



ECOS
ENVIRONMENTAL
♦ COUNCIL ♦
OF SACRAMENTO



ECOS & Habitat 2020
P.O. Box 1526, Sacramento, CA 95812-1526
(916) 444-0022
office@ecosacramento.net
www.ecosacramento.net

May 31, 2016

Catherine Hack, Environmental Coordinator
Department of Community Development
Planning and Environmental Review Division
827 7th Street, Room 225, Sacramento, CA 95814

SENT VIA EMAIL TO hackc@saccounty.net

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE NATOMAS NORTH PRECINCT MASTER PLAN (CONTROL NUMBER: PLNP2014-00172)

Dear Ms. Hack:

These are comments from the Environmental Council of Sacramento (ECOS), with dozens of individual members and organizational members in the tens of thousands. ECOS has a history of over 4 decades of advocacy to limit sprawl, preserve agriculture, habitat and open space, and improve the quality of life while supporting growth with a vibrant and equitable economy. These comments relate to all the requested entitlements, and the Project Objectives found on NOP, pages 3-4, Objectives 1-6, except where noted.

Land Use, Transportation, Air Quality, Climate Change

The proposed Master Plan is obviously inconsistent with the Metropolitan Transportation Plan / Sustainable Communities Strategy (MTP/SCS) and with the Regional Air Quality Attainment Plan. The DEIR must include a full analysis and discussion of the project's inconsistency with the MTP/SCS and the Regional Air Quality Attainment Plan. How this inconsistency will be mitigated (e.g., with strict project phasing) must also be addressed.

Since the proposed project is inconsistent with the MTP/SCS and the State's mandates under SB 375 to reduce greenhouse gas emissions, the project must also, by definition, be inconsistent with the County's Climate Action Plan. If this plan is to have any value, this inconsistency must also be addressed and mitigated.

The above inconsistencies are critically important since the project, as proposed, is a totally auto-oriented community. Regional Transit will not have the ability for many years, if ever, to provide service to this area at the proposed densities. Therefore it is critically important to establish a Transportation Services District, similar to what exists in North Natomas and portions of the Southeast County, to provide funding for transit service, connectivity and other transportation-related services.

It is important that the EIR, as a tool in assessing impacts, provide information which allows all interested parties and decision-makers to ascertain the level/degree of consistency/inconsistency with critical land use policies. The EIR must fully evaluate consistency with Sacramento County General Plan Policy LU-127. Any finding of inconsistency must be explained and where appropriate quantified, particularly with respect to the crucial finding pertaining to available holding capacity.

In addition to analysis of the “No Project” alternative, there should also be an examination of the alternative that 55,000 people will, indeed, move to Sacramento County, but will choose to reside elsewhere, say, in the northern and central portions of the City of Sacramento, choosing infill locations that are already zoned for residential development of the same or higher density as that proposed in this project. It is widely reported that modern homebuyers are preferentially seeking more compact, urban locations than large-lot, suburban locations. The continuing demand for compact, urban housing is further bolstered by the history of the recent foreclosure crisis: while homes in Elk Grove and Natomas literally could not be given away, homes in the central city lost very little value, and recovered these losses (and then some) before any other locations did. While such an alternative may not be the preference of these developers, neither is the “No Project” alternative. But the “No Project” alternative ignores the reality that more people are, indeed, choosing to live in this region. In practical terms, if these developers end up with “No Project,” that alone will not halt the population increase. Rather, the new arrivals will live somewhere already zoned for the type of residential development they prefer. That is the comparison that should be made with the project as proposed.

The proposed project includes substantial employment and higher density residential development in order to meet General Plan policy criteria for new development at the urban fringe. The EIR must evaluate the increase in impact, particularly with respect to VMT and CO² air quality emissions, if the development were to build out at lower, traditional levels of suburban development. The EIR must consider mitigation measures, including but not limited to phasing requirements and development moratoriums, to prevent occurrence of those adverse impacts.

There are already enough flawed assumptions in the feasibility analysis for the regional hospital to conclude that such a facility is extremely unlikely to materialize. The nation has spent the past six decades trying to reduce the ratio of hospital beds per thousand population, not increase it. Therefore, in order to properly assess the range of possible impacts of the proposed project, the EIR must include at least one alternative that does not include a regional hospital.

Water

The EIR must consider the adequacy of water to supply the development. A conclusion that the “project will be supplied by surface water supplemented with groundwater withdrawals” is inadequate. State Water Board approval of Natomas Central Mutual Water Company surface water rights from agricultural to municipal/industrial (M/I) use should not be counted upon as a given outcome. All potential sources of surface water, constraints and obstacles to obtaining them, the timing of water delivery, the potential for delivery curtailment in dry years, and overall feasibility of supplemental surface water supplies must all be thoroughly vetted.

The project is outside of the USB. **M/I development was not assumed as part of the studies and assumptions underlying the Water Forum Agreement.** The EIR must include a comprehensive analysis of the North American River Sub-basin, taking into account the buildout of approved and planned projects in Sutter and Placer Counties. The EIR analysis must complement and support sustainable groundwater planning undertaken to implement the California Sustainable Groundwater Management Act.

The EIR must include legally enforceable mitigation measures, including but not limited to phasing requirements and moratoriums, if assumed supplemental surface water supplies are not available sufficiently in advance to forestall groundwater overdraft.

As part of this analysis, the EIR must assess groundwater quality, including the presence of chromium, manganese, iron and arsenic, and its feasibility for domestic consumption. Assessment of infrastructure costs must consider the additional cost of water treatment to remove potentially harmful levels of these and other elements in groundwater supplies.

We are aware of the drainage studies performed under the auspices of the County and others over the past two decades. We believe the drainage problems are even more complex because of additional development that has occurred or been approved since the completion of these drainage studies, including those in Sutter County. The EIR must be extremely detailed as to how adequate drainage will be achieved for this project, as well as how these drainage solutions affect the project's ability to mitigate for any proposed take of endangered species.

Growth-inducing Effects

The EIR must evaluate growth inducing impact of extending the USB to the County Line. The analysis should include speculative land price increases in the region and the resulting impact on implementing the Natomas Basin HCP, Sacramento County's relationship to that HCP notwithstanding. The analysis should also include the regional growth-inducing impact of this, the most populous jurisdiction in the region, acting in violation of its own general plan to expand the region's footprint in a manner inconsistent with regional plans.

Biological Resources

As proposed, this project conflicts with the Natomas Basin Habitat Conservation Plan (NBHCP). While the County declined to become a signatory to the Plan in 2003, nonetheless the proposed development would remove vital agriculture that provides habitat and foraging for at least two endangered species. Without this acreage, mitigation for this project could be rendered inconceivable, especially since other development in the area has already been approved. Those previous approvals have not yet resulted in construction, nor have their approved mitigations been implemented. When they are, the availability of mitigation acreage for this project is nil. The EIR must be explicit about the precise acreage, timing and location of mitigation land, and must demonstrate beyond doubt how compatibility with the NBHCP and already-approved mitigation for already-entitled projects will be achieved.

Specifically, the EIR needs to analyze the impact of this proposed project on the implemented Natomas Basin Habitat Conservation Plan, including, but not limited to the following:

- Analysis of impact on conservation strategy implementation in the NBHCP.
- Analysis of impact on effectiveness of mitigations in the NBHCP. As an example, the NBHCP stipulates a 1:1/2 acre mitigation for terrestrial non wetland habitat loss, but this was predicated on no additional development beyond that covered in the NBHCP within the basin.
- Analysis of the impact on “feasibility for acquisition” for the lands needed within the available inventory for the NBHCP within the basin given that over 5600 additional acres are proposed to be removed from the inventory, and at least that amount, if not substantially more, will be needed to mitigate for the proposed development.
- Analysis of the impact of potentially increased acquisition costs for acquiring mitigation lands for the NBHCP because of the increased demand resulting from trying to mitigate for this project in the same geography as the NBHCP.
- EIR needs to provide substantive evidence that the loss of so much more habitat than was contemplated and covered in the NBHCP in the basin will not result in jeopardy for the Swainson’s hawk and the giant garter snake.
- Analysis of the impact of removing more than 5600 acres of important habitat for the giant garter snake needs to be included. Cumulative effects need to be analyzed for the giant garter snake in this context as well.
- Analysis of the impact of removing more than 5600 acres of important habitat for the Swainson’s hawk needs to be included. Cumulative effects to the Swainson’s hawk need to be analyzed in this context as well.
- The EIR needs to provide all appropriate and feasible mitigations for impacts to species so that their efficacy can be analyzed, and not kick the can down the road with the deferred mitigation of indicating that such details will be worked out later with the regulatory agencies after entitlements are granted.

Financing

The environmental challenges of this project represent astounding obstacles, of a scale rarely seen in this region. The EIR must be very sound in its demonstration of how the provision of public infrastructure and services to this project can be achieved while maintaining a “neutral-to-positive fiscal impact” to the County (see NOP, page 4, Objective #8).

Infrastructure costs for internal drainage, SAFCA flood control assessments, roads and other essential services will be extensive. Parallel evaluation of these costs is essential to the EIR process. The EIR must show that mitigation measures attached to the project, particularly those that rely on developer funded implementation—and in particular those that are related to habitat mitigation requirements—will, when combined with the burden of infrastructure costs, be financially feasible.

Bonding of mitigation measures must be evaluated as part of the mitigation and monitoring program. This evaluation must be part of the draft EIR process and available for public review well before final project approvals.

Conclusion

ECOS agrees with the assumption that the population of the region and the county will grow. The purpose of the General Plan is to control future development such that it meets the stated needs of the county. Applicant must demonstrate how the proposal will help the county meet these needs, consistent with the existing General Plan, MTP/SCS, Regional Air Quality Attainment Plan, Climate Action Plan, Sustainable Groundwater Management Act, the NBHCP, and, of course, CEQA. Any requested departure from these requirements must demonstrate unequivocal and unique circumstances that outweigh the considerable constraints of those existing requirements. To the extent that one considers the provision of public infrastructure and services, themselves, as mitigation for the environmental impacts of the project, their feasibility, adequacy and their own inherent impacts must be explicated fully and compared to alternatives that do not require amendments to the General Plan, various specific plans (listed in the NOP as “Requested Entitlements”), or new annexations to the Sanitation District and Sewer District.

The region, and the county, specifically, already have countless alternatives to meet future growth within the above requirements (well beyond the 55,000 people subsumed by this proposal). In fact, the existing General Plan subsumes much more growth than is projected by SACOG. It is incumbent on the applicant, therefore, to demonstrate how the proposal comports with the alternatives already available under the General Plan, MTP/SCS, etc. A simple “No Project” alternative that also assumes no growth anywhere else in the region, or one that fails to relate the project to at least one of these alternatives, is simply not good enough to support rational decision-making.

Sincerely,



A handwritten signature in black ink that reads "Brandon Rose".

Brandon Rose, President
Environmental Council of Sacramento (ECOS)



A handwritten signature in black ink that reads "Robert C. Burness".

Robert C. Burness, Co-Chair
Habitat 2020



A handwritten signature in black ink that reads "Barbara Leary".

Barbara Leary, Executive Committee Chair
Sierra Club Sacramento Group