



ECOS
ENVIRONMENTAL
♦ COUNCIL ♦
OF SACRAMENTO



May 17, 2024

Chair and Members, Board of Supervisors
Sacramento County
Via email to BoardClerk@saccounty.gov

SUBJECT: Item 11, Consent Calendar, Board Meeting May 21, 2024
Watt-EV SWIFT Project Final Supplemental Environmental Impact Report

Dear Chair Kennedy and Members of the Board:

The Environmental Council of Sacramento appreciates the careful and detailed responses to its comments on the Draft Supplemental Environmental Impact Review. However, we remain concerned that the project does not mitigate impacts to the Natomas Basin Habitat Conservation Plan (NBHCP) and listed species, particularly the Swainson's Hawk and Giant Garter Snake, to less than significant.

We urge you to remove this item from Consent and add an additional mitigation measure.

The inadequacy of the FEIR can be corrected by adding the additional requirement that the applicant obtain an incidental take permit from the California Department of Fish and Wildlife.

The Department's letter of comment on the DSEIR (Letter 2, Appendix RTC-1, dated March 18, 2024) makes clear the Department's statutory trustee role and the availability of the incidental take permit to ensure Department agreement with the impact analysis and mitigation measures.

As lead agency, the Board of Supervisors can require the incidental take permit to obtain state oversight of mitigation measures to ensure reduction of project impacts to less than significant and to ensure that the project is fully compliant with state wildlife protections, including the NBHCP.

With millions of dollars of federal/state funding in this project, as well as contributions from Sacramento County, it is inappropriate for the County to avoid compliance with state and federal environmental protections. The Natomas Basin Habitat Conservation Plan, an adopted state and federal regulatory program, specifically acknowledges that "development of these [airport] buffer lands to industrial or other commercial uses will be considered a significant

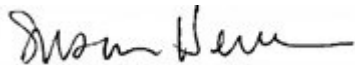
change in the NBHCP and would require that the County either participate in a revision to the HCP or apply for an individual take permit that mitigates for Project impacts.” (NBHCP III-11)

The FEIR claims the project site is maintained to discourage avian use. This is not substantial evidence that the project site lacks value to the wildlife protected by the Natomas Basin Habitat Conservation Plan.

The County's obligation is to reduce impacts to less than significant. The failure to require ITP from California Fish and Wildlife belies that claim.

Thank you for this opportunity to review and comment on a project that promises environmental benefits for our region.

Sincerely,



Susan Herre AIA AICP
President of the Board of Directors



Jude Lamare
Friends of Swainson's Hawk

cc: Dylan Wood, CDFW