



ECOS
ENVIRONMENTAL
♦ COUNCIL ♦
OF SACRAMENTO

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January 27, 2026

Julie Newton, Environmental Coordinator
Department of Community Development
Division of Planning and Environmental Review
827 7th Street, Room 225, Sacramento, CA 95814
Sent via email: CEQA@saccounty.net

Emma Patten, Senior Planner
Sacramento County Planning and Environmental Review
700 H St, Sacramento, CA 95814

Sent via email:

pattene@saccounty.gov (Letter and Attachments via Google Drive); CEQA@saccounty.gov (Letter only)

SUBJECT: Review/Comment on Upper Westside Specific Plan Draft Partially Recirculated Draft Environmental Impact Report (PRDEIR)

Dear Ms. Newton and Ms. Patten:

The Environmental Council of Sacramento (ECOS) is a 501 (c) (3) nonprofit corporation, a coalition of community-based organizations and individuals from throughout the Sacramento region that helps drive conversation and action for good planning.

Please accept our comments on the Upper Westside Project Partially Recirculated Draft Environmental Impact Report (PRDEIR), addressing the following:

1. Traffic
2. Water
3. Persisting Inadequacies and Conflicts
4. Conclusion
5. List of Attachments

1. Traffic

The PRDEIR shifts responsibility to the City for road widening to accommodate additional traffic from the UWSP.

In spite of the population increase of UWSP, with its 9,356 housing units, the PRDEIR notes that El Centro Road is already at the maximum number of lanes states that it won't need to be increased

because the main capacity constraint (at the El Centro Road/Arena Blvd intersection) is within the City of Sacramento's limits(2-31 and 2-32, PRDEIR).

How the project will address the addition of 2,000 additional cars to already congested roads (El Centro and Arena) is not clear. Rather than outlining a feasible plan to address the traffic impacts that would result from the County project, the UWSP PRDEIR states that the responsibility would be deferred to the City, with no indication of collaboration or County involvement. **The EIR should include details of any joint plans created between the County and the City to address traffic constraints in the areas impacted by the UWSP. Such plans should also state who will provide the funding for infrastructure changes.**

The PRDEIR does not address concerns regarding emergency access and services.

"While Radio Road would be closed to regular vehicular use under Alternative 5, emergency vehicle access would still be provided along this roadway. As a result, impacts under Alternative 5 regarding emergency access would be less than significant, like those under the proposed UWSP" (2-32).

Members of the communities surrounding the proposed UWSP have expressed concern regarding current access to emergency services and the significant delays that the increased traffic associated with the UWSP would likely cause. However, the UWSP and PRDEIR assert that impacts related to emergency access would be less than significant. Several critical points have been left out of the discussion, such as a description of the access routes to UWSP and the existing neighborhoods for both City-provided and County-provided emergency services. In addition, there is no discussion of whether roads are sufficient for the emergency evacuation of the combined traffic of UWSP and existing communities. **The EIR thus lacks the evidence necessary to conclude that the UWSP would have less than significant impact on emergency access in the proposed area.**

2. Water

Under Alternative 5, the PRDEIR identifies the Natomas Central Mutual Water Company (NCMWC) as the water source for UWSP (e.g., 2-33-2-53, PRDEIR). The NCMWC is primarily an agricultural water supplier. The Settlement Agreement between the NCMWC and the US Bureau of Reclamation (USBR) provides the NCMWC with water when supplies allow for the typical valley growing season – April to October. This water is strictly provided for agricultural use. The NCMWC also maintains permits with the State Water Resources Control Board (SWRCB), only one of which extends through the winter months (Permit 19400, Table ALT 5-6, 2-35, PRDEIR). All water rights are subject to curtailment when "natural flows in the Sacramento River are insufficient to meet the various water quality and water flow requirements in the Delta" (2-36, PRDEIR).

Alternative 5 proposes that the NCMWC provide year-round, Municipal & Industrial-use (M&I) water services to the UWSP. This arrangement would require that the NCMWC request the amendment of its Settlement Agreement with the USBR and its permits with the SWRCB to allow year-round diversions for M&I use. Additionally, Alternative 5 proposes to address potential curtailments under Term 91 during winter months by seeking an amendment to its USBR Settlement Agreement that "would allow for year-round diversions by reallocating some summer diversions to the winter period" (2-37, PRDEIR).

The Water Plan conflicts with the General Plan and Water Forum discussions for regional water use.

The UWSP lies outside regional water supply plans for the urban area. Sacramento region water supply planning focuses on long-term reliability through integrated strategies like the Regional Water Reliability Plan¹, emphasizing conjunctive use (the coordinated use of surface water and groundwater; e.g., storing water underground in wet years for dry years) via programs like the Sacramento Regional Water Bank², and collaborative efforts such as the Water Forum 2.0³, all aimed at balancing supply, environmental needs (like lower American River flows), and climate change impacts. Key projects include the Water Bank for groundwater storage, RiverArc⁴, and the Harvest Water recycling project, supported by state funding and Department of Water Resources initiatives. The multi-government and multi-level planning effort does not support the PRDEIR proposed water plan.

Regional water supply planning has focused on providing water supplies to existing planned growth areas both within Sacramento and Placer Counties. Water Forum agreements have not included unplanned growth outside of the Urban Services Boundary and a similar planning boundary in Placer County. Because the UWSP is not in the approved planning area for urban development, it has not been considered as a part of regional water demand planning. For the project impact to be less than significant in all water years, it must be consistent with regional water demand planning. For example, a restriction on development to a project of a like size elsewhere in the City or County's 2030 General Plan would be needed. This is obviously not practical. **The EIR must acknowledge the significant impact on regional water planning and identify an unavoidable impact or explain how the project's impacts on regional water planning could be mitigated to "less than significant."**

Additionally, the PRDEIR does not acknowledge the cost of updating regional water plans to include the proposed alternative and does not identify a mitigation measure to offset that cost to various public water agencies participating in regional water planning. **The EIR must outline the costs associated with updating regional water plans to include Alternative 5, and it must explain how those costs would be paid.**

Inadequate information regarding the required contractual amendments and water supply impacts.

Alternative 5 requires the modification of existing agricultural water supply contracts to include a year-round M&I water supply. The PRDEIR does not disclose the full process required to amend existing contracts and acquire additional permits, as would be necessary to allow year-round delivery of water for M&I use. Expecting these regulatory and contractual changes to be negotiated and approved by regulatory agencies within two years is not a prudent assumption and calls into question the viability of this alternative.

¹ Sacramento Regional Water Authority, "Regional Water Reliability and Drought Contingency Plan."

<https://rwah2o.org/regional-water-reliability-and-drought-contingency-plan/#:~:text=The%20Regional%20Water%20Reliability%20Plan,the%20agency%2C%20sub%2Dregional%2C>

² <https://sacwaterbank.com/>

³ <https://waterforum.org/water-forum-2-0-process/>

⁴ [RiverArc](#)

In addition to the unrealistic timeline for contractual amendments, the PRDEIR includes a risky estimate for NCMWC water supply and demand. The PRDEIR states that NCMWC would be able to meet existing and projected demand in normal, critical, and drought protection years (2-45 to 2-47, PRDEIR). Although Table ALT 5-14 (2-46, PRDEIR) indicates that there would be a surplus in acre-feet per year (AFY) in all conditions, the surplus noted in drought years (with 50% curtailment) would be 1 AFY. This surplus provides a very narrow buffer between the estimated water demand and the water rights available to serve all NCMWC users. A note in Table ALT 5-11 (2-39 and 2-40, PRDEIR), stating that estimated “demands may vary slightly due to land use plan modifications,” casts further uncertainty as to the NCMWC’s ability to provide water for all of its users, through all conditions. On a regional basis, there is an increasing need for water management to adapt to climate change-precipitated drought and the associated uncertainty of water availability. **The EIR must address the impact the project would have on other NCMWC users, should the UWSP’s actual demands push the NCMWC’s total water demand past the 1 AFY surplus buffer.**

Inadequate analysis regarding impact to the NCMWC agricultural users.

The NCMWC is a private non-profit corporation, established in 1921, representing the interests of 280 member/shareholders who hold water rights in the Basin. It provides agricultural water services to 33,223 acres. The 1964 Sacramento River Settlement Agreement with the USBR requires NCMWC to limit its annual diversions from the Sacramento River to 120,000 AFY. Actual water deliveries have ranged from 29,012 AFY (drought) during 2022 to 81,580 AFY in 2016.

Severe droughts, like the conditions experienced in 2022, cause major reductions in the water available for agriculture. New climate assessment data from the State of California projects more frequent and potentially severe climate changes that may be more severe than those faced in 2022 and may occur with more frequency. And, while the project’s M&I water customers continued water supply (during severe droughts) seems to hang on a brief letter from the NCMWC, stating its intent to maintain M&I water supplies at the expense of agricultural users, the PRDEIR fails to disclose the impact on agricultural users if this approach is implemented during a drought. Should the NCMWC receive less than 50% of a full supply, the agricultural users will suffer a loss due to the prioritization of the UWSP. This threat to agricultural users is real, as a Sacramento Bee article released in 2025 (Attachment 1) reveals that the NCMWC supply was slashed by 82% in the last drought (2022). Table ALT 5-8: Annual Surface Water Use (2-37, PRDEIR) details the impact of drought on water deliveries by the NCMWC in 2022. As extreme conditions and droughts become more frequent and severe, the likelihood that agricultural users – including signatories of the NBHCP – will suffer a loss due to the prioritization of the UWSP only grows. **The FEIR must acknowledge the impact that the water supply plan would have on other NCMWC water recipients in the case of a drought.**

PRDEIR fails to acknowledge and mitigate to less than significant impacts on the Natomas Basin Habitat Conservation Plan, the Metro Airpark Habitat Conservation Plan, and the Natomas Basin Conservancy operations.

We have reviewed and incorporate by reference the content of the comment letter submitted on January 23, 2026, by attorneys Best, Best, and Kreiger (signed by Ethan Walsh) on behalf of the Natomas Basin Conservancy (NBC). We also incorporate by reference the letter of the Natomas Basin Conservancy, dated April 10, 2025, which was submitted to the County and signed by its Board Chair,

Chandra Chilmakuri. These letters make clear that the Upper Westside Project would substantially harm the NBC preserves and the conservation strategy of the NBHCP, adopted to comply with The Endangered Species Act and the California Endangered Species Act.

i. City development in the Swainson’s Hawk Zone would conflict with the 2035 City General Plan and violate the City’s obligations to the NBHCP.

The original UWSP identifies the City of Sacramento as the water source to serve the UWSP. Although Alternative 5 adds the NCMWC as a potential water source for the project, the City of Sacramento has not been removed from the UWSP as a potential source. Comment letters submitted by and on behalf of the City of Sacramento (October, 2024, and August, 2025) in response to the original UWSP express that the City of Sacramento opposes the Upper Westside Project and will not make City water available for the project on unincorporated farmland in Sacramento County due to various conflicts. The 2035 City General Plan, ER 4.2.2, requires that the City work with the County, NBC, and other entities to protect and permanently preserve a one-mile buffer alongside the Sacramento River to preserve agricultural activities. The 2003 NBHCP prohibits the City from expanding urban development within one mile east of the toe of the levee alongside the Sacramento River levee designated as the Swainson’s Hawk Zone (NBHCP pp D-9, IV-28). The great majority of the project site is within the one-mile zone, and development by the City – including placement of a water treatment plant, which is urban infrastructure – would place the City in violation of its obligations under the NBHCP.

ii. Inadequate compatibility analysis with permitted and proposed development in the Natomas Basin

The PRDEIR fails to disclose that 7,467 acres of farmland in Sutter County’s part of Natomas Basin is permitted for urban development by the NBHCP, that the entire 7,467 acres is approved by Sutter County for development as the Sutter Pointe Specific Plan, and that an ADDITIONAL ~7,418 acres in unincorporated Sacramento County’s part of the Basin – all outside of the NBHCP Permit Areas and assumed by the NBHCP to provide additional species habitat – is being processed for urban development entitlement. These projects, Grand Park Trails, Grand Park Southwest, and Upper West Side, currently plan to use M&I surface water, to be provided by NCMWC. The PRDEIR does not acknowledge the development of the UWSP and the prioritized use of NCMWC water in the context of surrounding development. Without evaluating the UWSP in this context, the development and prioritization of service to the UWSP may undermine the NBHCP’s permits and Sutter County’s development plans.

iii. Significant development of agricultural lands in the Natomas Basin would threaten the viability of the NBHCP.

The NBHCP relies upon the existence of over 15,000 acres of agriculture (excluding the mitigation lands managed by the NBC) continuing in the Basin in perpetuity to support threatened species. This includes the UWSP area, which is core to the NBHCP’s strategy to maintain the Swainson’s Hawks in the Basin. The UWSP, along with other permitted and proposed development, would urbanize these agricultural lands and thus threaten the viability of the NBHCP.

iv. Significant development of agricultural lands in the Natomas Basin would threaten the viability of the MAPHCP.

Like the NBHCP, MAPHCP requires that over 15,000 acres of agricultural land remain in the Basin, in addition to the NBC and MAP preserves. The UWSP, along with other permitted and proposed development, would urbanize these agricultural lands and thus threaten the viability of the NBHCP.

The PRDEIR fails to adequately assess the cumulative impacts that the UWSP and all proposed and permitted developments in the Basin would have on agriculture and its critical role in the NBHCP. We have attached the US Fish and Wildlife Service, US Department of the Interior, June 24, 2003, "Intra-Service Biological and Conference Opinion on Issuance of a Section 10(a)(1)(B) Incidental Take Permit to the City of Sacramento and Sutter County for Urban Development in the Natomas Basin, Sacramento and Sutter Counties, California" (Attachment 2). This document explains the scientific and legal basis for preserving existing agricultural uses in the Basin.

In summary, the UWSP would threaten both the viability of agriculture and the habitat conservation plans in the Natomas Basin. The prioritization of water deliveries to the UWSP over agricultural users would undermine multiple habitat conservation properties and plans in the County. The impacts would include and extend beyond the irredeemable degradation of the agricultural lands and protected habitat immediately surrounding the UWSP. The impact to the immediate Fisherman's Lake preserve of the NBC and SAFCA's mitigation properties within the UWSP by adjacent urbanization would diminish their value as habitat mitigation for already permitted projects in the Basin. Approval of the UWSP would create a cumulative, precedent-setting, and growth-inducing impact to further conversion of the remaining open space in the Natomas Basin to non-agricultural uses.

Treatment Plant Siting

The treatment plant is proposed to be sited on land owned by the Los Rios Community College District (LRCCD) (Parcel APN 22501900220000). This land was acquired with public funds that were intended for provision of educational facilities. The proposed use conflicts with the authority underlying the land ownership. Does this landowner agree that the treatment plant can be sited there? Is this government agency authorized to allow urban services on its property to serve a project that is inconsistent with air quality, habitat, transportation and water regional planning?

The PRDEIR must acknowledge the land ownership and provide information on the LRCCD's authority to make the site available for water treatment to serve urbanization that conflicts with the State adopted habitat conservation plan, as well as the air quality, transportation and water planning documents adopted by the State. The feasibility of this water option is belied by the network of local, state, and federal agreements and plans for this area to continue in agricultural use.

Infrastructural costs should be borne by the beneficiaries.

One major project in the planning process (RiverArc) envisions a large diversion of Sacramento River Water (replacing upstream diversion of American River water), transmission pipelines, and water treatment facilities that will service existing and planned growth areas in both counties. The cost of these additional water facilities will be borne throughout the region by those who will benefit from them.

Likewise, the expense and need for the additional infrastructure envisioned for the UWSP should only be borne by the residents and commercial/industrial businesses that are a part of and will reside within this project. This should be stated in the FEIR.

Flood Risk and Climate Readiness

2025 is reported by the World Meteorological Organization as either the second or third warmest year globally, following 2024 and 2023, which were the warmest years recorded.⁵ A January, 2026, article in the Sacramento Bee (Attachment 3) notes that higher temperatures and early snow melt will continue to lead to increased winter flooding and low water supply in the spring and summer for our region. This temporal shift in water supply emphasizes the need for greater water storage, flood protection, and strategic water delivery services. However, the UWSP would reduce natural water storage and create flood-vulnerable communities by paving over farmland, which naturally captures and stores water, and developing housing in a known floodplain. **The EIR should prepare a climate readiness strategy and flood-impact analysis, as well as include details around flood protection plans and affordability for future residents.**

Water efficiency and landscaping

The state of California has promulgated water use standards for residential water use and commercial/residential landscape use to name a few. Regional water purveyors are moving to develop and enhance programs to achieve or exceed these standards. It is not clear that the use of local native plants in landscaping and common areas as well as other water efficiency measures are being utilized in the project to ensure efficient water use. **Requirements for water efficient landscaping and other demand management programs should be included as mitigation measures for water supply impacts to less than significant.**

3. Persisting Inadequacies and Conflicts

The PRDEIR, consisting of Alternative 5, focuses on addressing concerns that were raised in response to the original UWSP's water supply plan and traffic impacts. Beyond the viability and significant impacts of the proposed alternative, there remain outstanding issues that must be resolved for the project to be considered for approval.

The City of Sacramento submitted multiple letters expressing their concerns about, and opposition to, the UWSP. The letter submitted by Buchalter on August 19, 2025, on behalf of the City of Sacramento, raised the following concerns regarding the UWSP, particularly as it would impact the City of Sacramento:

- “The Upper Westside Project conflicts with the provisions of the adopted NBHCP.”
- “The Upper Westside Project is inconsistent with the County’s General Plan land use, agricultural resources and conservation resources policies concerning the preservation of agricultural land and habitat in the Natomas Basin.”

⁵ World Meteorological Organization, “2025 set to be second or third warmest year on record, continuing exceptionally high warming trend.” November 6, 2025, <https://wmo.int/news/media-centre/2025-set-be-second-or-third-warmest-year-record-continuing-exceptionally-high-warming-trend>

- “The UWSP would result in the loss of GGS habitat in conflict with the NBHCP and the conservation strategy for the preservation of wetland habitat.”
- “The UWSP proposes urban development in the Swainson’s Hawk Zone that would remove Swainson’s Hawk habitat in conflict with the NBHCP and in violation of General Plan Policy CO-138.”
- “Substantial evidence does not support the UWSP EIR’s conclusion that cumulative biological resources impacts will be less than significant with the conversion of over 7,600 acres of agricultural land to urban development.”
- “The Final EIR analysis of water supply impacts does not comply with SB 610 and violates CEQA.”

The City of Sacramento’s October 2024 comments on the UWSP DEIR, as well as the City Council’s August 2025 letter to the Sacramento County Board of Supervisors, cite the following additional concerns:

- The EIR assumes City responsibility for mitigation relating to UWSP traffic impacts and does not provide a financial plan to implement necessary traffic mitigation.
- The EIR does not sufficiently evaluate the potential environmental, economic, physical, and traffic-related impacts of the UWSP’s proposed commercial development along the westerly extension of El Camino Avenue, nor its alignment with the 2002 City/County MOU.
- The EIR is inconsistent with long-range plans (e.g., the Region’s Sustainable Communities Strategy) related to urban infrastructure and potential growth-inducing effects and fails to provide quantitative analyses regarding the positive growth and benefits that would extend beyond the project to the City of Sacramento.
- The EIR contains no evaluation of impact on public services (police, fire, parks) and it does not provide a plan outlining how the County would provide those services.
- The UWSP would remove natural water reservoir areas that are important for flood protection.
- Plans to develop schools remain inadequate. A signed school mitigation agreement must be signed between the Natomas Unified School District and the developer.
- The EIR does not address concerns related to sewer capacity, nor does it include financing plans for infrastructural improvements.
- The EIR does not address the project’s potential conflicts with the airport.
- Sprawl development on the edge of the City would threaten the City’s infill development strategy and tax base.

The City has thus raised issues that extend far beyond the traffic and water concerns that Alternative 5 attempts to address. **Until all of these issues are resolved, the EIR remains inadequate and in conflict with regional planning goals.**

4. Conclusion

In summary, the PRDEIR does not address or rectify critical inadequacies raised by ECOS and others to the Draft EIR or Final EIR. This proposal continues to conflict with all known local and regional plans. The proposal continues to ignore the requirements of CEQA and of the NBHCP. While all these environmental concerns and requirements were previously raised by the community and the City of

Sacramento, they continue to be ignored. Further, the PRDEIR omits crucial details that would be necessary to ensure the viability of Alternative 5.

The very siting of the UWSP conflicts with various regional plans, as well as the County's own General Plan. Finally, the approval of this project would threaten the viability of agriculture in the Natomas Basin and the viability of the NBC and NBCHCP. The PRDEIR must be rejected as inadequate.

Thank you for considering our comments. We appreciate the opportunity to engage in planning for our community.

Sincerely,

A handwritten signature in blue ink that reads "Heather Fargo". The signature is written in a cursive style with a large, stylized 'H' and 'F'.

Heather Fargo
President of the Board of Directors

5. LIST OF ATTACHMENTS

1. Tom Philp, December 177, 2025, "Sacramento County still lacks reliable water as Serna loves a bad project." The Sacramento Bee.
2. United States Fish and Wildlife Service, United States Department of the Interior, June 24, 2003, "Intra-Service Biological and Conference Opinion on Issuance of a Section 10(a)(1)(B) Incidental Take Permit to the City of Sacramento and Sutter County for Urban Development in the Natomas Basin, Sacramento and Sutter Counties, California."
3. Chaewon Chung, January 15, 2026, "New research warns of major threats to Sacramento's water supply." The Sacramento Bee.