP EIR considers an air quality impact significant if build out of the SPSP would:

- Conflict with or obstruct implementation of the applicable air quality plan,
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation,
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS) (including releasing Emissions that exceed quantitative thresholds for ozone precursors),
- Expose sensitive receptors to substantial pollutant concentrations, or
- Create objectionable odors affecting a substantial number or people.

In accordance with the Feather River Air Quality Management District (FRAQMD)-recommended thresholds for evaluating project-related air quality impacts (including FRAQMD's Indirect Source Review Guidelines), implementation of the proposed project would be considered significant if operation of the proposed project would (FRAQMD 2008a):

- Exceed the project size screening levels of FRAQMD's Indirect Source Review Guidelines (FRAQMD 2008c) or, at a project level, emit (from all project sources, both stationary and mobile) greater than 25 lb/day for ROG or NO_X and 80 pounds per day (lb/day) for PM_{10};
- Contribute to localized concentrations of air pollutants at nearby receptors that would exceed applicable ambient air quality standards;
- Result in exposure of sensitive receptors to a substantial incremental increase in toxic air contaminants (TAC) emissions (e.g., stationary or mobile source) that exceed 10 chances per million for excess cancer risk and/or a hazard index of 1 for noncancer risk at the Maximally Exposed Individual (MEI). As incremental increase thresholds, it is FRAQMD's implied intention that these standards also serve as cumulative contribution thresholds; or
- Result in the frequent exposure of sensitive land uses to odorous emissions.
- No significance thresholds have been established by the FRAQMD for exposure of sensitive receptors to mobile source TAC emissions.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on air quality are evaluated in Section 3.4 of the SPSP EIR. Air quality impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Air Quality		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.4-1	**Generation of Temporary, Short-Term Construction Emissions of ROG, NOX, and PM10**. Construction activities associated with development of the proposed project would generate temporary, short-term emissions of PM10, ROG, and NOX. Because of the large size of the project, construction generated emissions of NOX, an ozone precursor, would exceed air district-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS.	S	SU
3.4-2	**Generation of Long-Term Operational (Regional) Emissions of ROG, NOX, and PM10**. Operational area- and mobile-source emissions related to implementation of the proposed project would exceed the FRAQMD-recommended threshold of 25 lb/day for ROG and NOX and 80 lb/day for PM10 and would result in or substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS. In addition, because of the large increase in emissions associated with buildout of the proposed project and the fact that the proposed project is not within an already approved plan (which means that increased emissions would not already be accounted for in applicable air quality plans), project implementation could conflict with air quality planning efforts.	S	SU
3.4-3	**Generation of Local Mobile-Source CO Emissions**. Project-generated local mobile-source CO emissions would not result in or substantially contribute to concentrations that exceed the 1-hour ambient air quality standard of 20 ppm or the 8-hour standard of 9 ppm.	LS	NA
3.4-4	**Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants**. Project implementation would result in exposure of sensitive receptors to short- and long-term emissions of TACs from on-site mobile and stationary sources.	S	SU

SPSP EIR IMPACTS (cont.)

Air Quality		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.4-5	**Possible Exposure of Sensitive Receptors to Odorous Emissions**. Short-term construction and long-term operation of the proposed project could result in the frequent exposure of sensitive receptors to substantial objectionable odor emissions.	S	LS
3.4-6	**Generation of Temporary, Short-Term Construction-Related Emissions of Criteria Air Pollutants and Precursors**. Project-generated, construction-related emissions of ROG and NOX would exceed the FRAQMD's significance threshold of 25 lb/day, and emissions of PM10 would exceed the FRAQMD's significance threshold of 80 lb/day. Thus, project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.	S	SU
3.4-7	**Generation of Long-Term Operation-Related (Regional) Emissions of Criteria Air Pollutants and Precursors**. Operation-related activities associated with the land uses developed in Phase 1 and Phase A would result in mass emissions of ROG, NOX, and PM10 that exceed the FRAQMD's significance thresholds of 25 lb/day, 25 lb/day, and 80 lb/day, respectively. Thus, project generated, operation-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation and/or expose sensitive receptors to substantial pollutant concentrations, especially considering the nonattainment status of Sutter County with respect to ozone and PM10. In addition, because the FRAQMD's significance thresholds approximately correlate with reductions from heavy-duty vehicles and land use project emission reduction requirements in the SIP, project-generated emissions could also conflict with air quality planning efforts.	S	SU
3.4-8	**Generation of Local Mobile-Source CO Emissions**. Project-generated local mobile-source CO emissions would not result in or substantially contribute to concentrations that exceed the 1-hour ambient air quality standard of 20 ppm or the 8-hour standard of 9 ppm.	LS	NA
3.4-9	**Exposure of Sensitive Receptors to Short-and Long-Term Emissions of Toxic Air Contaminants**. Project implementation would result in exposure of receptors to short- and long-term emissions of TACs from on-site mobile and stationary sources.	PS	SU
3.4-10	**Possible exposure of Sensitive Receptors to Odorous Emissions**. Short-term construction and long-term operation of Phase 1 and Phase A could result in the frequent exposure of sensitive receptors to substantial objectionable odor emissions.	S	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measure from the SPSP EIR was adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate air quality impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Air Quality	
3.4-1	Develop and Implement Applicable Air District-Endorsed Project-Level Air Quality Mitigation Plan for All Phases of Construction.

Environmental Checklist and Discussion

The following section addresses the effects of the proposed project on

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
3. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☒	☐	☐

Discussion

a) The Reasonable Further Progress (RFP) Plan for the Federal 8-hour Ozone State Implementation Plan, the North Sacramento Planning Area 2006 Air Quality Management Plan (AQMP), and the Sutter County General Plan Update Technical Background Report (PBS&J, 2008) were reviewed to determine whether the project would conflict with implementation of these plans. The RFP was prepared with input from the five local air districts: SMAQMD, FRAQMD, the Yolo-Solano Air Quality Management District, the Placer County Air Pollution Control District, and the El Dorado County Air Quality Management District. The RFP documents the strategy that will be used in the Sacramento region to make progress toward attaining the federal ozone standard through the year 2011.

Although operation of the project would result in ozone emissions, the project would be consistent with the strategies and control measures in the RFP and AQMP because the main source of emissions would be from permitted operational sources. Compliance with strategies established by the plans also would provide consistency goals and policies for air quality in the Sutter County General Plan. Therefore, the project would not conflict with implementation of the applicable air quality plan. No impact would occur and this issue will not be evaluated in the Tiered Focused EIR.

b,c) Construction activities associated with development of the proposed project would generate temporary, short-term emissions of PM_{10}, ROG, and NO_X. Construction generated emissions of NO_X, an ozone precursor, could potentially exceed air district-recommended thresholds and would contribute to emissions concentrations that exceed the NAAQS or CAAQS. This issue will be evaluated in the Focused Tiered EIR.

d) Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air. Hospitals, schools,

convalescent facilities, and residential areas are examples of sensitive receptors. The project area in south Sutter County is largely undeveloped and sensitive receptors are not located near areas where construction activities are expected. Additionally, the project is not expected to result in substantial pollutant concentrations outside of the temporary construction phase of the project. Therefore, the impact on sensitive receptors from project emissions would be less than significant and this issue will not be evaluated in the EIR.

e) The types of facilities that generate odors during operation would be wastewater treatment plants, food processing plants, chemical plants, landfills, dairies, or rendering plants. The project is a municipal water facility that is not expected to produce objectionable odors. Water treatment, either through physical processes such as gravitational settling, filtration, or through chemical treatment to disinfect the water, has some potential for odor generation. Odors may derive from organic material suspended in the water, from outgassing of dissolved gases used for disinfection, or from sludge that has been removed from the water during treatment. Because municipal water facilities typically do not result in objectionable odors, and project facilities are sited away from existing sensitive receptors, it is not anticipated that sensitive receptors would be adversely affected. This impact is less than significant and it will not be evaluated in the Tiered Focused EIR.

Summary

Implementation of the proposed project would not conflict with or obstruct the implementation of an applicable air quality plan, or expose sensitive receptors to substantial pollutant concentrations or objectionable odors. SPSP EIR Mitigation Measure 3.4-1 would be implemented as part of the proposed project and would reduce the potential significant temporary construction and long term operational emissions impacts; however, this impact could remain significant and unavoidable. Therefore, the potential for the proposed project to generate significant temporary construction and long term operational emissions will be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Biological Resources

Section 3.13 of the SPSP EIR addresses effects of growth under build out of the SPSP on biological resource. The following discussion summarizes information presented in Section 3.13, page 3.13-9 through 3.13-27 of the SPSP EIR.

Environmental Setting

Special-Status Wildlife Species

The SPSP EIR identified a total of 28 special-status wildlife species with the potential to occur in the project vicinity including records of giant garter snake (Thamnophis gigas), black-crowned night-heron (Nycticorax nycticorax), and burrowing owl (Athene cunicularia). Other special-status wildlife species that were determined to potentially occur in the project area are Swainson's hawk

(Buteo swainsoni), white-tailed kite (Elanus leucurus), tricolored blackbird (Agelaius tricolor), white-faced ibis (Plegadis chihi), greater sandhill crane (Grus Canadensis tabida), loggerhead shrike (Lanius ludovicianus), and northwestern pond turtle (Emys marmorata marmorata). Vernal pool tadpole shrimp (Lepidurus packardi) and vernal pool fairy shrimp (Branchinecta lynchi) have been documented east of the project area but are not expected to occur on-site because no suitable vernal pool habitat has been identified. The seasonal wetland on the project area is not considered suitable habitat for venial pool tadpole shrimp or vernal pool fairy shrimp because it is located in a plowed field that has recently been used for growing hay (ECORP 2007).

Special-Status Plant Species

Eight special-status plants were evaluated for their potential to occur in the project area and in proposed off-site improvement areas. Two of the eight species were determined to have potential to occur on the project area: Sanford's arrowhead (*Sagittaria sanfordii*) and Delta tule pea (*Lathyrus jepsonii jepsonii*).

A focused survey for special-status plants was conducted in the project area by ECORP on April 13 and June 16, 2005 (Appendix I of the SPSP EIR). The survey was conducted in accordance with the California Department of Fish and Game (CDFG) and the United States Fish and Wild Life Service (USFWS) guidelines. No special-status plant species were found during the survey (ECORP 2006a). Although the species were not detected during on-site surveys, slow-moving freshwater habitats, including ponds, marshes, and ditches on-site, provide potential habitat for Sanford's arrowhead and Delta tule pea. The larger canals and ditches on-site support potential habitat for both plants.

Wetland and Riparian Habitat Types

Wetland and riparian habitats present in the project area and within the alignments of proposed new infrastructure and improvements to existing infrastructure include irrigation canals and ditches, seasonal wetlands, freshwater emergent marsh, and riparian areas.

Irrigation Canals and Ditches

The project area includes an extensive network of canals and ditches that are part of a complex agricultural supply and drainage system managed by Reclamation District (RD) 1000 and the Natomas Central Mutual Water Company (NCMWC), a private, nonprofit water company. This system is completely enclosed by levees, so there is no natural drainage out of the basin. RD 1000 operates the primary drainage canals within the basin and is responsible for conveying and pumping storm runoff from the basin. The basin's closely related agricultural ditch system is operated by the NCMWC, RD 1000 maintains drainage through miles of major and minor ditches using seven pump stations. Urban and agricultural drainage water is eventually pumped out of the basin and into the Sacramento River.

ECORP (2007) indentified approximately 67 acres of irrigation canals in the project area. This acreage figure represents only larger canals and ditches. Smaller features, such as temporary ditches and furrows, were not mapped by ECORP because they are reconstructed on a regular basis as part of normal farming practices. The canals and ditches range from temporary features generally less

than five feet wide and one foot deep to permanent drainage features of up to 30 feet wide and several feet deep.

There are approximately 15 miles of canals, including four miles of the North Main Canal, and approximately 22 miles of ditches, including four miles of larger main drains on the project area. The Natomas East Main Drainage Canal (NEMDC) is located immediately east of the project area. Most of the ditches on the project area are not vegetated except for relatively narrow strips of wetland vegetation at the ordinary high-water mark. Also present are scattered mature Goodding's black willow (*Salix gooddingii*) and Fremont's cottonwood (*Populus fremontii*) along the banks.

Seasonal Wetlands

A four-acre seasonal wetland is located in the northeast corner of the project area. The seasonal wetland receives runoff during the wet season from natural precipitation and through periodic irrigation runoff from the adjacent rice field and pastures. The drainage pattern and the topography surrounding this wetland suggest that irrigation runoff contributes to the hydrology. The wetland is situated within a field that is planted for hay crops that has not been leveled. The field had been plowed before the ECORP field survey, so most of the vegetation could not be identified (ECORP 2007). Scattered plant species that remained identifiable included

Mediterranean barley (*Hordeum marinurn*), ryegrass (*Lolium* spp.), vetch (*Vicia* spp.), and soft brome. Plant species present in the adjacent upland areas included wild oats and ryegrass.

Freshwater Emergent Marsh

The project area includes approximately nine acres of freshwater emergent marsh (NBC 2007a). Part of this acreage corresponds to the remnant channel of Curry Creek, which was not included in the ECORP wetland delineation survey area. Curry Creek was redirected/channelized sometime after 1975, and only a truncated portion remains (ECORP 2007). The remnant creek bed is now used for irrigation purposes and functions much like an irrigation ditch, receiving controlled flows. The remainder of the freshwater emergent marsh habitat mapped on the project area is located along Natomas East Main Canal at the eastern boundary of the project area. Vegetation commonly found in freshwater emergent marshes include cattail (*Typha* spp.), sedges (*Carex* ssp.), and bulrush (*Scirpus* spp.).

Riparian Areas

The project area includes approximately two acres of riparian habitat. Riparian habitat includes both scrub and woodland habitats. The SPSP EIR identified riparian woodland along the remnant portion of Curry Creek in the Brennan Tract and riparian scrub along the Natomas East Main Canal (NEMDC). These areas are typified by the presence of woody vegetation, such as shrubby willows (*Salix exigua* and *Salix lasiolepis*) and cottonwood.

Natomas Basin Habitat Conservation Plan

The 2003 Natomas Basin Habitat Conservation Plan (NBHCP) (City of Sacramento 2003) was prepared by the City of Sacramento, Sutter County, and the Natomas Basin Conservancy (NBC). It was developed to promote biological conservation in conjunction with economic and urban development in the Natomas Basin. The NBHCP establishes a multispecies conservation program to minimize and mitigate the expected loss of habitat values and incidental take of "covered species" that could result from urban development and operation and maintenance of irrigation and drainage systems. The NBHCP authorizes take associated with 17,500 acres of urban development in southern Sutter County and in the city of Sacramento and Sacramento County (i.e., 8,050 acres for the city of Sacramento, 7,467 acres for Sutter County, and 1,983 acres of Metro Air Park in Sacramento County).

The NBHCP was developed to promote biological conservation within the Natomas Basin in conjunction with economic and urban development. The plan provides an expedited process for approving development projects and establishes a multispecies conservation program to minimize and mitigate the expected loss of habitat values and incidental take of 22 "covered species" that could result from that development. The Natomas Basin consists of ±53,000 acres. The NBHCP authorizes take associated with 17,500 acres of urban development in the Basin, within southern Sutter County and within the City and County of Sacramento. USFWS approved the NBHCP in 2003 and issued Incidental Take Permits (ITP) to the City of Sacramento and Sutter County for take of federally listed species resulting from permitted activities. The ITPs provide authorization for take of covered species provided the proposed project conforms to the objectives and goals of the NBHCP. As described in the SPSP EIR, the boundaries of the project area are the same as the boundaries of the south Sutter permit area.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact to biological resources significant if build out of the SPSP would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFG or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by DFG or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (CWA) (including, but not limited to, marshes, vernal pools, and coastal areas) or any state-protected wetlands not subject to regulation under Section 404 of the CWA through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;

- Conflict with the provisions of an adopted habitat conservation plan; natural community conservation plan; or other approved local, regional, or state habitat conservation plan; or
- Substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

SPSP EIR Impacts and Mitigation Measures

Impacts of build out of the SPSP on biological resources are evaluated in Section 3.13 of the SPSP EIR. Biological resource impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Biological Resources		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.13-1	**Effects on Giant Garter Snake**. Implementation of the proposed project would result in both direct and indirect impacts on the giant garter snake. These impacts would include loss and degradation of existing habitat and effects on habitat connectivity.	PS	LS
3.13-2	**Potential Loss and Degradation of Jurisdictional Wetlands and Other Waters of the United States and Waters of the State**. Implementation of the proposed project could result in the placement of fill material into jurisdictional waters of the United States, including wetlands subject to USACE jurisdiction under the federal CWA, and the potential loss and degradation of wetland habitats protected under state and local regulations.	S	PSU
3.13-3	**Effects on Swainson's Hawk**. Implementation of the proposed project would result in the direct short- and long-term loss of Swainson's hawk foraging habitat within the project site and off-site improvement areas, potential nest tree removal, and disturbance during breeding season.	PS	LS
3.13-4	**Potential Loss and Degradation of Habitat for Special-Status Fish and Wildlife**. Implementation of the proposed project could result in the loss and degradation of habitat for a number of special-status wildlife species. The black-crowned night-heron and burrowing owl have both been documented on the project site. The project site and area proposed for off-site improvements provide potential habitat for vernal pool invertebrates, valley elderberry longhorn beetle, western spadefoot toad, northwestern pond turtle, burrowing owl and other raptors, tricolored blackbird, white-faced ibis, loggerhead shrike, and special-status fish species; however, these species are not known to occur in these areas.	S	LS
3.13-5	**Potential Loss and Degradation of Special-Status Plant Species and Habitat**. Implementation of the proposed project could result in direct and/or indirect impacts on special-status plant species and in the removal of vernal pool grassland, seasonal wetland, and riparian habitat along the off-site infrastructure alignments that have potential to support special-status plant species.	PS	LS
3.13-6	**Consistency with the NBHCP**. Implementation of the proposed project and the mitigation measures presented in this EIR would be consistent with the NBHCP and would not preclude the attainment of any goals or objectives included in the plan.	LS	NA

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate biological resources impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES	
Biological Resources	
3.13-1a	Implement NBHCP ITP Giant Garter Snake Mitigation Measures
3.13-1b	Implement Measures to Mitigate Impacts on the Giant Garter Snake That Are Not Covered by the NBHCP.
3.13-2	Secure Clean Water Act Section 404 and 401 Permits and Streambed Alteration Agreements; Implement All Permit Conditions; and Ensure No Net Loss of Wetlands, Other Waters of the United States, and Associated Functions and Values.
3.13-3a	Implement NBHCP ITP Swainson's Hawk Avoidance and Minimization Measures.
3.13-3b	Implement Measures to Mitigate Impacts on Swainson's Hawk Not Covered by the NBHCP.
3.13-4a	Implement NBHCP ITP Avoidance and Minimization Measures for Valley Elderberry Longhorn Beetle, White- Faced Ibis, Loggerhead Shrike, Burrowing Owl, Northwestern Pond Turtle, California Tiger Salamander, Western Spadefoot Toad, and Vernal Pool Invertebrates.
3.13-4b	Implement Measures to Mitigate Impacts on Special-Status Wildlife Species Not Covered by the NBHCP.
3.13-5a	Implement NBHCP ITP Avoidance and Minimization Measures for Impacts on Special-Status Plant Species.
3.13-5b	Implement Measures to Mitigate Impacts on Special-Status Plants Not Covered by the NBHCP.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
4. BIOLOGICAL RESOURCES— Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant Impact	No Impact	Impact Adequately Addressed in SPSP EIR
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

a,d-f) The SPSP EIR noted that the build out of the SPSP, including all associated ancillary public facilities, is consistent with and covered by the NBHCP. The NBHCP authorizes take associated with 17,500 acres of urban development in the Basin, within southern Sutter County and within the City and County of Sacramento. USFWS approved the NBHCP in 2003 and issued ITPs to the City of Sacramento and Sutter County for take of federally listed species resulting from permitted activities. The ITP's provide authorization for take of covered species provided that projects conform to the objectives and goals of the NBHCP. The boundaries of the SPSP project area, including the project area, are the same as the boundaries of the NBHCP south Sutter permit area. Thus, Mitigation Measures specific to the ITP issued as part of the NBHCP will apply to the planned facilities. The SPSP EIR included the following NBHCP ITP mitigation to mitigate impacts to special status plants and wildlife: SPSP EIR Mitigation Measures 3.13-1a; 3.13-3a; 3.13-4a; and 3.13-5a.

The SPSP EIR also included the following mitigation measures for special status plant and wildlife species not covered by the NBHCP: Mitigation Measures 3.13-1b; 3.13-3b; 3.13-4b; and 3.13-5b.

Implementation of SPSP EIR Mitigation Measures 3.13-1, 3.13-3, 3.13-4, and 3.13-5 would mitigate proposed project impacts to special status plant and wildlife species to less-than-significant. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

b,c) Implementation of the proposed project could result in the placement of fill material into riparian habitat and jurisdictional Waters of the U.S., including wetlands subject to USACE jurisdiction under the federal CWA, and the potential loss and degradation of wetland and riparian habitats and protected under state and local regulations. This potentially significant impact will be evaluated in the Focused Tiered EIR.

Summary

SPSP EIR Mitigation Measures 3.13-1, 3.13-3, 3.13-4, and 3.13-5 would be implemented as part of the proposed project and would reduce the significance of impacts to special status species to a less than significant level. The proposed project would not exceed the levels of significance of special status species impacts previously addressed in the SPSP EIR, nor would it introduce any new significant impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR. Implementation of SPSP EIR Mitigation Measure 3.13-2 would help reduce the potential loss and degradation of wetland and riparian habitats, jurisdictional wetlands and other Waters of the U.S. and Waters of the State; however, this impact could remain significant

and unavoidable. Therefore, the potential for the proposed project to result in the loss or degradation of wetland and riparian habitat will be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Cultural Resources

Section 3.15 of the SPSP EIR addresses the cultural resources effects of growth under build out of the SPSP. The following discussion summarizes information presented in Section 3.15, page 3.15-5 through 3.15-20 of the SPSP EIR.

Environmental Setting

The SPSP EIR identified 12 separate cultural resources sites and one rural historic landscape site within the project area. Of these 12 sites, three sites containing historic-era buildings/structures (EC-05-23, EC-07-73, and EC-07-08) have yet to be evaluated for significance and are pending the results of further archival research and documentation to complete the evaluation process. Because evaluation of these three complexes has yet to be completed, development that involves removing these structures within the area proposed for on-site development was assumed to result in a significant and unavoidable impact. The following provides a description of these resources.

Site EC-05-23

When documented, this site consisted of a barn and associated features (animal stalls, gates, and watering troughs). The barn subsequently collapsed during heavy rainstorms, however. ECORP (2007:21) indicated that additional historic research would be required to complete the evaluation of eligibility/significance for inclusion in the NRHP and CRHR.

Site EC-06-73

Site EC-06-73 is a rice storage and shipping facility situated on the west side of Pacific Avenue. Existing structures consist of two houses, six metal silos, 14 concrete silos, a rice dryer, and a scale/inspection station. Peter Panton, son-in-law of the owner, stated that both houses were moved to this location from an air base near Sacramento. Because these two buildings are shown at this location on the 1952 USGS Knights Landing quadrangle map, the structures must have been moved to this location before the early 1950s (ECORP 2007:19). ECORP (2007) recommended that additional historic research be conducted to complete the significance evaluation and determine whether the site is eligible for the NRHP or the CRHR.

Site EC-07-08

Site EC-07-08 is a house, garage, and barn located at 7281 Natomas Road. All of the structures at this site are depicted on the 1952 USGS Knights Landing quadrangle map, indicating that they were constructed before the early 1950s. ECORP recommended that additional historic research be

conducted to complete the significance evaluation and determine whether the site is eligible for the NRHP or the CRHR.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact to cultural resources significant if build out of the SPSP would:

- Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5 of the State CEQA Guidelines;
- Cause a substantial adverse change in the significance of a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines or Public Resources Code Section 21083.2; or
- Disturb any human remains, including those interred outside formal cemeteries.

Paleontological Resources

For the purpose of this analysis, the following applicable thresholds of significance have been used to determine whether implementing the proposed project would result in a significant impact to Paleontological Resources. These thresholds of significance are based on Appendix G to the State CEQA Guidelines and consider a paleontological resources impact to be significant if implementation of the proposed project would directly or indirectly destroy a unique paleontological resource or site.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on cultural resources and paleontological resources are evaluated in Section 3.15 and 3.6, respectively, of the SPSP EIR. Cultural and paleontological resource impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS			
Cultural Resources		**Level of Significance Prior to Mitigation**	**Level of Significance After Mitigation**
3.15-1	**Damage to or Destruction of Historic-Era Identified Resources.** Implementation of the proposed project would result in ground disturbance to a depth of several feet and removal of certain existing structures, which may result in damage or destruction to identified historic-era building/structure complexes.	PS	PSU
3.15-2	**Damage to or Destruction of Undocumented Subsurface Archaeological Resources during Construction**. Because of the project's proximity to Curry Creek and the Sacramento River, there is a potential for unidentified archaeological resources, particularly the remains of Native American occupation, to be encountered during ground-disturbing activities.	PS	LS

SPSP EIR IMPACTS (cont.)			
Cultural Resources		**Level of Significance Prior to Mitigation**	**Level of Significance After Mitigation**
3.15-3	**Damage to or Destruction of Human Remains during Construction**. Numerous Native American habitation sites, many of which contain human remains, have been documented within and on the periphery of the Natomas Basin. Although none are known to exist within the project site, there is a potential for previously unknown human remains to be located below the surface both on-site and off-site.	PS	LS
3.15-4	**Damage to or Destruction of Cultural Resources in Unsurveyed Areas**. Portions of the project site either have not been subjected to systematic inventory or are covered with a dense cover of vegetation that precludes observation of the surface and assessment of the presence of cultural resources.	PS	LS
3.6-6	**Possible Damage to Unknown, Potentially Unique Paleontological Resources during Earthmoving Activities**. Construction activities could disturb previously unknown paleontological resources at the project site and along the alignments of the off-site elements.	PS	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate cultural resources impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES	
Cultural Resources	
3.15-2	Educate Construction Workers regarding Buried Cultural Resources, Suspend Ground-Disturbing Activities if Resources are Encountered, and Employ an Archaeologist to Assess the Find.
3.15-3	Suspend Ground-Disturbing Activities if Undocumented Human Remains are Encountered and follow California Health and Safety Code Procedures.
3.6-6	Conduct Construction Worker Personnel Training, Stop Work if Paleontological Resources Are Encountered, and Implement Paleontological Resources Recovery Plan.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
5.	**CULTURAL RESOURCES— Would the project:**				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	☐	☐	☐	☒

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant Impact	No Impact	Impact Adequately Addressed in SPSP EIR
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion

a) As described above, the SPSP EIR identified three sites containing historic-era buildings/structures (EC-05-23, EC-07-73, and EC-07-08) that have yet to be evaluated for significance and are pending the results of further archival research and documentation to complete the evaluation process. Because evaluation of these three complexes has yet to be completed, development that involves removing these structures within the area proposed for on-site development was assumed to result in a significant and unavoidable impact. However, construction of proposed project facilities would not disturb the three identified sites containing historic-era buildings/structures (EC-05-23, EC-07-73, and EC-07-08) and, therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource and no impact would occur. This issue will not be evaluated in the EIR.

b,d) Numerous Native American habitation sites, many of which contain human remains, have been documented within and on the periphery of the Natomas Basin. Although none are known to exist within the project area, there is a potential for previously unknown human remains and undiscovered artifacts to be located below the surface both on-site and off-site. Construction of all project facilities will require excavation and grading which could result in the potential uncovering of unidentified and previously unknown human remains and undiscovered artifacts. Implementation of SPSP EIR Mitigation Measures 3.15-2 and 3.15-3 would reduce potential damage or destruction to unidentified archaeological resources and unidentified human remains during project construction to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

c) Construction of all project facilities will require excavation and grading which could result in the potential uncovering of unidentified and previously unknown paleontological resources in the project area. Implementation of SPSP EIR Mitigation Measure 3.6-6 would reduce potential damage or destruction to unidentified paleontological resources during project construction to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

Summary

SPSP EIR Mitigation Measures 3.6-6, 3.15-2, and 3.15-3 would be implemented as part of the proposed project and would reduce the significance of cultural and paleontological resources impacts to a less-than-significant level. The proposed project would not exceed the levels of significance of cultural resources impacts previously addressed in the SPSP EIR, nor would it introduce any new significant cultural resources impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Geology, Soils, and Seismicity

Section 3.6 of the SPSP EIR addresses the geology, soils and seismicity impacts of growth under build out of the SPSP. The following discussion summarizes information presented in Section 3.6, page 3.6-4 through 3.6-21 of the SPSP EIR.

Environmental Setting

Fault Ground Rupture and Seismic Ground Shaking

Surface rupture is an actual cracking or breaking of the ground along a fault during an earthquake. Structures built over an active fault can be torn apart if the ground ruptures. Surface ground rupture along faults is generally limited to a linear zone a few meters wide. The Alquist-Priolo Act was created to prohibit the location of structures designed for human occupancy across the traces of active faults, thereby reducing the loss of life and property from an earthquake. Because no active faults have been mapped across the project area by the California Geological Survey (CGS) or USGS and the project area is not located in an Alquist-Priolo Earthquake Fault Zone, fault ground rupture does not represent a hazard (CGS 2007, Hart and Bryant 1999).

Even though no known active faults bisect the project area, the Willows fault zone runs through the middle of the project area in a southeast-to-northwest direction. The zone roughly parallels Interstate 5 from Sacramento to Red Bluff. The system is not considered active (i.e., having surface displacement within the last 11,000 years, during the Holocene epoch) by the CGS (Petersen et al. 1996). Geomorphic evidence indicates that fault movement occurred during the Pre-Quaternary Period (more than approximately 1.6 million years ago) (Lettis 1982, Bartow 1991, Jennings 1994). The project area is located approximately 15 miles from the Dunnigan Hills (Zamora) fault, which shows evidence of displacement during the Holocene epoch.

Liquefaction

Soil liquefaction occurs when ground shaking from an earthquake causes a sediment layer saturated with groundwater to lose strength and take on the characteristics of a fluid, thus becoming similar to quicksand.

The possibility that liquefaction will occur is greatest in loose sands and peat deposits where the groundwater level is near the ground surface and an active seismic source is located relatively close by. The Wallace Kuhl & Associates Geotechnical Engineering Report (2004), prepared for the 850-acre property at the southwest corner of the intersection of Riego Road and SR 99/70, concluded that despite the shallow groundwater table (5 to 10 feet below the ground surface), liquefaction would be extremely unlikely because the property is underlain by stiff and dense soils.

The Wallace Kuhl & Associates Preliminary Geotechnical Engineering Report (2005), prepared for the 2,700- acre property at the intersection of Riego Road and SR 99/70, concluded that because that property is underlain by loose, cohensionless soils that are saturated (because of the low groundwater table), it could be susceptible to liquefaction. In 2006, Wallace Kuhl & Associates performed a Supplementary Geotechnical Engineering Liquefaction Study for this property. Although the testing results indicated that only one-quarter inch of settlement would be likely if liquefaction were to occur, which is not a substantial hazard to development, Wallace Kuhl noted that only a limited amount of testing was performed and due to the large size of the property, recommended that additional site-specific testing related to liquefaction hazards should be performed.

The remainder of the project area has not been evaluated for potential hazards related to liquefaction.

Subsidence and Lateral Spreading

Subsidence is a gradual settling or sinking of the earth's surface with little or no horizontal motion. According to Wallace Kuhl & Associates (2005), the potential for lateral spreading occurring during or after seismic events at the 2,700-acre Riego Road property is low, provided prudent geotechnical engineering recommendations are followed during site preparation and foundation construction. The remainder of the project area has not been evaluated by a geotechnical engineer for potential hazards related to subsidence and lateral spreading.

Slope Stability

A landslide is the downhill movement of masses of earth material under the force of gravity. A review of topographic maps and aerial photographs indicates that the project area is located in an area of nearly flat topography, and it is not located adjacent to any steep slopes where a landslide could occur or has occurred in the past.

Seismic Seiches

Because of the long distance of the project area from the ocean, seismic sea waves would not be a factor at the project area. A seiche is a sloshing of water in an enclosed or restricted water body, such as a basin, river, or lake that is caused by earthquake motion; the sloshing can occur for a few minutes or several hours. Although an 1868 earthquake along the Hayward fault in the San Francisco Bay Area is known to have generated a seiche along the Sacramento River, the affected area was located in the Sacramento–San Joaquin River Delta. Seiches are not likely to occur in the vicinity of the project area.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact relating to geology, soils, and seismicity significant if build out of the SPSP would:

- Result in substantial soil erosion or the loss of topsoil;
- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- The rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault;
- Strong seismic ground shaking;
- Seismic-related ground failure, including liquefaction; or
- Landslides;

- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landsliding, lateral spreading, subsidence, liquefaction, or collapse; or
- Be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), creating substantial risks to life or property.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on geology, soils, and seismicity are evaluated in Section 3.6 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant geology, soils, and seismicity impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Geology, Soils and Seismicity		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.6-1	**Potential Temporary, Short-Term Construction-Related Erosion**. Construction activities during project implementation would involve extensive grading and movement of earth, which could temporarily expose soils to erosion.	PS	LS
3.6-2	**Risks to People and Structures Caused by Surface Fault Rupture and Strong Seismic Ground Shaking**. People and structures on the project site could be susceptible to damage from strong seismic ground shaking.	PS	LS
3.6-3	**Seismically Induced Risks to People and Structures Caused by Liquefaction**. Soil and groundwater conditions within a portion of the project site render it susceptible to liquefaction from strong seismic ground shaking.	PS	LS
3.6-4	**Seismically Induced Risks to People and Structures Caused by Landsides.** The project site and off-site elements are located in an area of relatively flat topography and are not located in or near a landslide hazard area.	LS	NA
3.6-5	**Potential Damage to Structures and Infrastructure from Construction on Expansive/Unstable Soils**. Portions of the project site and off-site improvements are underlain by soils that have a moderate to high potential for expansion when wet and may also contain areas of unstable soils.	PS	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate impacts relating

to geology, soils, and seismicity associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Geology, Soils and Seismicity	
3.6-1	Prepare and Implement a Grading and Erosion Control Plan.
3.6-2a	Prepare a Final Geotechnical Report, and Implement All Applicable Recommendations.
3.6-2b	Monitor On- and Off-Site Earthwork.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
6. GEOLOGY, SOILS, AND SEISMICITY— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐

Discussion

a.i) The SPSP EIR found that no active faults have been mapped across the project area by the CGS or USGS and that the project area is not located in an Alquist-Priolo Earthquake

Fault Zone, fault ground rupture does not represent a hazard at the project. No impact would occur.

a.ii) The SPSP EIR found that people and structures in the project area could be susceptible to damage from strong seismic ground shaking. However, as described above, the project area is not in an area of active earthquake faults and with the implementation of SPSP EIR Mitigation Measure 3.6-2a potential impacts from known earthquake faults and associated seismic ground shaking to people or structures that would result from construction and operation of the proposed project are considered to be less-than significant. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

a.iii) The SPSP EIR found that soil and groundwater conditions within a portion of the project area render it susceptible to liquefaction from strong seismic ground shaking. However, implementation of SPSP EIR Mitigation Measure 3.6-2a would reduce impacts associated with liquefaction on project facilities to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

a.iv) The project area is located in an area of relatively flat topography and not located in or near a landslide hazard area. No construction is proposed on or directly adjacent to existing levees, which are the only local features where slope instability could occur in the study area. No impact would occur.

b) Construction activities of proposed project facilities would involve extensive grading and movement of earth, which could temporarily expose soils to erosion. Implementation of SPSP EIR Mitigation Measures 3.6-1**,** 3.6-2a**,** and Mitigation Measure 3.6-2b would reduce project impacts associated with soil erosion and loss of topsoil to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

c,d) The SPSP EIR indentified that nearly all of the soil map units that are associated with the proposed municipal water supply system are expansive, with a high shrink-swell capacity. Construction on expansive soils can lead to cracking of driveways, roads, and foundations, and disruption of pipelines and other utilities. It is also possible that with operation of the municipal proposed project, specifically groundwater pumping, could result in ground subsidence. Damaging effects from subsidence could include gradient changes in water supply transmission lines, damage to water wells resulting from sediment compaction, and increased flooding of low-lying areas. However, implementation of SPSP EIR Mitigation Measure 3.6-2a would reduce impacts associated with unstable or expansive soils to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

e) The proposed project will be located in a planned development area. The development will dispose of wastewater into a municipal sewage collection system. Septic tanks or alternative wastewater disposal systems will not be implemented as part of the proposed project. No impact would occur.

Summary

SPSP EIR Mitigation Measures 3.6-1, 3.6-2a, and 3.6-2b would be implemented as part of the proposed project and would reduce significance of geology, soils, and seismicity impacts to a

less-than-significant level. The proposed project would not exceed the levels of significance of geology, soils, and seismicity impacts previously addressed in the SPSP EIR, nor would it introduce any new significant geology, soils, and seismicity impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Greenhouse Gas Emissions

Section 3.17 of the SPSP EIR addresses the impacts of greenhouse gas emissions of growth under build out of the SPSP. The following discussion summarizes information presented in Section 3.17, page 3.17-1 through 3.17-9 of the SPSP EIR.

Background

California is the 12th to 16th largest emitter of carbon dioxide (CO_2) in the world (CEC 2006a). It produced 484 million metric tons (MMT) of CO_2 equivalent (CO_2e) in 2004 (ARB 2008a). CO_2e is a measurement used to account for the fact that different greenhouse gases (GHGs) have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential (GWP) of a GHG, depends largely on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, as described in the *General Reporting Protocol of the California Climate Action Registry* (CCAR) (2008), 1 ton of CH_4 contributes the same amount to the greenhouse effect as approximately 23 tons of CO_2, and 1 ton of N_2O contributes the same amount as approximately 310 tons of CO_2. Therefore, CH_4 and N_2O are much more potent GHGs than CO_2. CH_4 results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) associated largely with agricultural practices and landfills. Relatively small levels of N_2O are generated by internal combustion engines. Expressing emissions in CO_2e takes all GHG emissions that contribute to the greenhouse effect and converts them to a single unit, equivalent to the effect that would occur if only CO_2 were being emitted.

Regulatory Background

State Plans, Policies, Regulations, and Laws

Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness that even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is occurring, and that there is a real potential for severe adverse environmental, social, and economic effects in the long term. The following is a summary of the various statewide and local initiatives in place in California to address GHG emissions:

- Assembly Bill 1493
- Executive Order S-3-05
- Assembly Bill 32, California Global Warming Solutions Act of 2006
- California Climate Action Registry
- Senate Bill 1368
- Executive Order S-1-07
- Senate Bill 97
- Senate Bills 1078 and 107 and Executive Order S-14-08
- Senate Bill 375
- Climate Change Scoping Plan
- OPR Proposed Amendments to the CEQA Guidelines
- ARB Draft GHG Significance Thresholds

SPSP EIR Standards of Significance

The SPSP EIR used a qualitative analysis to determine whether the GHG emissions associated with the proposed project would be cumulatively considerable (significant). The impact discussion addressed the question of whether land uses developed under the proposed SPSP would achieve a 30% reduction in GHG emissions compared to "business-as-usual" emission levels projected for 2020.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on GHG Emissions are evaluated in Section 3.17 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant GHG Emissions impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Greenhouse Gas Emissions		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.17-1	**Generation of Temporary, Short-Term Construction-Related GHG Emissions.** Project-related construction activities associated with development of the proposed project would result in increased generation of GHGs. These emissions would be temporary and short-term and would decline over time as new regulations are developed that address medium- and heavy-duty on-road vehicles and off-road equipment under the mandate of AB 32. However, based on current technology and measured against current standards, project-related construction emissions of GHGs are expected to be substantial and would contribute considerably to cumulative construction-related GHG emissions.	S	SU
3.17-2	**Increased Long-Term Operational GHG Emissions.** Operation of the proposed project over the long term would result in increased generation of GHGs, which would contribute considerably to cumulative GHG emissions.	S	SU

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measure from the SPSP EIR was adopted for development in the SPSP Area by the Sutter County Board of Supervisors and would mitigate, to the extent feasible, greenhouse gas impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Greenhouse Gas Emissions	
3.17-1	Implement Additional Measures to Reduce GHG Emissions.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
7. Greenhouse Gas Emissions— Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	☒	☐	☐	☐

Discussion

a,b) The SPSP EIR found that project-related construction activities, which includes construction of the proposed project, would result in increased generation of GHGs. These emissions would be temporary and short-term and would decline over time as new regulations are developed that address medium- and heavy-duty on-road vehicles and off-road equipment. However, even with the implementation of SPSP EIR Mitigation Measures 3.17-1, project-related construction emissions of GHGs could be substantial and could contribute to cumulative construction-related GHG emissions and potentially impair the state's ability to implement Assembly Bill 32. This is a potentially significant impact and will be addressed in the Focused Tiered EIR.

Summary

SPSP EIR Mitigation Measure 3.17-1 would be implemented as part of the proposed project; however, impacts associated with GHG emissions could remain significant and unavoidable. As a result, an evaluation of the GHG emissions contribution of the proposed project will be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Hazards and Hazardous Materials

Section 3.12 of the SPSP EIR addresses the hazards and hazardous materials effects of growth under build out of the SPSP. The following discussion summarizes information presented in Section 3.12, page 3.12-10 through 3.12-18 of the SPSP EIR.

Environmental Setting

Results of Records Search for Hazardous Materials

To determine the potential for hazardous materials contamination in or near the project area, seven Environmental Site Assessments (ESA's) including regulatory databases searches. No potential or confirmed state or federal "Superfund" sites were identified within one mile of the project area. There were also no known contaminated municipal groundwater wells, active or inactive landfills, or producing Department of Oil and Gas (DOG) petroleum wells located in or within one-half mile of the project area. Two abandoned DOG wells were found in the project area, but they had been abandoned appropriately in accordance with DOG environmental guidelines. The following discussion describes two locations on the project area that may have potential hazardous materials contamination.

Holt of California

The Holt of California site is located at 7310 Pacific Avenue in the project area. It was listed on multiple regulatory databases, including the Cortese list (properties with confirmed soil and/or groundwater contamination), the Leaking Underground Storage Tank list, and the Spills-Leaks-Investigations and Cleanups of Hazardous Materials list. Two separation ponds that received washwater and radiator tank water were the subject of an investigation in 1987. One pond reportedly had elevated concentrations of petroleum hydrocarbons and lead, and about 800 cubic yards of lead-affected soil were removed and disposed of off-site. There were nine USTs, reportedly containing solvents, waste oil, regular and unleaded gasoline, and diesel fuel. Most of these tanks have reportedly been removed. Elevated petroleum hydrocarbons have been detected in groundwater at the Holt site, including benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether (MTBE), and 1,2-dichloroethane (Geomatrix 2003).

Farm Air Flying Service

The Farm Air Flying Service site is located at 4425 Riego Road in the project area. Groundwater beneath the Farm Air Flying Service site was found to be contaminated with gasoline following a leak that was reported in January 2000. A preliminary site assessment was underway at the time of the ESA preparation for the proposed project in August 2005. A toxic pit was also remediated and closed at this site, although the date of this action was not reported in the ESA (WKA 2005a).

Hazards Associated with Surrounding Land Uses

Sacramento International Airport is located approximately 2.25 miles southwest of the project area. The airport is located 12 miles north of downtown Sacramento off Interstate 5. The Sacramento

Airport Land Use Commission (ALUC) prepared a Comprehensive Land Use Plan (CLUP) in 1984 (last amended January 1994). The CLUP establishes planning boundaries for the airport and defines compatible types and patterns of future land use. The purpose of the CLUP is to provide the Sacramento International Airport land area with compatibility guidelines for height, noise, and safety.

The southwestern area of the project area lies within two airport safety zones (Zone 2, Approach-Departure, and Zone 3, Overflight), where population densities are restricted because of the statistical likelihood of aircraft accidents in the area. Certain uses are compatible with the overflight zone only if they do not result in a large concentration of people. Among the land uses prohibited from the overflight zone are regional shopping centers, elementary and secondary schools, hospitals, communitywide and regional parks, theaters, and stadiums and arenas (Airport Land Use Commission 1994). In approach-departure zones, permitted land use types include parking lots, roads, train tracks, cemeteries, and agricultural and natural open space uses. In addition, a number of uses are specifically identified as incompatible, including uses that direct steady or flashing lights of particular colors that would be visible to aircraft, uses that cause sunlight to be reflected toward an aircraft, uses that would generate smoke or attract large concentrations of birds, uses that would cause electrical interference, and hazardous installations.

SPSP EIR Standards of Significance

The SPSP EIR identifies a public safety or hazards impact to be considered significant if implementation of the proposed project would do any of the following:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment;
- Emit hazardous emissions or involve the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- For a project located within an airport land use plan or within 2 miles of a public airport, result in a safety hazard for people residing or working in the project area;
- For a project located in the vicinity of a private air strip, result in a safety hazard for people residing or working in the project area;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or residences are intermixed with wildlands;
- Create public health hazards from increased exposure to mosquitoes by providing substantial new habitat for mosquitoes or other vectors;
- Create a safety hazard for aircraft operations based on the presence of water bodies within five miles of the Sacramento International Airport; or

- Expose project residents to electrical or magnetic fields in excess of CDE school siting standards.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP relating to hazards and hazardous materials are evaluated in Section 3.12 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant hazards and hazardous materials impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Hazards and Hazardous Materials		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.12-1	**Routine Transport, Use, or Disposal of Hazardous Materials**. Project implementation would involve the storage, use, and transport of hazardous materials at the project site during demolition, construction, and operation activities	LS	NA
3.12-2	**Potential Human Health Hazards from Exposure to Existing On-Site Hazardous Material**. Construction workers could be exposed to hazardous materials present on-site during construction activities, and hazardous materials on-site could create an environmental or health hazard if left in place.	PS	LS
3.12-3	**Public Health Hazards from Project Development on a Known Hazardous Materials Site Compiled Pursuant to Government Code Section 65962.5**. Two areas of the project site are listed on the Cortese List as known hazardous materials sites. Implementation of the proposed project could expose construction workers to hazardous materials from these sites during construction activities, and hazardous materials on-site could create an environmental or health hazard if left in place.	PS	LS
3.12-4	**Safety Hazard for People Residing or Working Near a Public or Private Airstrip**. A portion of the project site is located within Sacramento International Airport's designated safety zone.	PS	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate hazards and hazardous materials impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Hazards and Hazardous Materials	
3.12-2	Retain a Licensed Professional to Investigate the Extent to Which Soil and/or Groundwater May Have Been Contaminated, Including in Areas Not Covered by the Phase I ESAs, and Implement Required Measures, as Necessary.
3.12-3	Retain Licensed Professional to Investigate the Environmental Status of the Contaminated Groundwater Plume, Contaminated Soils, and Any Remediation Activities at the Holt Tractor and Farm Air Service Sites, and Implement All Remedial Measures, as Necessary.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
8. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) 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?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Discussion

a,b) Construction and operation of the proposed project could involve the use, storage and disposal of small quantities of hazardous materials. The use, store, and transport hazardous materials would be required to comply with applicable local, state, and federal regulations. Transportation of hazardous materials on area roadways is regulated by CHP and Caltrans, and use of these materials is regulated by DTSC, as outlined in Title 22 of the CCR. Any project facilities that would use or store hazardous materials would be required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. Because the proposed project is required by law to implement and comply with existing hazardous material regulations, impacts related to the creation of significant hazards to the public through routine, transport, use, disposal, and risk of upset are less than significant.

c) No existing schools are located on the project area or within one quarter of a mile of the project area. Therefore, there would be no impact.

d) The SPSP EIR identified two sites in the project area that are listed on the Cortese List as known hazardous materials sites. Construction of proposed project facilities would occur in the vicinity of these two hazardous materials sites and could potentially expose construction workers to existing hazardous materials contamination during construction. Existing on-site hazardous materials contamination associated with the two hazardous materials sites identified above could create an environmental or health hazard if left in place. However, implementation of SPSP EIR Mitigation Measure 3.12-2 and Mitigation Measure: 3.12-3 would reduce exposure of on-site construction workers to existing hazardous materials to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

e,f) The closest public airport is Sacramento International Airport, which is approximately 2.25 miles southwest of the project area. Development in the vicinity of Sacramento International Airport is guided by a CLUP, as described above, which is used to protect public health and safety and ensure compatible land uses in areas around the airport. The majority of the proposed project is outside of existing Sacramento Metropolitan Airport CLUP Safety Zones. Several project groundwater wells to would be within Safety Zone 3, which allows for water production facilities and treatment plants. The tallest above ground facilities, the water storage tanks with an approximate height of 30 feet, would be outside of the established CLUP Safety Zones and would not present a safety hazard. Therefore, this impact is considered to be less than significant.

g) There are no specific guidelines for the project area identified within the Sutter County, California Multi-Hazard Mitigation Plan (Sutter County, 2008a). Therefore, the proposed project would not interfere with an adopted emergency response plan or evacuation plan. Therefore, there would be no impact.

h) The project area is not within a wildland area that has a substantial forest fire risk (Calfire, 2010). Therefore, no impact would occur.

Summary

SPSP EIR Mitigation Measures 3.12-2 and 3.12-3 would be implemented as part of the proposed project and would reduce impacts of hazards and hazardous materials to a less-than-significant level. The proposed project would not exceed the levels of significance of hazards and hazardous materials impacts previously addressed in the SPSP EIR, nor would it introduce any new significant hazards and hazardous materials impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Sutter County, 2008a. Sutter County, California Multi-Hazard Mitigation Plan, January 2008.

Sacramento County, 1994. Sacramento International Airport Comprehensive Land Use Plan. Amended January, 1994.

Calfire, 2010. Natural Hazard Disclosure (Fire) Map Images and Data. Information accessed at http://www.fire.ca.gov/ab6/ab6lst.html on March 13, 2010

Hydrology and Water Quality

Impacts of the proposed project on hydrology and water quality are evaluated in Section 3.7, page 3.7-20 through 3.7-27 of the SPSP EIR. The proposed project is within the scope of analysis in the SPSP EIR. The project would not result in a change in conditions relating to hydrology and water quality and would have no new adverse effects on these resources.

Environmental Setting

Local Surface Water Hydrology

The project area generally slopes toward State Route (SR) 99/70 and southward. Elevations on the eastern end of the project area range from approximately 37 to 25 feet above mean sea level. The western end of the project area is relatively flat with elevations ranging from 22 to 19 feet. The southern end of the project area reaches a low elevation of approximately 14 feet. The Natomas East Main Drain (NEMD) is located along the eastern boundary of the project area with levee elevations ranging from 44 to 30 feet. The Pleasant Grove Canal is located to the east-northeast of the project area. At the southeast corner of the project area elevations are approximately 25 feet, and slope is in a southwesterly direction (MacKay & Somps 2008).

Surface Water Quality

Surface water quality in the hydrologic region is generally good, although possible sources of contamination that can affect water quality include turbidity, pesticides and fertilizer from agricultural runoff, elevated water temperature, and toxic heavy metals such as mercury, copper, zinc, and cadmium from acid mine drainage (USGS 2000, DWR 2005). The portion of the Sacramento River that is the receiving water for the Natomas Cross Canal (NCC) and other Natomas Basin drainage discharge points is part of a 16-mile segment from Knights Landing to the Delta that is on the 303(d) list for Diazinon from agricultural sources, mercury from abandoned mines, and toxicity from unknown sources (Central Valley RWQCB 2006). The NEMD upstream of Arcade Creek is on the 303(d) list for polychlorinated biphenyls (PCBs), and downstream of Arcade Creek for PCBs and Diazinon (SWRCB 2007).

Monitoring of several urban and rural creek sites near the project area is performed as part of the Sacramento Stormwater Quality Partnership (SSQP) Joint Program to comply with monitoring requirements specified in the Sacramento Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System (NPDES) Stormwater Permit (SSQP 2007a). Monitoring activities required by the permit included urban runoff (discharge) characterization, receiving water, urban tributary (creek), bioassessment, and additional pesticide monitoring including Diazinon and Chlorpyrifos. For the 2006/2007 monitoring year, the Sacramento River at the I-5 Veterans Bridge station, approximately five land miles from the project area, showed six water quality objective exceedances for total aluminum, four for total recoverable iron, and one for dissolved oxygen. The NEMD at Elkhorn Road, approximately three and one half miles downstream from the proposed

project, showed two water quality objective exceedances for dissolved oxygen, two for specific conductance, and one for temperature (SSQP 2007a).

Groundwater Hydrology

The project area is located within the North American Groundwater Subbasin, in the eastern central portion of the Sacramento Groundwater Basin. It is bounded on the north by the Bear River, on the west by the Feather and Sacramento Rivers, and on the south by the American River. The alluvium constitutes the upper aquifer zone, and occupies the upper 200 to 300 feet below ground surface. The lower aquifer zone generally occurs deeper than 300 feet towards the west side of the sub- basin. The cumulative thickness of these deposits increases from a few hundred feet near the Sierra Nevada foothills on the east to over 2,000 feet along the western margin of the subbasin. Most of the groundwater is produced in the northern portion of the subbasin (DWR 2006).

Water level data for the project area are limited, but groundwater levels appear to have been consistently high (generally within 10 feet of the ground surface in spring) and relatively stable in recent years. Similar to the rest of the Natomas Basin, groundwater levels near the eastern edge of the project area are substantially affected by an existing cone of depression centered about 3 miles to the east (Luhdorff & Scalmanini Consulting Engineers 2008).

Groundwater Quality

An evaluation of groundwater quality for the proposed project, performed by Luhdorff & Scalmanini Consulting Engineers (2008), examined water quality data from 63 wells that are located on or near the project area. Water quality data were obtained from the following sources: U.S. Geological Survey (34 wells), California Department of Water Resources (DWR) (20 wells), California Department of Public Health (DPH) (three wells), and Paulson monitoring wells installed as part of the Luhdorff & Scalmanini Consulting Engineers (2008) study (six wells). Groundwater salinity was low in most wells, but tended to be slightly higher in the upper zone. Median Total Dissolved Solids (TDS) concentrations were 342 milligrams per litre (mg/l) in the upper zone, 335 mg/l in the lower zone, and 315 mg/l for wells completed in multiple or unknown zones. Results were similar for electrical conductivity (EC), which is another measure of salinity. In the project area, most wells had EC values between 250 and 500 micromhos per centimeter (μmhos/cm), which is indicative of low salinity groundwater. Only one well in the project area had an EC value over 500 μmhos/cm.

Arsenic concentrations were generally higher in the western and central portions of the Natomas Basin, except for a few wells along the Sacramento River that had lower concentrations. Arsenic concentrations were also low in the southeastern corner of the Natomas Basin, and were lowest in wells located to the east. Concentrations of arsenic and some other trace elements tended to be lower in shallower wells than in deeper wells. The primary MCL for arsenic is 10 micrograms per liter (μg/L). The median arsenic concentrations were 13 μg/L for the upper zone, 27 μg/L in the lower zone, and 23 μg/L for wells completed in multiple or unknown zones.

Manganese is the other trace element that showed elevated levels in groundwater from wells near the project area. Median manganese concentrations were similar in the upper and lower zones (97

and 103 µg/L, respectively), but higher (154 µg/L) for wells completed in multiple or unknown zones.

The Luhdorff & Scalmanini Consulting Engineers (2008) groundwater assessment found that the Holt of California (Holt) facility on Pacific Avenue, which is within the project area, has groundwater contamination resulting from leaking underground storage tanks. Those tanks had all been removed by 1992. Site characterization activities have included the installation of 19 monitoring wells. Contaminants in shallow groundwater at the site include petroleum hydrocarbons, fuel oxygenates such as methyl tertiary butyl ether (MTBE), and volatile organic compounds (VOCs). A pump-and-treat system with two extraction wells was installed for remediation in 2005; the system was removed from service in February 2006 and as of April 2008 it had not been reinstalled. Available data suggest that horizontal groundwater contamination is localized in the vicinity of the former underground tanks and has not spread off-site. However, the vertical extent of the contamination is unknown because all monitoring wells at the site are less than 50 feet deep. The closest proposed project well in the eastern well field would be approximately 3,000 feet away from the Holt site, and no municipal or industrial production wells would be located downgradient of the site.

SPSP EIR Standards of Significance

The SPSP EIR considers a hydrology and water quality Impact significant if build out of the SPSP would:

- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site;
- Violate any water quality standards or waste discharge requirements, including NPDES waste discharge or stormwater runoff requirements, state or federal antidegradation policies, enforceable water quality standards contained in the Central Valley RWQCB Basin Plan or statewide water-quality control plans, or federal
- Rulemakings to establish water quality standards in California;
- Create or contribute runoff water that would exceed the capacity (peak flow) of existing or planned stormwater drainage systems;
- Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam;
- Place within a flood hazard area structures that would impede or redirect flood flows;
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a substantial lowering of the level of the local groundwater table; or
- Substantially degrade water quality.

The SPSP EIR identifies the current Sacramento Area Flood Control Agency (SAFCA) criteria for determining the significance of hydraulic impacts as:

- the 100-year base flood elevation is increased;
- flooding occurs in an area that was not previously flooded; or
- encroachment occurs on design freeboard.

SPSP EIR Impacts and Mitigation Measures

Impacts of build out of the SPSP on hydrology and water quality are evaluated in Section 3.7 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant hydrology and water quality impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Hydrology and Water Quality		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.7-1:	**Potential Temporary Construction-Related Drainage and Water Quality Effects**. Construction activities during proposed project implementation would involve extensive grading and movement of earth, which would substantially alter on-site drainage patterns and could generate sediment, erosion, and other nonpoint source pollutants in on-site stormwater that could drain to offsite areas and degrade local water quality.	S	LS
3.7-2	**Potential Increased Risk of Flooding from Increased Stormwater Runoff**. Proposed project implementation would increase the amount of impervious surfaces on the project site, thereby increasing surface runoff. This increase in surface runoff would result in an increase in both the total volume and the peak discharge rate of stormwater runoff, and therefore could result in greater potential for on- and off-site flooding.	S	LS
3.7-3	**Flooding Risk from Potential for Levee or Dam Failure, or Inundation from Slow-rise Flooding during a 100-Year Flood Event**. The project site is located within a designated 100-year floodplain as currently delineated by FEMA.	PS	LS
3.7-4	**Potential Damage From 200-Year Flood Event**. The project site is located within an area that does not have 200-year flood protection, which will be required by SB 5.	PS	LS
3.7-5	**Long-Term Water Quality Effects from Urban Runoff**. The proposed project would convert a large area of undeveloped land to residential and commercial uses, thereby changing the amount and timing of potential long-term contaminants in stormwater runoff to the Natomas Basin Drainage System and other drainage courses on-site.	S	LS
3.7-6	**Depletion of Groundwater Supplies or Substantial Interference with Groundwater Recharge**. Shallow and deep percolation of rainwater and related runoff and consequent depth to groundwater could be affected locally by the development of additional impervious surface, which may limit infiltration and recharge. Furthermore, M&I groundwater use as part of the project could affect groundwater supplies.	LS	NA
3.7-7	**Potential for Project-Related Water Supply to Exceed Groundwater or Surface Water Quality Objectives**. Proposed project municipal groundwater or surface water from the Sacramento River that exceeds water quality standards for arsenic, or from contaminants from the Holt Site, could affect M&I water supplies for the proposed project.	PS	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate hydrology and water quality related impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Hydrology and Water Quality	
3.7-1	Acquire Appropriate Regulatory Permits and Implement SWPPP and BMPs.
3.7-2a	Prepare and Submit Final Drainage Plans to the County and Implement Requirements Contained in Those Plans.
3.7-4a	Incorporate Flood Control Measures to Provide Protection from 200-Year Sankey Gap Flood Flows. On-Site and Off-Site Elements
3.7-5	Develop and Implement a BMP and Water Quality Maintenance and Monitoring Plan.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
9. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river or, by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Discussion

a,f) Construction of the proposed project, specifically the grading and ground clearing phases, could result in a substantial increase in storm-induced erosion and sedimentation in surface waters located downstream of the discharge. Furthermore, pollutants that are associated with construction equipment, such as lubricants and fuel, could migrate into receiving waters if appropriate management measures are not implemented. Construction of proposed project wells would require well development and water quality testing to occur for 24 hours or more for each well constructed. Water from well development would need to be discharged to an area of land or surface water that can accept the volume of water. Efforts would be made to find a location to discharge to land. Should a discharge to land be infeasible, a Notice of Intent would be filed with the CVRWQCB for a low-threat discharge to surface waters consistent with CVRWQCB's Order No. 5-00-175, NPDES NO. CAG995001 (CVRWQCB, 2000). Proposed project operational activities, including utility yards, may cause polluted storm water runoff into drainages. Pollutants that are associated with equipment, such as lubricants and fuel, could migrate into receiving waters if appropriate management measures are not implemented.

Implementation of SPSP EIR Mitigation Measures 3.7-1 and 3.7-5 which includes obtaining and complying with the Clean Water Act (CWA) Section 401 Water Quality Certification requirements, National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges, obtaining a dewatering permit, and compliance with Sutter County well design standards. Compliance with these measures would reduce construction and operational water quality impacts to a less than significant level. This impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

b) The SPSP EIR found that net groundwater recharge for the Natomas Basin would be positive with the implementation of the SPSP. Groundwater modeling prepared for the SPSP EIR found that, deep percolation decreased by 3,793 acre feet per year (AFY) from the existing baseline condition of 37,414 AFY of deep percolation, due to conversion of land in the project site from agricultural to urban uses, and an increase in groundwater pumping of 6,859 AFY in the project area. However, groundwater pumping for the proposed project would result in a cone of depression in the southwestern portion of the project area created by the project's proposed municipal wells. This cone of depression, in combination with the reduced deep percolation described above, would result in increased net groundwater recharge from streams and increased net inflow to the underlying basin (about 3,200 AFY). As a result, implementation of the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. This impact is considered to be adequately addressed in the SPSP EIR and is less than significant.

c,d,e) During construction of the proposed project, the natural drainage pattern of the area would be temporarily disrupted, and soils could be subject to accelerated erosion, with sediments deposited in downstream receiving waters. However, the proposed project area is relatively flat and construction activities would not be anticipated to substantially alter the existing drainage pattern in a manner that would result in significant erosion or siltation.

The permanent location of booster stations, treatment plants, and storage tank sites would result in a small increase in impervious surfaces over that which currently exists, thereby increasing the amount of surface runoff and reducing the amount of water infiltrating into the soil. The amount of impervious surfaces created with implementation of proposed project facilities would be minimal because pipelines would be placed in existing roadway

alignments, construction-related erosion and sedimentation impacts would be temporary in nature, and the water treatment plants would be less than five acres in size.

The construction and operation of the proposed project would not alter the course of any surface water body and would not contribute substantially to an increase in runoff water quantity or quality. Project pipelines would be constructed underground within existing road rights-of-way; thus, drainage patterns would not be altered by construction, and project pipelines would not generate additional impervious surfaces that would contribute to additional runoff that would lead to flooding. Therefore, construction and operation of the proposed project would have less-than-significant impacts related to capacity of existing or planned storm water drainages systems.

g) No housing is proposed as part of the proposed project. Therefore, no housing would be placed in a designated flood hazard zone and no impact would occur.

h,i) The SPSP EIR noted that existing flood risk is the result of inadequate levee protection on the east side of the project area. SAFCA has jurisdiction over the levees protecting the project area and currently has a levee improvement project under way designed to provide 100-year flood protection to the Natomas Basin by 2010 and 200-year flood protection by 2012. With implementation of improvements proposed by SAFCA it is expected that protection from the 100-year storm event would be provided for the project site between 2010 and 2012. However, until completion of SAFCA levee improvements, the project site and proposed project improvements would be subject to inundation by the 1-percent-annual chance flood event. Implementation of SPSP EIR Mitigation Measures 3.7-2a and 3.7-4a would reduce the potential for increased risk of flooding to a less-than-significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

j) The project area is located on and near flat topography remote from major water bodies capable of producing a seiche, tsunamis, or significant mudflows. No impact would occur.

Summary

SPSP EIR Mitigation Measures 3.7-1, 3.7-2a, 3.7-4a and 3.7-5 would be implemented as part of the proposed project and would reduce impacts hydrology and water quality impacts to a less-than-significant level. The proposed project would not exceed the levels of significance of hydrology and water quality impacts previously addressed in the SPSP EIR, nor would it introduce any new significant hydrology and water quality impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Land Use and Land Use Planning

Impacts of the proposed project on land use and land planning are evaluated in Section 3.1, page 3.1-17 through 3.1-18 of the SPSP EIR. The proposed project is within the scope of analysis in

the SPSP EIR. The project would not result in a change in conditions relating to land use and land planning and would no new adverse effects on these resources.

Environmental Setting

The project area is located within the 9,500-acre "Sutter County Industrial-Commercial Reserve" designated in the Sutter County General Plan and within the boundaries of the NBHCP area. Currently, the project area consists predominantly of agriculture with limited industrial facilities. The project area is primarily in rice production, but portions are used for other agriculture uses, predominantly irrigated and non-irrigated crops. Rural residences and associated agricultural outbuildings are located on the eastern boundary of the project area south of Sankey Road and west of Natomas Road. These existing residences would not be removed as part of development of the proposed project.

On June 30, 2009, the Sutter County Board of Supervisors adopted the SPSP which included the establishment of a mixture of land uses on approximately 7,538 acres including employment centers, several different housing densities, retail, recreational facilities, schools, community services, supporting on- and off-site infrastructure, and roadway improvements. Generally, the SPSP would permit a maximum of 17,500 residential units and up to 49.706 million square feet (sf) of commercial/industrial space. The SPSP also proposes parks, schools (six K–8 and one comprehensive high school), a library, a civic center, other civic buildings and public services, and supporting infrastructure.

SPSP EIR Standards of Significance

The SPSP EIR considers a land use and land use planning impact significant if build out of the SPSP would:

- Physically divide an established community;
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; or
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

SPSP EIR Impacts and Mitigation Measures

Impacts of build out of the SPSP on land use and planning are evaluated in Section 3.1 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. No significant or potentially significant land use and planning impacts were identified in the SPSP EIR. Because the scope of the proposed project is within that of the SPSP and the SPSP EIR, no significant impacts or mitigation measures relating to land use and planning are anticipated.

SPSP EIR IMPACTS

	Land Use and Planning	Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.1-1	**Consistency with Sutter County LAFCO Guidelines**. The proposed project would require approval by the Sutter County LAFCO of a reorganization for detachment of its existing CSA and creation of a new CSA, establishment of a sphere of influence coterminous with the boundaries of the project site, and possible eventual incorporation of the project site.	LS	NA
3.1-2:	**Consistency with Sutter County LAFCO and Sacramento LAFCO Guidelines for Service to the Project Site by SRCSD**. Extension of the SRCSD sphere of influence to the project site would require approval by Sacramento LAFCO before SRCSD could provide wastewater service to the proposed project.	LS	NA
3.1-3	**Compatibility with the Sacramento International Airport Comprehensive Airport Land Use Plan**. The Sacramento International Airport CLUP defines compatible land uses within airport safety zones and prohibits new residential development in those areas subject to noise levels of 65-db CNEL or above.	LS	NA
3.1-4	**Conflict with the SACOG Sacramento Region Blueprint.** Implementation of the proposed project would differ somewhat from the SACOG Sacramento Region Preferred Blueprint Scenario.	LS	NA
3.1-5	**Consistency with Measure M**. Implementation of the proposed project would include development of residential uses, commercial/industrial uses, supporting public facilities and services,and infrastructure improvements consistent with the recommendations of Measure M.	LS	NA
3.1-6	**Consistency with Sutter County LAFCO Guidelines**. Development of Phase 1 and Phase A would require approval by the Sutter County LAFCO of a reorganization for detachment of its existing CSA and creation of a new CSA, establishment of a sphere of influence coterminous with the boundaries of the project site, and possible eventual incorporation of the project site.	LS	NA
3.1-7	**Consistency with Sutter County LAFCO and Sacramento LAFCO Guidelines for Service to Attachment the Project Site by SRCSD**. Extension of the SRCSD service area sphere of influence to include Phase 1 and Phase A would require approval by Sacramento LAFCO before SRCSD could provide wastewater service to the proposed project.	LS	NA
3.1-8	**Compatibility with the Sacramento International Airport Comprehensive Airport Land Use Plan**. The Sacramento International Airport CLUP defines compatible land uses within airport safety zones and prohibits new residential development in those areas subject to noise levels of 65-dB CNEL or above.	LS	NA
3.1-9	**Conflict with the SACOG Sacramento Region Blueprint**. Implementation of Phase 1 and Phase A would differ somewhat from the SACOG Sacramento Region Preferred Blueprint Scenario.	LS	NA
3.1-10	**Consistency with Measure M**. Implementation of Phase 1 and Phase A would include development of residential uses, commercial/industrial uses, supporting public facilities and services,and infrastructure improvements consistent with the recommendations of Measure M.	LS	NA

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
10. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Discussion

a) No existing comminutes are located within the project area. Therefore, the proposed project would not physically divide and established community and no impact would occur.

b) Construction of the proposed project would not conflict with existing land use plans or policies. Construction and operation of proposed project water supply facilities would support the planned development of the SPSP project area which is consistent with the Sutter County General Plan, the recently approved SPSP, and with voter approved Measure M, all of which call for planned development in south Sutter County and support the development of public services and utilities to support this growth. Therefore, no impact would occur.

c) As described in the biological resources discussion above, the NBHCP was developed to provide and implement a multispecies conservation program to minimize and mitigate impacts of planned urban development, including the SPSP. The boundaries of the SPSP project area, including the proposed project, are the same as the boundaries of the NBHCP south Sutter permit area. Thus, mitigation measures specific to the ITP issued as part of the NBHCP will apply to the planned facilities. The proposed project is consistent with the Natomas Basin HCP. No impact would occur.

Summary

No Mitigation Measures from the SPSP EIR are relevant to the proposed project for land use and land planning. The proposed project would not exceed the levels of significance relating to land use and land planning previously addressed in the SPSP EIR, nor would it introduce any new significant impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Mineral Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Addressed in SPSP EIR*
11. MINERAL RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

Discussion

a,b) As described on page 1-9 of the SPSP EIR, pursuant to the CEQA checklist, only the potential for project impacts on mineral resources is not discussed in the SPSP EIR. The project site was not identified as an area containing known mineral resources that would be of value to the region. Therefore, this topic was not addressed in the DEIR. No impact on mineral resources is expected.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Noise

Impacts of the proposed project relating to noise are evaluated in Section 3.5, page 3.5-14 through 3.5-23 of the SPSP EIR. The proposed project is within the scope of analysis in the SPSP EIR. The project would not result in a change in conditions relating to noise and would have no new adverse effects on this resource.

Environmental Setting

The existing ambient noise environment in the project area is defined primarily by traffic on SR 99 and local roadways, frequent Union Pacific Railroad (UPRR) operations, seasonal agricultural activities, local industry, and aircraft operations associated with Sacramento International Airport.

Existing land uses in the project area are primarily agricultural in nature. However, the project proposes conversion of agricultural areas into residential, employment, and community facility uses. As a result, noise generated by on-site agricultural uses would ultimately be phased out. However, agricultural activities will likely continue to occur on neighboring properties as well as on-site properties not involved in the current phase of development.

Existing industrial uses located along Pacific Avenue include the Sysco Food Distribution facility at the corner of Pacific Avenue and Sankey Road, the Holt Equipment Company on the east side of Pacific Avenue, south of the Sysco facility and other smaller industrial/warehousing operations along Pacific Avenue. Industrial uses are also proposed along Pacific Avenue, immediately east of the Holt Facility.

SPSP EIR Standards of Significance

The SPSP EIR considers a noise impact significant if build out of the SPSP would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. As noted in Table 3.5-13, a threshold of 0.1 in/sec PPV represents the onset of annoyance and is, therefore, used as the significance threshold in this analysis.
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The criteria for assessing the significance of project-related traffic noise level increases are provided above in Table 3.5-12. Table 3.5-12 identifies project-related noise level increase thresholds of 1.5, 3 and 5 dB as being significant where existing, pre-project, noise levels are greater than 65 dB Ldn, between 60 and 65 dB Ldn, and less than 60 dB Ldn, respectively.
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Temporary increases are normally associated with construction related noise, and such activities are normally exempt, and are, thus, less than significant provided they occur during daytime hours.
- Exposure of people residing or working in the area to excessive noise levels from railroad and aircraft, including single event noise incidents that would result in speech interference or disturb sleep. The thresholds used herein for speech and sleep interference are 60 dB SEL and 70 dB SEL, respectively.
- Exposure of people attending schools or working in schools to excessive noise levels from railroad and aircraft, including single event noise incidents that would result in speech interference. The County standards applied to school uses is 45 dB Leq within classrooms (Table 3.5-4) and the recommended threshold used herein for speech interference is 60 dB SEL.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on noise are evaluated in Section 3.5 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant noise related impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Noise		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.5-5	**Noise Impacts Associated with Project Construction Activities.**	S	LS
3.5-7	**Exposure of Noise Sensitive Land Uses on the Project Site to noise Generated by New Commercial, Industrial, Recreation, School, Utilities, and Public Facility Uses.**	PS	LS
3.5-8	**Exposure of Noise Sensitive Land Uses on the Project Site to Noise Generated by Existing Industrial Uses with the Project Site.**	PS	LS
3.5-9	**Increase in Traffic Noise Levels Due to Project Buildout.**	S	SU

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate noise impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Noise	
3.5-5a	Construction activities taking place in Sutter County shall be restricted to 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays, Sundays, and Federal Holidays.
3.5-7a	Require acoustical analyses for new on-site commercial, industrial, recreation, school, utilities, and public facility uses constructed within Sutter County determined to have the potential to exceed applicable noise standards.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Addressed in SPSP EIR*
12. NOISE—Would the project:				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant Impact	No Impact	Impact Addressed in SPSP EIR
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☒	☐
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☒	☐	☐

Discussion

a,c,d) The SPSP EIR found that noise associated with the use of large construction equipment such as drill rigs, excavators, graders, and bulldozers would reach 88 dB, which is higher than the generally acceptable noise level for industrial land use of 70 dB. Construction of the proposed project would result in the use of similar construction equipment as identified in the SPSP EIR, so it is assumed that project related construction noise would be similar to conditions described in the SPSP EIR. Operational noise levels from permanent project facilities including equipment such as pumps, motors and generators could expose the public to, or generate noise levels in excess of established standards. Implementation of SPSP EIR Mitigation Measures 3.5-5a and 3.5-7a would reduce potential impacts associated with temporary construction noise and operational noise to a less-than significant level. This impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

b) Given the rural nature and limited number sensitive receptors in the project area, typical vibration associated with construction activities would be temporary. In addition, the project does not require impact pile driving or other equipment that would generate excessive groundborne vibration beyond standard construction practices. Lastly, implementation of SPSP EIR Mitigation Measures 3.5-5a and 3.5-7a would reduce potential impacts associated with temporary construction vibration to a less-than significant level. This impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

e,f) There are five private airstrips and one public airport in the project area. Aircraft noise exposure to the limited number of staff working at the water treatment plant and associated facilities would be discontinuous and negligible. Based on the locations of the public and private airstrips, impacts would be less than significant.

Summary

SPSP EIR Mitigation Measures 3.5-5a and 3.5-7a would be implemented as part of the proposed project and would reduce noise impacts to a less-than-significant level. The proposed project would not exceed the levels of significance for noise impacts previously addressed in the SPSP EIR, nor would it introduce any new significant noise impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Population and Housing

Section 3.2 of the SPSP EIR addresses the population and housing effects of growth under build out of the SPSP. The following discussion summarizes information presented in Section 3.2, page 3.2-3 through 3.2-5 of the SPSP EIR.

Environmental Setting

The SPSP includes new housing and businesses that would result in direct increases in population at the project area in Sutter County over the 20- to 30-year buildout period. It is anticipated that the residential land uses would develop at a relatively even rate, estimated to be approximately 18 to 20 years. Approximately 5% of the planned units would be designated for moderate-, low-, and very low-income households. This housing would include a mix of purchase housing affordable to moderate-income households and rental housing affordable to low- and very low-income households.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact to population and house significant if build out of the SPSP would:

- Induce substantial population growth in an area, either directly (by proposed new homes and businesses) or indirectly (through the extension of roads or other infrastructure);
- Generate a substantial demand for new housing, the construction of which could cause significant environmental impacts;
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere; or
- Result in employment or housing conditions inconsistent with Sutter County's affordable housing goals, policies, or objectives in the General Plan to the extent that any such inconsistency will foreseeably result in adverse changes in the physical environment.

SPSP EIR Impacts and Mitigation Measures

Impacts of build out of the SPSP on population and housing are evaluated in Section 3.2 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. No significant or potentially significant population and housing impacts or mitigation measures were identified in the SPSP EIR. Because the scope of the proposed project is within that of the SPSP and the SPSP EIR, no significant impacts relating to population and housing are anticipated.

SPSP EIR IMPACTS

Population and Housing		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.2-1	**Temporary Increase in Employment and Subsequent Housing Demand during Construction**. Implementation of the proposed project would generate a temporary increase in employment and subsequent housing demand in Sutter County from construction jobs.	LS	NA
3.2-2	**Permanent Increase in Population Growth**. Implementation of the proposed project would result in the development of new residential dwelling units, which would cause a direct long-term increase in population.	LS	NA
3.2-4	**Temporary Increase in Employment and Subsequent Housing Demand during Construction**. Implementation of the proposed project would generate a temporary increase in employment and subsequent housing demand in Sutter County from construction jobs.	LS	NA
3.2-5	**Permanent Increase in Population Growth**. Implementation of the proposed project would result in the development of new residential dwelling units, which would cause a direct increase in population.	LS	NA
3.2-6	**Consistency with Sutter County Affordable Housing Goals and Policies**. Implementation of the proposed project would include development of an affordable housing strategy consistent with the adopted Sutter County General Plan Housing Element and Sutter County's Affordable Housing Program Ordinance.	LS	NA

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
13. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☒	☐	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☒	☐	☐

Discussion

a) The proposed project includes facilities associated with municipal water supply, including transmission pipelines (underground), booster pump stations, water treatment facilities, and several water storage tanks. The proposed project would support planned growth and provide infrastructure, consistent with the Sutter County General Plan and population growth analyzed in the SPSP EIR. Construction and operation of the proposed project is not anticipated to induce direct or indirect population growth outside that already planned by

the SPSP and evaluated in the SPSP EIR. While growth related impacts of the proposed project were addressed in the SPSP EIR, a discussion of growth impacts will be discussed further in the Focused Tiered EIR.

b,c) The project area primarily undeveloped. Construction and operation of the proposed project would not displace substantial numbers of existing housing or population. This is a less than significant impact.

Summary

No Mitigation Measures from the SPSP EIR are relevant to the proposed project for population and housing. The proposed project would not exceed the levels of significance relating to population and housing previously addressed in the SPSP EIR, nor would it introduce any new significant impacts that were not previously addressed. While growth related impacts of the proposed project were addressed in the SPSP EIR, a discussion of growth impacts will be included in the Focused Tiered EIR

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Public Services

Impacts of the proposed project on public services are evaluated in Section 3.8, page 3.8-4 through 3.8-9 of the SPSP EIR. The proposed project is within the scope of analysis in the SPSP EIR. The project would not result in a change in conditions relating to public services and would have no effect on these resources.

Environmental Setting

The Sutter County Sheriff's Department provides police protection services in unincorporated Sutter County. The California Highway Patrol provides traffic enforcement on SR 99. Fire protection and emergency services for the project area are provided by Sutter County Fire (County Service Area). The project area is in the Marcum-Illinois and Pleasant Grove Union School Districts. No other public services (for example, schools and parks) serve the project area.

SPSP EIR Standards of Significance

The SPSP EIR considers a public service impact significant if build out of the SPSP would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

- fire protection services,

- law enforcement services,
- school services,
- library services,
- judicial services,
- public health services,
- mental health services, and
- social services.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on public services are evaluated in Section 3.8 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant public services impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Public Services		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.8-1	**Temporary Obstruction of Roadways during Construction**. Project implementation could obstruct roadways in the project vicinity during construction, potentially obstructing or slowing emergency vehicles attempting to access the area.	S	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate public services impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Public Services	
3.8-1	Prepare and Implement Construction Traffic Control Plans.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
14. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	☐	☐	☐	☒
ii) Police protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

Discussion

a.i - v) During construction of project facilities, specifically installation of underground water transmission pipelines, it could be necessary to implement full or partial lane closures that could affect police and fire response to surrounding areas. Implementation of SPSP EIR Mitigation Measure 3.8-1would reduce this impact to a less than significant level. Furthermore, the proposed project is the construction and operation of a municipal water system to support development proposed under the SPSP. Implementation of the proposed project would not contribute to reduced levels of service requiring the need for new or altered facilities such as fire, police, schools or parks not already evaluated in the SPSP EIR. This impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

Summary

SPSP EIR Mitigation Measure 3.8-1 would be implemented as part of the proposed project and would reduce public services impacts to a less-than-significant level. The proposed project would not exceed the levels of significance of public services impacts previously addressed in the SPSP EIR, nor would it introduce any new public services impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Recreation

Impact of the proposed project on recreation is evaluated in Section 3.14, page 3.14-2 through 3.14-5 of the SPSP EIR. The proposed project is within the scope of analysis in the SPSP EIR. The project would not result in a change in conditions relating to recreation and would have no effect on this resource.

Environmental Setting

No local or regional parks or bikeways are located on the project area, which primarily consists of undeveloped land that supports agricultural land uses, as well as some industrial lands.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact to recreational resources significant if build out of the SPSP would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

SPSP EIR Impacts and Mitigation Measures

Impacts of build out of the SPSP on recreation are evaluated in Section 3.14 of the SPSP EIR. As described above, the proposed project is within the scope of the analysis of the SPSP EIR. Significant and potentially significant Recreation impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Recreation		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.14-2	**Increased Use and Potential Physical Deterioration of Existing Off-Site Local or Regional Park Facilities**. Project implementation would result in a large number of new residents, which would increase the use and cause the potential physical deterioration of existing off-site local and regional park facilities.	LS	NA

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

No Mitigation Measures from the SPSP EIR are relevant to the proposed project for recreation.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
15. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a,b) The proposed project is the construction and operation of a municipal water system to support development proposed under the SPSP. Implementation of the proposed project would not contribute to an increased use in parks or other recreational facilities or require the construction or expansion of new recreational facilities beyond that described and evaluated in the SPSP EIR. This impact is considered to be adequately addressed in the SPSP EIR and is less than significant. This issue will not be evaluated in the Focused Tiered EIR.

Summary

No Mitigation Measures from the SPSP EIR are relevant to the proposed project for recreation. The proposed project would not exceed the levels of significance relating to recreation previously addressed in the SPSP EIR, nor would it introduce any new significant impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Transportation and Traffic

Impacts of the proposed project on transportation and traffic are evaluated in Section 3.3, page 3.3-5 through 3.3-15 of the SPSP EIR. The proposed project is within the scope of analysis in the SPSP EIR. The project would not result in a change in conditions relating to transportation and traffic and would have no new adverse effects on these resources.

Environmental Setting

The transportation system in south Sutter County is focused around the roadway network. Most travel in the county is done in automobiles because the low-density development patterns have limited the feasibility of facilities or services related to transit, bicycle, or pedestrian use. According

to the 2000 U.S. Census, approximately 93% of all working County residents traveled from home to work by automobile. Although automobile travel is the primary function for the roadway network, the network also serves, where allowed, trucks, buses, bicycles, and pedestrians. The regional roadway network in south Sutter County includes the following roadways:

State Highways

- SR 70/99 – SR 70/99 is a north-south state route that connects the core of the Sacramento region with the cities of Marysville (by SR 70) and Yuba City (by SR 99).

Major County Roads

- **Sankey Road** is an east-west rural collector east of SR 70/99 to Pleasant Grove Road and is a dirt road to the west. Sankey Road intersects SR 70/99 with an at-grade side-street stop-controlled intersection. Sankey Road has an at-grade crossing of the Union Pacific Railroad where it crosses between Natomas Road and Pleasant Grove Road.
- **Riego Road/Baseline Road** is an east-west rural arterial road that links SR 70/99 with the City of Roseville. Riego Road is two lanes through the project with an at-grade traffic signal controlled intersection at SR 70/99. Riego Road becomes Baseline Road at the Sutter County/Placer County line near the Pleasant Grove Road intersection. Baseline Road intersects Watt Avenue and extends east to the City of Roseville. Riego Road has an at-grade crossing of the Union Pacific Railroad where it crosses between Natomas Road and Pleasant Grove Road (N). Riego Road is designated STAA (Surface Transportation Assistance Act, 1992) truck terminal access route between SR 70/99 and Pacific Avenue.
- **Power Line Road** is a north-south two-lane road that functions as a rural collector, although it is not defined in the Sutter County General Plan. Power Line Road runs from just north of Riego Road south into Sacramento County and has a two-lane grade-separated overcrossing of I-5. Power Line Road has stopcontrolled intersections at Riego Road and Elverta Road.
- **Pacific Avenue** is a north-south two-lane road that functions as a rural collector, although it is not defined in the Sutter County General Plan. Pacific Avenue connects Sankey Road and Riego Road and serves industrial and warehousing land uses.

SPSP EIR Standards of Significance

The SPSP EIR considers a transportation and traffic impact significant if build out of the SPSP would:

- Cause the existing or cumulative no project level of service for study locations to deteriorate from LOS D (or better) to LOS E (or worse).
- Exacerbate the existing or cumulative no project LOS E (or worse) conditions for study locations.

Caltrans Facilities

- Cause the existing or cumulative no project level of service for study locations to deteriorate from LOS E (or better) to LOS F.
- Exacerbate the existing or cumulative no project LOS F (or worse) conditions for study locations by adding traffic to a freeway/highway segment, ramp terminal intersection, or ramp junction influence area.

Transit System

- Create demand for public transit services or facilities greater than there is adequate capacity to accommodate, disrupt existing or interfere with planned transit services or facilities, and

- Create an inconsistency with the transit policies or standards of plans adopted by jurisdictions within the study area.

Bicycle and Pedestrian System

- Disrupt existing or interfere with existing or planned bicycle or pedestrian facilities that would discourage their use and/or create an inconsistency with the bikeway or pedestrian policies or standards of plans adopted by the jurisdictions within the study area.

Aviation

- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risk.

SPSP EIR Impacts and Mitigation Measures

The discussion relating to transportation and traffic provided in the SPSP EIR is primarily focused on trips relating to build out of the specific plan and the increase in traffic associated with residential, commercial, and industrial development within the plan area. Discussion of construction related traffic and transportation related impacts were addressed in Section 3.8 – Public Services of the SPSP EIR. Please refer to the public services discussion of this environmental checklist for transportation and traffic related impacts and mitigation measures. Operational traffic associated with the proposed project would be limited to worker trips to the treatment plant sites and irregular operation and maintenance related trips to various project facilities. As a result, the impacts of the proposed project relating to transportation and traffic would be limited to the construction phase.

SPSP EIR IMPACTS

Transportation and Traffic		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.3-1	**Unacceptable Operations on the Regional Roadway Network.** The proposed project would contribute to traffic volumes that exceed the capacity of the regional roadway network under existing conditions and cumulative conditions.	S	SU
3.3-2	**Unacceptable Operations on Sutter County Roadways.** The proposed project would increase daily traffic volumes using Sutter County roadway segments, resulting in unacceptable LOS conditions under existing plus project conditions.	S	SU
3.3-5	**Unacceptable Operations on Caltrans Roadways.** The proposed project would increase daily traffic volumes using Caltrans roadway segments, exacerbating unacceptable LOS conditions under existing plus project conditions.	S	SU
3.3-6	**Unacceptable Operations at Sutter County Intersections.** The proposed project would increase peak hour traffic volumes using Sutter County intersections, resulting in unacceptable LOS conditions under existing plus project conditions.	S	SU
3.3-9	**Unacceptable Operations on Caltrans Facilities.** The proposed project would increase peak hour traffic volumes using Caltrans facilities, resulting in unacceptable LOS conditions under existing plus project conditions.	S	SU

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

The following Public Services mitigation measures from the SPSP EIR were adopted for development in the SPSP Area by the Sutter County Board of Supervisors and they would mitigate transportation and traffic impacts associated with implementation of the proposed project. The CPUC would ensure that construction and operation of the proposed project would be implemented consistent with the mitigation, monitoring and enforcement requirements for the SPSP EIR MMRP.

SPSP EIR MITIGATION MEASURES

Public Services	
3.8-1	Prepare and Implement Construction Traffic Control Plans.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
16.	**TRANSPORTATION AND TRAFFIC— Would the project:**				
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	☐	☐	☒	☐
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e)	Result in inadequate emergency access?	☐	☐	☐	☒
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion

a, b) Construction of the project could result in temporary traffic increases due to full or partial lane closure during the installation of project facilities and as a result of increased construction traffic traveling in the project area. This could affect traffic flow, and have the potential for level of service degradation during construction of project facilities in roadways. Implementation of SPSP EIR Mitigation Measure 3.8-1would reduce

potential traffic conflicts during project construction to a less-than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

Operational traffic would be limited to infrequent worker trips related to operation and maintenance of project related facilities within the project area. These trips would be infrequent and irregular, would not always occur during peak hours, and would not be anticipated to exceed the capacity of regional and/or local roadways resulting in the level of service violations. Therefore, increased vehicle trips associated with operation of the proposed project would be less than significant.

c) The proposed project would not change air traffic patterns, increase air traffic levels or result in a change in location that would result in substantial safety risks. No impact would occur.

d) Construction of project facilities such as wells, storage tanks, booster pumps, and treatment facilities, would occur in off-street locations. Water supply pipelines would be placed underground and within existing and planned roadways. Construction of these project facilities would not include or exacerbate dangerous design features or incompatible uses. No impact would occur.

e) Construction of project facilities within existing and planned roadway rights-of-way could affect emergency access and response. Implementation of SPSP EIR Mitigation Measure 3.8-1would reduce this impact to a less than significant level. Therefore, this impact is adequately addressed in the SPSP EIR and no further analysis is required. This issue will not be addressed in the Tiered Focused EIR.

f) The proposed project is the construction and operation of a municipal water system to support development proposed under the SPSP. Implementation of the proposed project would not result in adverse impacts to transit or alternative transportation facilities or plans beyond that described and evaluated in the SPSP EIR. This impact is considered to be adequately addressed in the SPSP EIR and is less than significant. This issue will not be evaluated in the Focused Tiered EIR.

Summary

SPSP EIR Mitigation Measure 3.8-1would be implemented as part of the proposed project and would reduce transportation and traffic related impacts to a less-than-significant level. The proposed project would not exceed the levels of significance for transportation and traffic related impacts previously addressed in the SPSP EIR, nor would it introduce any new significant transportation and traffic related impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Utilities and Service Systems

Impacts of the proposed project on utilities and services systems, including water supply, is evaluated in Section 3.9, page 3.9-3 through 3.9-13 and Section 3.10, page 3.10-4 through 3.10-10 of the SPSP EIR. The proposed project is within the scope of analysis in the SPSP EIR. The project would not result in a change in conditions relating to utilities and services systems and water supply and would have no new adverse effects on these resources.

Environmental Setting

The provision of all new or physically altered utilities and service systems intended to meet the increased demand for proposed growth under the SPSP would ultimately occur on-site. Facilities such as drainage, water supply, and wastewater facilities would be developed and constructed on-site or connect with planned facilities off-site.

SPSP EIR Standards of Significance

The SPSP EIR considers an impact to utilities and services systems significant if build out of the SPSP would:

- Create demand for electrical or natural gas service that is substantial in relation to the existing demands;
- Exceed wastewater treatment requirements of the applicable RWQCB;
- Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- Generate solid waste beyond the capacity of existing landfills;
- Violate federal, state, or local statutes and regulations related to solid waste; or
- Result in inefficient, wasteful, and unnecessary consumption of energy (based on Appendix F of the State CEQA Guidelines).

The SPSP EIR considers a water supply impact significant if implementation of the proposed project would do any of the following:

- Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or
- Have insufficient water supplies available to serve the project from existing or permitted entitlements and resources, or require new or expanded entitlements.

SPSP EIR Impacts and Mitigation Measures

Impacts of the build out of the SPSP on utilities and service systems, including water supply, is evaluated in Section 3.9 and 3.10 of the SPSP EIR. As described above, the proposed project is

within the scope of the analysis of the SPSP EIR. Significant and potentially significant utilities and service systems and water supply impacts identified in the SPSP EIR that are relevant to the proposed project are presented below with their corresponding levels of significance before and after application of mitigation measures identified in the SPSP EIR.

SPSP EIR IMPACTS

Utilities and Service Systems/Water Supply		Level of Significance Prior to Mitigation	Level of Significance After Mitigation
3.10-1	**Increased Demand for Wastewater Conveyance Facilities**. Project implementation would result in increased generation of wastewater.	PS	SU
3.10-2	**Increased Demand for Wastewater Treatment Plant Facilities**. Project implementation would result in increased generation of wastewater, thereby increasing the demand for wastewater treatment facilities to support the proposed project. Wastewater treatment would be provided by the SRWTP.	SU	SU
3.10-3	**Short-Term Generation of Solid Waste during Project Construction.** Construction of the proposed project would generate short-term construction-related debris and waste.	LS	NA
3.10-4	**Increased Generation of Solid Waste during Project Construction**. Project implementation would generate short-term construction-related debris and waste.	LS	NA
3.10-5	**Increased Demand for Electricity and Infrastructure**. Project implementation would increase the demand for electricity and electrical infrastructure.	LS	NA
3.10-6	**Increased Demand for Natural Gas and Infrastructure**. Project implementation would increase the demand for natural gas and infrastructure and would include the extension of existing natural gas pipelines.	LS	NA
3.10-7	**Increased Demand for Communications Service and Infrastructure**. Implementation of the proposed project would increase the demand for communications service and infrastructure and would include the extension of existing communication lines.	LS	NA
3.10-8	**Increased Demand for Cable Television Service and Infrastructure**	LS	NA
3.10-9	**Increased Energy Demand.** Project implementation would increase energy consumption during construction and operation of the proposed project.	LS	NA
3.9-1	**Increased Demand for Water Supplies.** Project implementation would increase groundwater pumpage in the North American Subbasin and would shift the timing for surface water use as compared to current use, with more water used during winter months and less water used during summer months.	PS	LS
3.9-2	**Need for Off-Site Water Conveyance Facilities.** Project implementation would require construction of offsite water conveyance facilities to implement the surface water element of the project.	PS	LS
3.9-3	**Need for On-Site Water Conveyance and Storage Facilities.** Project implementation would result in increased demand for water supply. On-site water conveyance and storage facilities would be required to deliver water to customers on the project site.	PS	LS

LS=Less than Significant, S=Significant, PS=Potentially Significant, SU=Significant and Unavoidable, NA = Not Applicable

No Mitigation Measures from the SPSP EIR are relevant to the proposed project for utilities and service systems.

Environmental Checklist and Discussion

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant Impact*	*No Impact*	*Impact Adequately Addressed in SPSP EIR*
17.	**UTILITIES AND SERVICE SYSTEMS—Would the project:**				
a)	Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c)	Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d)	Require new or expanded water supply resources or entitlements?	☐	☐	☐	☒
e)	Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☒	☐	☐

Discussion

a,b,e) The proposed project is the construction and operation of a municipal water system to support development proposed under the SPSP. Implementation of the proposed project would not contribute to an increase in wastewater supply or generation above that already evaluated in the SPSP EIR. This impact is considered to be adequately addressed in the SPSP EIR and is less than significant. This issue will not be evaluated in the Focused Tiered EIR.

c) The proposed project is the construction and operation of a municipal water system to support development proposed under the SPSP. Implementation of the proposed project would not result in the generation of additional storm water or require the construction of new or expansion of existing storm water facilities beyond that already evaluated in the SPSP EIR. This impact is considered to be adequately addressed in the SPSP EIR and is less than significant. This issue will not be evaluated in the Focused Tiered EIR.

d) The proposed project is the construction and operation of a municipal water system to support development proposed under the SPSP. Implementation of the proposed project would not contribute to an increase in water supply demand above that already evaluated in the SPSP EIR. Associated environmental considerations relating to water supply are addressed in the SPSP EIR and the Water Supply Assessment prepared for the

development of the SPSP. Environmental considerations relating to construction of the water supply intake on the Sacramento River are addressed in the American Basin Fish Screen and Habitat Improvement Project EIR/EIS (SCH # 2003092006; certified July, 2008). This impact is considered to be adequately addressed in the SPSP EIR and is less than significant. This issue will not be evaluated in the Focused Tiered EIR.

f) The SPSP EIR found that construction of the SPSP would result in a less than significant impact on waste disposal facilities that serve the project area. The same waste management and disposal facilities described in the SPSP EIR would serve the construction and operation of the proposed project. Regular disposal service for the area would provide ongoing service to waste generated by construction and operation of the proposed project. This impact is considered to be adequately addressed in the SPSP EIR and is less than significant. This issue will not be evaluated in the Focused Tiered EIR.

g) The project could require disposal of construction debris, some of which could be contaminated. Debris from construction would be disposed of in a lawful manner consistent with federal, state, and local regulations. Construction and demolition debris is composed of a variety of waste materials, including steel, asphalt, concrete, and piping. This impact is less than significant.

Summary

No mitigation measures from the SPSP EIR are relevant to the proposed project for utilities and service systems and water supply. The proposed project would not exceed the levels of significance relating to utilities and service systems and water supply previously addressed in the SPSP EIR, nor would it introduce any new significant impacts that were not previously addressed. This issue will not be evaluated in the Focused Tiered EIR.

References

Sutter County, 2008. Sutter Pointe Specific Plan Project EIR, December 2008.

Appendix C
Air Quality Technical Data

ESA

APPENDIX C
Air Quality Technical Data

Introduction to the Models and Results

The EMFAC2007 model emission factors were used to calculate emissions of ROG, NO_X, CO, PM_{10}, $PM_{2.5}$ and CO2 associated with project on-road operations.

In addition, for CO_2 quantification from indirect electricity generation associated with project electricity usage for water/waste water conveyance, GHG emission factors were incorporated from the *Local Government Operations Protocol* (CARB et al, 2008). Results of the EMFAC2007 modeling and GHG from electricity usage are presented below.

EMFAC2007 Emission Factors and On-Road Emissions

Air Quality Analysis for Mobile Emissions Year 2018
grams/mile

LDT	ROG	CO	NOx	CO2	PM10
2018	0.058	1.946	0.164	472.702	0.034
HDT	**ROG**	**CO**	**NOx**	**CO2**	**PM10**
2018	0.253	1.647	3.207	1599.587	0.205

Paved Road lbs/VMT Entrained PM10	Paved Road lbs/VMT Entrained PM2.5
0.00311195	0.000177293

Assumed average speed of vehicles type to be 45 mph to and from the project site.
Assumed average distance is 40 miles roundtrip.

EMISSIONS CALCULATION FOR ON-ROAD VEHICLES DURING OPERATIONAL ACTIVITIES

Emissions = Vehicle Type x Emission Factor x Miles/Trip x Trips/Day

Note: Trip length takes into account round trips
Mobile Emissions Associated with Worker trips in 2018

		Emission Factors						
		ROG	CO	Nox	CO2	PM10	lbs/mile dust	lbs/mile dust
LDT	2018 emissions (grams/mile)	0.058	1.946	0.164	472.702	0.034		
	2018 emissions (pounds/mile)	1.28E-04	4.29E-03	3.62E-04	1.04E+00	7.50E-05	3.11E-03	1.77E-04

Miles/Trip	Trips/day	Miles/day	Mobile Source Emissions (lbs/day)					lbs/day	lbs/day
40	6	240	0.03	1.03	0.09	250.11	0.02	0.75	0.04

** Assumes 2 workers per WTP

		ROG	CO	Nox	CO2	PM10	lbs/mile dust	lbs/mile dust
HDT	2018 emissions (grams/mile)	0.253	1.647	3.207	1599.587	0.205		
	2018 emissions (pounds/mile)	5.58E-04	3.63E-03	7.07E-03	3.53E+00	4.52E-04	3.11E-03	1.77E-04

Miles/Trip	Trips/day	Miles/day	Mobile Source Emissions (lbs/day)					lbs/day	lbs/day
40	2.00	80	0.04	0.29	0.57	282.12	0.04	0.25	0.01

** Maintain storage tanks and pumps

	2018 - On-road Vehicle Exhaust per day						Fugitive Dust		
	ROG	CO	Nox	CO2	PM10	PM2.5	PM10	PM2.5	
lbs/day	0	1	1	532	0	0	1.00	0.06	lbs/day
tons/year	0.0	0.2	0.1	88.1	0.0	0.0	0.2	0.0	tons/year
				metric tons					

GHG Quantification from Indirect Electricity Generation

Indirect Greenhouse Gas (GHG) Emissions from Project use of Electricity (Power Plant Emissions)

Phase 1 (12.5 MGD) 4562.5 MG/year

Estimated Project Annual Electrical Use: 6,615,625 kWh (kilowatt hours)/year annual average
6,616 mWh (megawatt hours)/year

Indirect GHG gases	Emission Factor lb/mWh	Annual Project Electricity mWh	Annual GHGs metric tons	CO2 Equivalent Factor	Annual CO2 Equivalent Emissions (metric tons)
Carbon Dioxide (CO2	455.81	6,616	1,368	1	1368
Nitrous Oxide (N2O)	0.011	6,616	0.0	296	10
Methane (CH4)	0.029	6,616	0.1	23	2
		Total Indirect GHG Emissions from Project Electricity Use=			**1380**

Total Annual Greenhouse Gas (GHG) Emission from Project Operations -- All Sources (CO2 equivalent Metric Tons)

On-road Vehicles	**88**	6.0%
Electrical Use	**1380**	94.0%
Total=	**1,468**	100.0%

Notes and References:

Total Emissions from Indirect Electricity Use
CO2, CH4, and N2O Emission Factor Source: Local Government Operations Protocol (CARB et al., 2008)

lbs/metric ton = 2204.62

2010 Construction 1189 metric tons
** Since there are no construction details available,
this estimate assumes peak day construction would occur for full year

Indirect Greenhouse Gas (GHG) Emissions from Project use of Electricity (Power Plant Emissions)

Full Buildout Total (54.3 MGD) 19819.5 MG/year

Estimated Project Annual Electrical Use: 28,738,275 kWh (kilowatt hours)/year annual average
28,738 mWh (megawatt hours)/year

		Annual		CO2	Annual
	Emission Factor	Project	GHGs	Equivalent	CO2 Equivalent
Indirect GHG gases	lb/mWh	Electricity mWh	metric tons	Factor	Emissions (metric tons)
Carbon Dioxide (CO2)	455.81	28,738	5,942	1	5942
Nitrous Oxide (N2O)	0.011	28,738	0.1	296	42
Methane (CH4)	0.029	28,738	0.4	23	9
		Total Indirect GHG Emissions from Project Electricity Use=			**5993**

Total Annual Greenhouse Gas (GHG) Emission from Project Operations -- All Sources (CO2 equivalent Metric Tons)

On-road Vehicles	**88**	1.4%
Electrical Use	**5993**	98.6%
Total=	**6,081**	100.0%

Notes and References:

Total Emissions from Indirect Electricity Use

CO2, CH4, and N2O Emission Factor Source: Local Government Operations Protocol (CARB et al., 2008)

lbs/metric ton = 2204.62

2010 Construction 1189 metric tons

** Since there are no construction details available,
this estimate assumes peak day construction would occur for full year

(END OF APPENDIX B)