

# Final Environmental Impact Report for the Northwest Land Park (P10-039) SCH No. 2010052011



Prepared for  
**City of Sacramento**

Prepared by  
**PBS&J, an Atkins company**  
1200 Second Street, Sacramento, California 95814  
[www.atkinsglobal.com/northamerica](http://www.atkinsglobal.com/northamerica) | [www.atkinsglobal.com](http://www.atkinsglobal.com)

## Volume 2: Responses to Comments on the Draft EIR

April 2011

Final Environmental Impact Report  
for the  
Northwest Land Park Project  
(P10-039)

SCH No. 2010052011

Volume 2:  
Responses to Comments on the Draft EIR

Prepared for:

City of Sacramento

Prepared by:

PBS&J, an Atkins company

April 2011

## **TABLE OF CONTENTS**

---

---

# TABLE OF CONTENTS

---

## Volume 2

| <u>Chapter</u>  | <u>Page</u> |
|---|-------------|
| 1. INTRODUCTION .....   | 1-1         |
| 2. CHANGES TO THE DRAFT EIR .....   | 2-1         |
| 3. LIST OF AGENCIES AND PERSONS COMMENTING .....                                | 3-1         |
| 4. COMMENTS AND RESPONSES .....   | 4-1         |
| LETTER 1: Pacific Gas and Electric, Donald Kennedy .....                        | 4-15        |
| LETTER 2: Sacramento City Unified School District, Crystal Hoff .....           | 4-19        |
| LETTER 3: Keith Roberts.....  | 4-23        |
| LETTER 4: Cheryl McDonald.....  | 4-27        |
| LETTER 5: Greater Broadway Partnership, William Y. Harrell.....                 | 4-31        |
| LETTER 6: Saccani Distributing Co., Gary Saccani and Roland Saccani.....        | 4-43        |
| LETTER 7: Upper Land Park Neighborhood Association.....                         | 4-47        |
| LETTER 8: State of California, Governor's Office of Planning and Research ..... | 4-53        |
| LETTER 9: Land Park Community Association.....                                  | 4-57        |
| LETTER 10: Environmental Council of Sacramento .....                            | 4-61        |
| LETTER 11: Sacramento Metropolitan Air Quality Management District .....        | 4-75        |
| LETTER 12: Sacramento Area Bicycle Advocates.....                               | 4-85        |
| LETTER 13: State of California, Department of Transportation .....              | 4-89        |

## **1. INTRODUCTION**

---

# 1.0 INTRODUCTION

---

## **PURPOSE OF THIS DOCUMENT**

This document contains public comments received on the Draft Environmental Impact Report (Draft EIR) for the Northwest Land Park (proposed project). Written comments were received by the City of Sacramento during the public comment period held from December 29, 2010 through February 18, 2011. This document includes written responses to environmental issues raised in comments on the Draft EIR. The responses clarify, correct, and amplify text in the Draft EIR, as appropriate. Also included are text changes made at the initiative of the Lead Agency (City of Sacramento). These changes do not alter the conclusions of the Draft EIR. This document has been prepared in accordance with the California Environmental Quality Act (CEQA; Public Resources Code (PRC) sections 21000-21177).

## **BACKGROUND**

In accordance with CEQA regulations, the City released a Notice of Preparation (NOP) on May 5, 2010, with a comment period from May 5, 2010 to June 4, 2010. The City distributed the NOP to responsible agencies, interested parties and organizations, as well as private organizations and individuals that have stated an interest in the project. The purpose of the NOP was to provide notification that an EIR for the project was being prepared and to solicit guidance on the scope and content of the document. The NOP and public and agency responses to the NOP are included in Appendix A of the Draft EIR in accordance with CEQA. The City held a scoping meeting on May 19, 2010. Public or agency comments submitted at the scoping meeting included general questions about the CEQA process, questions about the proposed project (e.g., types of residential units, number of residential units, whether the project would include affordable housing), effects of the proposed project on adjacent uses and vice versa, and economic impacts of the proposed project. Questions raised at the scoping meeting that are pertinent to the environmental analysis were addressed in the Draft EIR.

The Draft EIR was circulated for public review and comment for a period of 48 days from December 29, 2010 through February 15, 2011, and the comment period was extended to February 18, 2011.

## **PROJECT UNDER REVIEW**

The Northwest Land Park Project would develop a residential/mixed-use community on approximately 31.7 acres within the Land Park Community Plan Area of the City of Sacramento. The project site is bounded by Broadway Street on the north, 5th Street on the east, McClatchy Way on the south, and an elevated section of Interstate 5 (I-5) on the west (see Figures 2-1 and 2-2 in Chapter 2 of the DEIR). The project would replace existing light industrial and commercial uses on the project site with up to 968 residential units, commercial-retail uses, and parks and open space. Specifically, the project would include up to 898 medium-density multi-family residences on approximately 19.2 acres, up to 70 high-density multi-family residences and 15,000 square feet of

commercial-retail uses on approximately 1.2 acres, approximately 4.3 acres of park and public open space, approximately 1.1 acres of private open space, and approximately 5.9 acres of public rights-of-way. A four-phase project buildout is anticipated. The project would be developed consistent with existing Sacramento 2030 General Plan (adopted March, 2009) designations as analyzed in the Master EIR that evaluated environmental impacts that could occur as a result of development consistent with the General Plan. The project land use plan is shown on Figure 2-3 in Chapter 2 of the Draft EIR. The project location, project objectives, and specific project elements are also described in Chapter 2 of the Draft EIR.

### **Required Discretionary Actions**

The City of Sacramento requires the following discretionary actions for project approval:

- **EIR Certification.** Before the City can approve the proposed project, it must certify that the EIR was completed in compliance with the requirements of the California Environmental Quality Act (CEQA), that the decision-making body has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the City of Sacramento. Approval of the EIR also requires adoption of a Mitigation Monitoring Plan (MMP), which specifies the methods for monitoring mitigation measures required to eliminate or reduce the project's significant effects on the environment. The City would also be required to adopt Findings of Fact, as part of project approval. The EIR for the Northwest Land Park project did not identify and significant any unavoidable impact, thus the City would not be required to adopt a Statement of Overriding Considerations.
- **Rezone.** The project would require a rezone of the project site to change the zoning districts from C-4, M1, M-2, and M-2-R to Multi-Family Zone (R-4) and General Commercial Zone (C-2) to achieve consistency with the 2030 General Plan.
- **Development Agreement.** The City and applicant would enter into a development agreement for allocation of infrastructure costs, park dedication requirements, and various agreements.
- **PUD Designation and Development Guidelines.** The project will require approval of a Planned Unit Development designation. A PUD controls the development of land with specific regulations related to design. The purpose of a PUD is to provide greater flexibility in the design or development standards of integrated developments than is otherwise possible through strict application of zoning regulations. PUDs can include all or a portion of a residential neighborhood, an employment center, or a mixed residential/employment development.
- **Tentative Parcel Map.** The applicant is seeking approval of a tentative map as part of Phase 1 of development entitlements.
- **Special Permits.** A special permit is required for condominium construction.
- **Subdivision Modification.** A subdivision modification is required for street modifications that are approved through the PUD process.

---

## OTHER PERMITS AND APPROVALS

- **Tree Permit for Heritage Trees.** Prior to the removal, pruning, placement of chemicals, or disturbance of the soil within the drip-line of any heritage trees on the site, the City Urban Forestry Manager must first issue a permit to the applicant allowing such activities. Any appeals are handled by the Director of the Department of Parks and Recreation.
- **Water Supply Assessment.** Since the project would demand an amount of water required to supply at least 500 dwelling units, the City will be required to approve a water supply assessment prepared for the proposed project, and provide a written verification consistent with SB 610/221 requirements.
- **Grading Permit and Stockpile Permit.** The City regulates land disturbances, landfill, soil storage, pollution, and erosion and sedimentation resulting from construction activities. Prior to any earth disturbing activities, the project applicant will be required to obtain a permit from the City per the City's grading ordinance (Sacramento City Code, Chapter 15.88). All grading must be done in compliance with the conditions of grading approval.
- **Limited Discharge to the Combined or Separated Sewer System.** Groundwater discharges to the Combined or separated sewers are regulated and monitored by the Department of Utilities (City Council Resolution #92-439). Limited Discharges are brief groundwater discharges of 7-days duration or less and must be approved through Department of Utilities by acceptance letter.

## TYPE OF DOCUMENT

This EIR is a "Project EIR," pursuant to section 15161 of the CEQA Guidelines, for Phase 1 of the project, which includes construction of up to 208 residential units on approximately 7.8 acres. A Project EIR examines the environmental impacts of a specific project. This type of EIR focuses on the changes in the environment that would result from implementation of the project, including construction and operation. This EIR is a "Program EIR," pursuant to section 15168 of the CEQA Guidelines, for Phases 2, 3, and 4. A Program EIR is an EIR that may be prepared on a series of actions that can be characterized as one large project and are related. In the case of Phases 2, 3 and 4, the City will review the proposals for development when submitted, and determine whether additional environmental documentation must be prepared.

If a later activity would have effects that were not examined in the Program EIR, additional environmental documentation would be prepared, consistent with sections 15162 through 15164 of the Guidelines. If no new effects would occur and no new mitigation measures would be required, the later phases could rely on the scope of the environmental analysis provided in the Program EIR, and no additional environmental documentation would be required.

The EIR is an informational document intended to disclose to the decision makers and the public the environmental consequences of approving and implementing the proposed project. The preparation of the Final EIR focuses on the responses to significant environmental issues raised in comments on the Draft EIR. CEQA Guidelines Section 15132 specifies the following:

*The Final EIR shall consist of:*

- (a) The Draft EIR or revision of the draft.*
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.*
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.*
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
- (e) And any other information added by the Lead Agency.*

This document contains the list of commenters, the comment letters, and responses to the significant environmental points raised in the comments and text changes made at the initiative of the Lead Agency. These changes do not alter the conclusions of the Draft EIR.

Prior to taking action to approve the project, the City of Sacramento, as Lead Agency, would be required to certify that the Northwest Land Park Final EIR adequately discloses the environmental effects of the project and has been completed in conformance with CEQA, and that the decision-making bodies independently reviewed and considered the information contained in the EIR prior to taking action on the project (CEQA Guidelines section 15090). The EIR must also be considered by the Responsible Agencies, which are public agencies that have discretionary approval authority over the project in addition to the Lead Agency. For this project, any “responsible agencies” must consider the environmental effects of the project, as shown in the EIR prior to approving any portion of the project over which it has authority.

The project may require the following approvals and/or permits from other agencies, which may be deemed to be “responsible agencies” as defined by CEQA. The Northwest Land Park EIR has been designed to provide information to these agencies to assist them in the permitting processes for the proposed project.

- **Rail removal and related improvements for development of Optional Tunnel (State Parks)**
- **Dewatering and Other Low-Threat Discharges to Surface Waters Permit (Central Valley Regional Water Quality Control Board [CVRWQCB])**

Construction activities may involve short-term dewatering during construction and discharge of groundwater to the City’s Combined Sewer System. If the discharge is part of a groundwater cleanup or contains excessive contaminants, CVRWQCB approval is required. Discharges may be covered by the permit provided they are (1) either four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 million gallons per day. Construction dewatering, well development water, pump/well testing, pipeline testing, and miscellaneous dewatering/low-threat discharges are among the types of discharges that

may be covered by the permit. The general permit also specifies standards for testing, monitoring, and reporting, receiving water limitations, and discharge prohibitions.

- **Hazardous Materials Environmental Oversight**

Any environmental problems relating to hazardous materials detected on the project site may require oversight by the appropriate governmental agency (e.g., Department of Toxic Substances Control, County Division of Environmental Health Services). It would be the responsibility of the project applicant to contact the appropriate agency in the event any potential hazardous materials are identified before or during project construction.

- **Authority to construct and permit to operate** (Sacramento Metropolitan Air Quality Management District)

## ORGANIZATION OF THIS DOCUMENT

For this document, comments and responses are grouped by comment letter. As the subject matter of one topic may overlap between letters, the reader must occasionally refer to one or more responses to review all the information on a given subject. To assist the reader, cross references are provided. The comments and responses in this document, in conjunction with the Draft EIR as amended by the text changes, constitute the Final EIR that will be considered for certification by the City of Sacramento.

This document is organized as follows:

**Chapter 1 - Introduction:** This chapter includes a summary of the project description and the process and requirements of a Final EIR.

**Chapter 2 – Staff Initiated Changes to the Draft EIR:** This chapter lists the staff-initiated text changes to the Draft EIR.

**Chapter 3 - List of Agencies and Persons Commenting:** This chapter contains a list of all of the agencies or persons who submitted comments on the Draft EIR during the public review period.

**Chapter 4 - Comments and Responses:** This chapter contains the comment letters received on the Draft EIR and the corresponding response to each comment. Each letter and each comment within a letter has been given a number. Responses are provided after the letter in the order in which the comments were assigned. Where appropriate, responses are cross-referenced between letters. The responses following each comment letter are intended to supplement, clarify, or amend information provided in the Draft EIR, or refer the commenter to the appropriate place in the document where the requested information can be found. Those comments not directly related to environmental issues may be discussed or noted for the record.

## **PUBLIC PARTICIPATION AND REVIEW**

The City of Sacramento notified all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR for the proposed project was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

- The City of Sacramento filed a Notice of Preparation (NOP) for an EIR with the State Clearinghouse for a 30-day public review period for the proposed project on May 5, 2010.
- A public scoping meeting was held on May 19, 2010.
- A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse on December 29, 2010. A 48-day public review period for the Draft EIR was established by the State Clearinghouse, ending on February 15, 2011.
- A Notice of Availability (NOA) was distributed to interested groups, organizations, and individuals.
- The Draft EIR, and the notice inviting comments, was posted on the City's web site at <http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/>
- Copies of the Draft EIR were available for review at the following locations:
  - City of Sacramento Community Development Department  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95811  
(Open to the public from 9:00 am to 4:00 pm)
  
  - Sacramento Public Library  
828 I Street  
Sacramento, CA 95814
- The City of Sacramento extended the timeline to submit comments on the Draft EIR for the Northwest Land Park Project to Friday, February 18, 2011.

## **2. CHANGES TO THE DRAFT EIR**

---

---

## 2.0 CHANGES TO THE DRAFT EIR

---

### INTRODUCTION

This chapter presents minor corrections and revisions made to the Draft EIR initiated by the public, the Lead Agency, and/or consultants based on their on-going review. New text is indicated in underline and text to be deleted is reflected by ~~strike through~~ unless otherwise noted in the introduction preceding the text change. Text changes are presented in the page order in which they appear in the Draft EIR.

### **Section 5.1, Air Quality**

The text under the heading “Standards of Significance” on page 5.1-14 of the Draft EIR is amended as follows:

AAQS have not been established for TACs. TAC exposure is deemed to be significant ~~by the SMAQMD~~ if:

- TAC exposures create a risk of 10 in 1 million for stationary sources (as indicated by the SMAQMD); or
- The project sSubstantially increases the risk of exposure to TACs ~~for~~ from mobile sources

No source was provided for the following statement; therefore, the text of the third bullet on page 5.1-23 of the DEIR is deleted as follows:

- ~~The housing constructed at the project site would be multi-family, and would not result in the exposure typically encountered in single-family residential development including adjacent outdoor recreational space. While multi-family development may include outdoor recreational areas, residents of multi-family developments are more likely to utilize either interior recreation space or outdoor recreation areas.~~

Deletion of this text does not change the conclusions in the EIR.

### **Section 5.4, Global Climate Change**

The text under the heading “Natural Gas and other fuels” on page 5.4-19 of the Draft EIR is amended as follows:

~~The default energy efficiency of buildings and resulting natural gas use assumed in the URBEMIS 2007 model uses the 2005 Title 24 building standards, which over-predicts emissions, as more stringent requirements for natural gas consumption were adopted in 2008. To compensate for this, proposed project emissions are reduced by 15 percent to account for the increased efficiency requirements.~~

The text under the heading “Electricity Use” on page 5.4-20 of the Draft EIR is amended as follows:

Public utility providers use a variety of methods to generate electricity, including burning coal and oil. By using electricity, the proposed development would contribute to the indirect emissions associated with its production. Estimated ~~emissions for the~~ consumption of electricity ~~were~~ was based on the total number of residential units and the total square footage of commercial space and associated consumption rates.<sup>28</sup> The annual consumption of electricity is then multiplied by the appropriate emission factors for CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O to estimate emissions from electrical consumption. The Sacramento Municipal Utilities District supplies 15 percent of the City’s electrical demand through hydroelectric generation. Since the generation of electricity through hydroelectric plants is considered to be renewable, there are no emissions associated with this type of electrical generation. Therefore, a 15 percent reduction in emissions from electricity is included in the emissions inventory.

To clarify the PUD Guidelines and provide for updates to the components of the proposed project, the following changes are made to the text beginning on page 5.4-23 of the DEIR under the line “PUD Development Guidelines”:

- Choice of Mobility – The community shall allow for multiple modes of transportation including private automobiles, bicycles, ~~mass transit~~, and pedestrian mobility.
- Street Connectivity – The community streets shall be designed on a modified grid with multiple connections to the surrounding roadway network.
- Pedestrian and Bicycle Connectivity – The community shall provide sidewalks on both sides along all streets, and a defined multi-use trail network. The community shall develop private pathways that provide pedestrian linkages within individual blocks and between community uses.
- Safe Environment – Streets shall be designed to be safe in terms of traffic mobility, diversity in users, and crime prevention. Climate Appropriate Plants – Trees, shrubs, and grasses shall be conducive to the Northern California environment in terms of water use, drought tolerance, maintenance, and durability. Synthetic Turf should be used for active play areas and small gathering lawns.
- Low Maintenance & Cost Effectiveness – Landscape material including trees, plants, turf, and hardscape should require minimal maintenance as compared to other varieties and material choices. Synthetic turf shall be used to the extent possible in lieu of natural turf and grasses. Materials should be cost effective to lessen the initial expenditure, periodic replacement, and long-term maintenance. Turf may be synthetic to lessen irrigation demands and long term maintenance.
- Standard Streetscape – The plantings along streets and the community trails shall consist mainly of species that at maturity will act as large canopy shade trees and colorful understory plantings. Nothing in this section shall be construed to require an initial planting larger than a 24” box tree.
- Alternative Local Streetscape - Landscaping along internal local streets shall be more lush and generous in plant coverage including primarily canopy shade trees to create a dynamic streetscape.

---

28 For consistency, electrical consumption rates utilized in Sacramento’s 2030 General Plan were utilized.

- Stormwater Management – The project will redevelop with smaller residential buildings interlaced within green courtyards, large central park and meandering greenbelt, and utilizing decorative permeable materials for private driveways and courts. The pervious to impervious ratio for Phase 1 (~~47~~40% permeable to ~~53~~60% Impermeable) will be used as a minimum guideline for the build-out of the entire site through Phase 4.
- Water Efficiency – All project landscaping shall be climate appropriate for the area and irrigated with moisture sensor driven systems to provide drought ~~resistance~~tolerance and maximum efficiency of water use in irrigation. Synthetic turf shall be used, to the greatest extent possible, for private grassed areas within the development.
- Vegetation & Forestation – Vegetation and tree planting plans shall be designed to provide shading for streets, hardscape surfaces, buildings, and recreation areas during summer months. In contrast, said plans shall include landscape varieties that lose their leaves during winter months to promote passive sunlight within the community, thus reducing energy use relating to heating and lighting.
- ~~Pavement Reduction – Community roadways shall be designed with a smaller urban street section (41' wide) to reduce heat absorbing surfaces, to lessen excessive impervious surfaces, to use less petroleum based products on-site, and to allow for more set-back space for planting large street trees.~~
- Air Quality – The project proposes that all buildings, units, and facilities, indoors and out, are free of devices designated to facilitate the combustion of wood or wood products to eliminate emissions generally associated with traditional fireplaces.
- ~~Solar Orientation – The majority of the project's buildings shall be designed to orient the roof tops with strong solar capture opportunities for photovoltaic panels throughout the community. The orientation of at least 40% of the roof area of at least 80% of the buildings shall be west, southwest, or south.~~
- Reuse and Recycling - The project shall re-use at least 50% of the salvageable materials in the existing ~~buildings~~improvements on-site, as measured by weight. This can take the form of re-use of entire structures, re-use or repurposing of significant elements, such as beams or trusses, and recycling materials within the new project such as grinding paving and asphalt for use as base material at the site. These activities will increase the sustainability of the site through reduced waste materials from demolition, reduced need for new materials on-site, and reduction of the ancillary transportation impacts from off-haul and delivery of materials to the site. Additionally, the project will evaluate brick, wood, metal, and masonry materials from the demolition to be re-manufactured into a "heritage" line of finishes to be offered as upgrades to the units. As an example, wood ~~member~~timbers would be converted into flooring material to provide the character and cache of "distressed" lumber underfoot. These efforts will increase the amount of on-site materials reused sustainably within the project.
- Efficient Floor Plans - The Northwest Land Park community will be developed with compact efficient floor plans ~~with units averaging approximately 1,000 square feet of living space~~. In addition the ~~vast~~ majority of units will share wall/floor space, and thus thermal mass, with at least one other unit.
- Insulation – Building shall be designed with a high-efficiency thermal shell for the units with exterior walls at or above R25 for walls and R40 for ceilings.
- Climatization – Residential buildings shall use mini-splits~~small~~ high efficiency ductless heating and cooling units ~~that provide climatization control for individual rooms and occupied spaces~~.
- ~~Appliances – All kitchen and laundry appliances shall be Energy Star rated.~~

- ~~Lighting - Buildings shall use a low-voltage pre-wired LED or fluorescent lighting system throughout the units, allowing for energy efficient lighting. The~~
- Exterior Lighting. Exterior HOA maintained lighting systems may only accommodate LED including pathway lights and cannot be converted to higher energy usage through replacing efficient bulbs with inefficient bulbs, accent/landscaping lights, motor-court lights, and private street lights shall use LED lighting technologies.
- ~~Water Heaters - The project shall require provide high efficiency tank-less hot water heaters mounted to the exterior of the units to provide for the most energy efficient delivery of hot water, avoid heat gain from an internal. Nothing in this provision shall preclude installation of high efficiency alternative energy source hot water tank, minimize thermal loss experienced when venting internal gas-fired systems, and to minimize heating and storage units.~~
- Electrical vehicle accommodations – The project shall incorporate 110v electrical outlets in the garage units such that they are readily accessible for use with electric vehicles.
- Renewable Energy Commitment - The project shall incorporate a 400 KW renewable energy system to reduce the amount of energy purchased by the Project. The renewable energy will be incorporated over the life of the project such that a minimum of 100 KW will be incorporated into phase 1 with an aggregate total of 100 KWs per phase through the buildout of phase 4. The 400 KW system will result in an annual reduction of 730,000 kWh of purchased electricity at full project buildout. This is equivalent to the emissions from electrical consumption of approximately 188 dwelling units. The renewable energy system may include solar, wind, fuel cells, or other new technology that becomes available over the implementation of the project. The following are the commitments already made by the project to foster this renewable commitment:
  - ~~Photovoltaic Design - The project shall be planned to orient at least 40% of the roof area of a minimum of 8050% of the buildings to the west, south or southwest so that photovoltaic panels and collector systems can provide maximum benefit when installed. The project shall work with the local utility and, through an aggressive sales program, encourage and provide solar systems and/or alternative energy systems as an option with every unit.~~
  - The orientation of at least 40% of the roof area of at least 50% of the buildings shall be west, southwest, or south.
  - Solar Energy – As indicated in the AQMP (measure M28), the NWLP Project has committed to the implementation of a solar energy system that will offset a minimum of 2.5% of the residential needs of the project.

To clarify the discussion, the text and table beginning with the last paragraph on page 5.4-25 of the DEIR is amended as follows:

Table 5.4-1 shows emissions from the proposed project without the incorporation of PUD guidelines or project design features. any reductions, as well as with project design features and reductions quantified in the AQMP. As shown, the proposed project would result in a net increase of ~~9,542~~ 8,308 metric tons CO<sub>2</sub>e annually ~~over as compared to~~ the existing land uses without incorporated project features or reductions. ~~After the incorporation of all appropriate project features and reductions,~~ the proposed project would result in an increase of ~~6,690~~ 5,806 metric tons CO<sub>2</sub>e annually, or a reduction of ~~29.95~~ 30.10 percent from 2019 BAU. Business-As-Usual (BAU) is defined as the emissions generated without the incorporation of proposed federal, state, and local reductions that may be proposed but are

not currently in place. BAU further does not take into account any design features beyond current laws and regulations that a project implements. The only 2030 General Plan measures with a specified reduction, Policy U 6.1.5, requires the reduction of energy usage by 25 percent; The project achieves a reduction of 30 percent as accounted for in the emissions inventories. Detailed calculations of emissions inventories and reductions are included as Appendix L.

|  | <b>Existing Industrial</b>       | <b>BAU<sup>1</sup></b>             | <b>Net-BAU Emissions</b>       | <b>With Project Design</b>       | <b>% Reduction from 2010 BAU<sup>3</sup></b> | <b>% Reduction</b>                |
|--|----------------------------------|------------------------------------|--------------------------------|----------------------------------|--|-----------------------------------|
| Amortized Construction                   | -                                | 415                                | 445                            | 415                              | 0.00%  | 0.00%                             |
| Vehicular Use                            | 2,525                            | <del>7,932</del> <u>6,502</u>      | <del>5,407</del>               | <del>3,434</del>                 | <u>30.02%</u>                                | <del>36.40</del><br><u>47.19%</u> |
| Electricity                              | <del>0.15</del> <u>0.19</u>      | <del>4,045</del> <u>1,223</u>      | <del>4,045</del>               | <del>747</del> <u>761</u>        | <u>41.99%</u>                                | <del>26.40</del><br><u>37.80%</u> |
| Natural Gas and Other Fuels              | 161                              | 2,643                              | 2,482                          | <del>1,862</del> <u>1,982</u>    | <u>31.93%</u>                                | <del>24.98</del><br><u>25.01%</u> |
| Solid Waste                              | 21                               | <del>145</del> <u>118</u>          | <del>124</del>                 | <del>124</del> <u>118</u>        | <u>0.00%</u>                                 | <u>0.00%</u>                      |
| Water Use                                | <del>13</del> <u>16</u>          | <del>422</del> <u>117</u>          | <del>409</del>                 | <del>408</del> <u>117</u>        | <u>0.00%</u>                                 | <u>0.00%</u>                      |
| <i>Gross Total</i>                       | <del>2,720</del>                 | <del>12,274</del> <u>12,477</u>    | <del>9,554</del> <u>11,029</u> | <del>6,690</del> <u>8,850</u>    |  | <u>29.95%</u>                     |
| <i>CEQA Baseline<sup>4</sup></i>         | -                                | <del>(2723)</del>                  | <del>(2723)</del>              | <del>(2723)</del>                |  |                                   |
| <i>Sub Total</i>                         | -                                | <del>9,765</del>                   | <del>8,306</del>               | <del>6,127</del>                 | <u>37.25%</u>                                | <u>26.23%</u>                     |
| <i>Additional Reductions<sup>5</sup></i> | -                                | -                                  | -                              | <del>(321)</del>                 |  |                                   |
| <b>Total</b>                             | <del>2,720</del><br><u>2,723</u> | <del>12,274</del><br><u>11,019</u> | <del>9,554</del>               | <del>6,690</del><br><u>6,827</u> | <u>40.54%</u>                                | <del>29.95</del><br><u>38.04%</u> |

Note:

1. BAU stands for business as usual which 2010 BAU is an indication of emissions without the incorporation of proposed federal, state, local reduction measures, and project specific features that would reduce emissions in comparison to typical construction and design, the net project without accounting for emission reductions from project design features, mitigation, or state mobile reductions such as Pavley I and II, and the Low Carbon Fuel standard.
2. 2019 BAU is the net project implemented in 2019 under the laws and regulations currently in place but without the incorporation of the project design features or mitigation.
3. In both instances the % reduction for each source category represents the reduction from the net Project including the additional design features. These values are not shown in this table but are included in Appendix L.
4. CEQA Baseline is the emissions from the industrial land uses currently operating at the NWLP site.
5. The additional reductions are the design features added between the DEIR and the FEIR to increase emission reductions from the Project.

Source: PBS&J 2010<sup>1</sup>. Detailed calculations are included as Appendix L

The Draft EIR identified an impact related to potential conflict of the project with the City's plans, policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases (GHG). (Impact 5.4-2) While the Draft EIR concluded that the impact was less than significant, comments were submitted that suggested the City could identify mitigation for potential effects that were more definitive in terms of quantification of GHG reduction.

The Draft EIR, in the discussion related to Impact 5.4-1 (generation of GHG emissions) and Impact 5.4-2, included a substantive discussion of the project emissions. The Draft EIR also included a discussion of various aspects of the global climate change issue in Chapter 5.4 generally. As pointed out in these discussions, the City has embarked on a comprehensive program for reduction of GHG

emissions that includes adoption of the 2030 General Plan encouraging infill development and support for the development of a Climate Action Plan that satisfies the requirements of CEQA Guidelines section 15183.5.

As confirmed in CEQA Guidelines section 15064.4, however, any approach adopted by the City must be based on substantial evidence. Completing the rigorous process of preparation and substantive documentation for the Climate Action Plan requires careful consideration, and that process is under way. In the meantime, CEQA Guidelines section 15064.4 acknowledges that other approaches may be utilized as well. The Draft EIR, has considered and discussed each of the three steps specifically identified in 15064.4(b): (1) extent to which the project would increase or reduce GHG emissions as compared to the existing environmental setting, (2) whether the project exceeds any applicable threshold of significance, and (3) extent to which the project complies with regulations adopted to implement a statewide, regional or local plan for the reduction of GHG emissions.

Included in this discussion was an extended reference to the Planned Unit Development (PUD) Guidelines that would be adopted as part of any project approval. See Draft EIR, pages 5.4-23 to 5.4-25. Planned Unit Developments are authorized in the City Code. See City Code, Title 17, Chapter 180.

Some comments have suggested that the PUD Guidelines would not have the legislative or regulatory rigor required for an adequate GHG analysis. The City believes otherwise. PUD Guidelines are used in development projects to provide flexibility because the details of development cannot be finalized at the entitlement approval stage. For example, the City encourages the use of water-efficient landscaping, but cannot reasonably require developers to present specific landscaping plans that include identification and location of specific plants throughout the development. PUD Guidelines allow the iterative process essential to development that responds to the needs and desires of the community, including the various strategies that are directed to reduction of GHG emissions.

Contrary to the concerns expressed by some commenters, PUD Guideline provisions are, in fact, enforceable, and enforced as part of the development process. This is made clear in City Code section 17.180.020B, which provides as follows:

Issuance of Building Permits. No building permit shall be issued for any building or structure within the boundaries of a PUD until the plans submitted for the building permit have been reviewed by the planning director to determine that the plans conform to the schematic plan and development guidelines adopted for the PUD and the planning director plan review approved for the project. No building or structure within a PUD may be occupied until an inspection of the project has been made by the planning director to see that all conditions of the plan review have been complied with.

This code provision ensures that the requirements of the PUD Guidelines will be enforced. The PUD Guidelines are prepared and adopted based on the specific project involved, and are intended to promote development that is well-planned, attractive and coordinated with other uses. See section 17.080.010. As recognized in the 2030 General Plan goals and policies, the approach to reduction of GHG emissions should be programmatic and strategic, as well as project-specific. Enforcement of

the project design and operation characteristics contemplated in the PUD Guidelines will occur, and will be effective in reducing greenhouse gas emissions.

The text at the end of the first partial paragraph on page 5.4-27 of the Draft EIR is amended as shown below. The text of the new Mitigation Measure 5.4-1 is also added to the summary table on DEIR page 3-13.

To ensure that the project design features included in the project PUD Guidelines are implemented and GHG reductions are achieved, the following mitigation measure is required.

### Mitigation Measure

~~None required.~~

5.4-1 The following PUD Guidelines shall be incorporated into project design, as verified by City staff during design review:

- Choice of Mobility – The applicant shall allow for multiple modes of transportation including private automobiles, bicycles, and pedestrian mobility.
- Street Connectivity – The streets shall be designed on a modified grid with multiple connections to the surrounding roadway network.
- Pedestrian and Bicycle Connectivity – The applicant shall provide sidewalks on both sides along all streets, and a defined multi-use trail network. The applicant shall develop private pathways that provide pedestrian linkages within individual blocks and between community uses.
- Safe Environment – Streets shall be designed to be safe in terms of traffic mobility, diversity in users, and crime prevention. Climate Appropriate Plants – Trees, shrubs, and grasses shall be conducive to the Northern California environment in terms of water use, drought tolerance, maintenance, and durability. Synthetic Turf should be used for active play areas and small gathering lawns.
- Low Maintenance & Cost Effectiveness – Landscape material including trees, plants, turf, and hardscape should require minimal maintenance as compared to other varieties and material choices. Synthetic turf shall be used to the extent possible in lieu of natural turf and grasses. Materials should be cost effective to lessen the initial expenditure, periodic replacement, and long-term maintenance. Turf may be synthetic to lessen irrigation demands and long term maintenance.
- Standard Streetscape – The plantings along streets and the community trails shall consist mainly of species that at maturity will act as large canopy shade trees and colorful understory plantings. Nothing in this section shall be construed to require an initial planting larger than a 24" box tree.
- Alternative Local Streetscape - Landscaping along internal local streets shall be more lush and generous in plant coverage including primarily canopy shade trees to create a dynamic streetscape.

- Stormwater Management – The project will redevelop with smaller residential buildings interlaced within green courtyards, large central park and meandering greenbelt, and utilizing decorative permeable materials for private driveways and courts. The pervious to impervious ratio for Phase 1 (40% permeable to 60% Impermeable) will be used as a minimum guideline for the build-out of the entire site through Phase 4.
- Water Efficiency – All project landscaping shall be climate appropriate for the area and irrigated with moisture sensor driven systems to provide drought tolerance and maximum efficiency of water use in irrigation. Synthetic turf shall be used, to the greatest extent possible, for private grassed areas within the development.
- Vegetation & Forestation – Vegetation and tree planting plans shall be designed to provide shading for streets, hardscape surfaces, buildings, and recreation areas during summer months. In contrast, said plans shall include landscape varieties that lose their leaves during winter months to promote passive sunlight within the community, thus reducing energy use relating to heating and lighting.
- Air Quality – The project proposes that all buildings, units, and facilities, indoors and out, are free of devices designated to facilitate the combustion of wood or wood products to eliminate emissions generally associated with traditional fireplaces.
- Reuse and Recycling - The project shall re-use at least 50% of the salvageable materials in the existing improvements on-site, as measured by weight. This can take the form of re-use of entire structures, re-use or repurposing of significant elements, such as beams or trusses, and recycling materials within the new project such as grinding paving and asphalt for use as base material at the site. These activities will increase the sustainability of the site through reduced waste materials from demolition, reduced need for new materials on-site, and reduction of the ancillary transportation impacts from off-haul and delivery of materials to the site. Additionally, the project will evaluate brick, wood, metal, and masonry materials from the demolition to be re-manufactured into a “heritage” line of finishes to be offered as upgrades to the units. As an example, wood timbers would be converted into flooring material to provide the character and cache of “distressed” lumber underfoot. These efforts will increase the amount of on-site materials reused sustainably within the project.
- Efficient Floor Plans - The Northwest Land Park community will be developed with compact efficient floor plans. In addition the majority of units will share wall/floor space, and thus thermal mass, with at least one other unit.
- Insulation – Building shall be designed with a high-efficiency thermal shell for the units with exterior walls at or above R25 for walls and R40 for ceilings.
- Climatization – Residential buildings shall use small high efficiency heating and cooling units.
- Lighting - Buildings shall use a LED or fluorescent lighting system throughout the units, allowing for energy efficient lighting.

- Exterior Lighting – Exterior HOA maintained lighting, including pathway lights, accent/landscaping lights, motor-court lights, and private street lights shall use LED lighting technologies.
- Water Heaters - The project shall provide high efficiency tank-less hot water heaters to provide for the most energy efficient delivery of hot water. Nothing in this provision shall preclude installation of high efficiency alternative energy source hot water heating and storage units.
- Electrical vehicle accommodations – The project shall incorporate 110v electrical outlets in the garage units such that they are readily accessible for use with electric vehicles.
- Renewable Energy Commitment - The project shall incorporate a 400 KW renewable energy system to reduce the amount of energy purchased by the Project. The 400 KW renewable energy will be incorporated over the life of the project such that a minimum of 100 KW will be incorporated into phase 1 with an aggregate total of 100 KWs per phase through the buildout of phase 4. The 400 KW system will result in an annual reduction of 730,000 kWh of purchased electricity at full project buildout. This is equivalent to the emissions from electrical consumption of approximately 188 dwelling units. The renewable energy system may include solar, wind, fuel cells, or other new technology that becomes available over the implementation of the project. The following are the commitments already made by the project to foster this renewable commitment:
  - Photovoltaic Design - The project shall be planned to orient at least 40% of the roof area of a minimum of 50% of the buildings to the west, south or southwest so that photovoltaic panels and collector systems can provide maximum benefit when installed. The project shall work with the local utility and, through an aggressive sales program, encourage and provide solar systems and/or alternative energy systems as an option.
  - Solar Orientation – The majority of the project’s buildings shall be designed to orient the roof tops with strong solar capture opportunities for photovoltaic panels throughout the community. The orientation of at least 40% of the roof area of at least 50% of the buildings shall be west, southwest, or south.
  - Solar Energy – As indicated in the AQMP (measure M28), the NWLP Project has committed to the implementation of a solar energy system that will offset a minimum of 2.5% of the residential needs of the project.

The text in the third paragraph under Impact 5.4-2 on page 5.4-27 of the Draft EIR is amended as follows:

The proposed project is required to comply with the 2030 General Plan policies and measures for the reduction of GHGs and to comply with the 2030 MTP and AB 32. Because the traffic from the proposed project was incorporated into the 2035 MTP, and the 2035 MTP is anticipated to meet the goals of AB 32, the proposed project would comply with the 2035 MTP. Appendix K, 2030 General Plan Climate Change Policies Table 5-6-2 details how the proposed project incorporates the applicable policies and measures identified in the 2030

General Plan for the reduction of GHG emissions and is, therefore, compliant with the 2030 General Plan.

### **Section 5.6, Noise and Vibration**

Mitigation Measure 5.6-2(b) on page 5.6-23 of the Draft EIR is amended as shown below. The changes are also incorporated into Mitigation Measure 5.6-2(b) on DEIR page 3-18.

b) So long as existing industrial and commercial uses continue to operate, the ~~The~~ *project applicant shall design residential structures, immediately adjacent to the existing commercial operations located along 1<sup>st</sup> Avenue in Phases 2 and 4 to achieve up to a 35 dBA reduction between exterior and interior noise levels through the use of certain design-specific measures that may include, but are not limited to:*

- *The use of triple-paned or no windows for structure walls fronting the existing commercial operations located along 1<sup>st</sup> Avenue;*
- *Not allowing bedrooms along the outermost structure walls of the northern and eastern boundaries of Phase 2 and the eastern boundary of Phase 4;*
- *The use of gypsum board or other sound-insulating building material; and*
- *Providing a uniform wall or line of structures along the ~~western~~ boundary of the site where Phase 2 abuts the existing use on the south side of First Avenue and on the eastern boundary of Phase 4 where it abuts the existing use on the north side of First Avenue.*

### **Section 5.8, Public Services**

The text under the heading “Student Generation Calculations” on page 5.8-18 and in Table 5.8-6 on page 5.8-19 of the Draft EIR is amended as follows:

For the school impact analysis, expected student yields were derived using medium-density and high-density ~~current single-family and multi-family~~ student generation rates for the elementary, middle, and high school levels (see Table 5.8-6). ~~For the purposes of the analysis, the SCUSD multi-family generation rates were used. Multi-family~~ Medium-density generation rates are 0.17 student per unit for grades K-6, 0.06 student per unit for grades 7-8, and 0.08 student per unit for grades 9-12. High-density generation rates are 0.10 student per unit for grades K-6, 0.02 student per unit for grades 7-8, and 0.03 student per unit for grades 9-12. The development of new residential units anticipated under the proposed project would occur over many years, so the growth in students would be spread across several phases of development.

| <b>SACRAMENTO STUDENT GENERATION</b>  |   |   |   |
|---|---|---|---|
| <b>Type of School</b>   | <b>Multi-Family<br/>Generation Rate</b> | <b>Number of Multi-<br/>Family Dwelling Units</b> | <b>Number of Students<br/>Generated</b> |
| <b>Medium-Density Residential</b>   |   |   |   |
| Elementary (K-6)  | <u>0.1</u>                              | <u>968 898</u>                                    | <u>97 153</u>                           |
| Middle (7-8)  | <u>0.02</u>                             | <u>968 898</u>                                    | <u>49 54</u>                            |
| High (9-12)   | <u>0.03</u>                             | <u>968 898</u>                                    | <u>29 72</u>                            |
| <b>High-Density Residential</b>   |   |   |   |
| Elementary (K-6)  | <u>0.10</u>                             | <u>70</u>   | <u>7</u>                                |
| Middle (7-8)  | <u>0.02</u>                             | <u>70</u>   | <u>1</u>                                |
| High (9-12)   | <u>0.03</u>                             | <u>70</u>   | <u>2</u>                                |
| <b>Total</b>  |   |   | <b><u>145 289</u></b>                   |
| <small>Source: Crystal Hoff, Planning Technician, Sacramento City Unified School District, January 4, 2011. Diane Heidrich, Sacramento City Unified School District, personal communication, November 7, 2007; PBS&amp;J, 2010.</small> |   |   |   |

The proposed project is anticipating growth of approximately 968 new residences, including 898 medium-density units and 70 high-density units. ~~all of which would be multi-family.~~ In accordance with the estimated number of residences, approximately 16097 elementary, 5549 middle, and 7429 high school students – a total of 289445 students – would be generated, as shown in Table 5.8-6.

The first sentence of the first full paragraph on page 5.8-20 of the Draft EIR is changed as follows:

As shown in Table 5.8-6, approximately 16097 elementary, 5549 middle, and 7429 high school students – a total of 289445 students – would be generated by the proposed project.

### **Section 5.11, Utilities and Service Systems**

The discussion of annual capacity is not germane to the WTP. Therefore, the text in the paragraph under the heading “Water Treatment” on page 5.11-5 of the Draft EIR is amended as follows:

The City owns and operates two surface water diversion and treatment facilities: the SRWTP and the FWTP on the American River. The WTPs operate as demands dictate, in other words treatment is directly related to consumer demands. In 2000, the City Council certified an environmental impact report for the City’s Water Facilities Expansion Project and approved the project, to expand the treatment capacity of the SRWTP to 160 mgd and expand the treatment capacity of the FWTP to 200 mgd. The SRWTP expansion was completed in 2005, and the FWTP expansion was completed in 2003. The water supply permit issued by the Department of Public Health (DOPH) for the SRWTP currently allows the SRWTP to produce up to 160 mgd, ~~which equates to 179,288 AFY.~~ The DOPH water supply permit for the FWTP currently allows the FWTP to produce up to 160 mgd – increasing the DOPH-permitted limit to the full 200 mgd capacity provided under the Water Facilities Expansion Project would require additional treatment modifications and testing to verify satisfactory water purification. ~~The 2006 UWMP states that the FWTP would be operational 334 days a year and could produce 205,000 AFY.~~

---

## **DEIR Appendix L**

The following text has been added as an introduction to Appendix L to help clarify the reductions taken and the assumptions behind those reductions.

### **NWLP Introduction to GHG Calculations**

This introduction has been added in its entirety to the Final EIR in response to comment 11-9 received from the SMAQMD during the Draft EIR comment period. This introduction, along with the revised emissions presented in the following calculation worksheets, serves to clarify the assumptions and reductions applied in the calculation of GHG emissions for the project. No changes to the conclusion in the Draft EIR result from the revised calculations or the incorporated clarifications.

1. "Mitigation" as used in the appendices for the Draft EIR represents reductions from the PUD Guidelines and project design features and was not intended to indicate that the project required mitigation. In the Final EIR the term "mitigation" has been replaced with "reduction" or "project design feature" as appropriate to the context in which it is applied.
2. CO<sub>2</sub> emissions for construction are obtained directly from the URBEMIS model. While mitigated construction activities are included in the URBEMIS outputs, the mitigation included reduces criteria pollutants only and does not reduce GHGs. Therefore, mitigation for construction activities is discussed in the Air Quality section of the Draft EIR. No mitigation or reductions are quantitatively included within the Climate Change section with respect to construction. However, the following PUD Guidelines measures will reduce emissions with respect to construction.
  - Reuse and Recycling - The project shall re-use at least 50% of the salvageable materials in the existing improvements on-site, as measured by weight. This can take the form of re-use of entire structures, re-use or repurposing of significant elements, such as beams or trusses, and recycling materials within the new project such as grinding paving and asphalt for use as base material at the site. These activities will increase the sustainability of the site through reduced waste materials from demolition, reduced need for new materials on-site, and reduction of the ancillary transportation impacts from off-haul and delivery of materials to the site. Additionally, the project will evaluate brick, wood, metal, and masonry materials from the demolition to be re-manufactured into a "heritage" line of finishes to be offered as upgrades to the units. As an example, wood timbers would be converted into flooring material to provide the character and cache of "distressed" lumber underfoot. These efforts will increase the amount of on-site materials reused sustainably within the project.
3. Reductions applied on the "Operations Emissions" sheet (pages A11 – A22 of Appendix L)

**Reductions applied to electricity:**

Reduction from renewable system, 730,000 kWhs annually

Reduction from installation of solar 2.50% (from residential uses and is included in the renewable energy system reductions).

City regulated reduction in consumption 30.00%

The 30% reduction is applied based on the design features implemented to meet the City's General Plan Policy U6.1.5 and the energy efficiency reduction stated in the Sustainability Master Plan. The 2.5% reduction the renewable system is in addition to the 30%, making the total electrical reduction 41.99%. The renewable energy system and the PUD Guidelines that outline these reductions are listed below under the Project Design Features heading.

**Applied to Natural Gas:**

Additional reduction 30.00%

The 30% reduction is applied based on the project design features implemented to meet the City's General Plan Policy U6.1.5 and exceeds the energy efficiency reduction stated in the Sustainability Master Plan. The PUD Guidelines are outlined below under the Project Design Features heading.

**Applied to Water & Wastewater Emissions:**

There were no reductions applied to water or wastewater emissions in the Draft EIR. However, the revised analysis presented in the Final EIR, includes a 20% reduction is for the implementation of Title 24, part 11 which went into effect as of January 1, 2011. Compliance with this reduction was included in the 2019 BAU and project emissions inventories, however was not included in the 2010 BAU inventory as the reduction requirement was not in effect at that time. The inclusion of this reduction revises the calculations as presented in the following tables but does not change the conclusions of the Draft EIR.

**Applied to Solid Waste Emissions:**

There were no reductions applied to solid waste emissions in the Draft EIR. However, the revised analysis presented in the Final EIR, to include implementation of AB 939 which requires a 50% reduction in solid waste sent to landfills. Compliance with this reduction was included in the calculations for the BAU scenarios as well as the project. The inclusion of this reduction revises the calculations as presented in the following tables but does not change the findings of the Draft EIR.

### **Project Design Features**

The following guidelines will reduce emissions from project operational emissions. While these features will specifically be incorporated, this list is not an exhaustive list of measures that can be implemented to reach the reduction goals.

- Efficient Floor Plans - The Northwest Land Park community will be developed with compact efficient floor plans. In addition the majority of units will share wall/floor space, and thus thermal mass, with at least one other unit.
- Insulation – Building shall be designed with high-efficiency thermal shell for the units with exterior walls at or above R25 for walls and R40 for ceilings.
- Climatization – Residential buildings shall use small high efficiency heating and cooling units.
- Lighting - Buildings shall use a LED or fluorescent lighting system throughout the units, allowing for energy efficient lighting.
- Exterior Lighting. Exterior HOA maintained lighting, including pathway lights, accent/landscaping lights, motor-court lights, and private street lights shall use LED lighting technologies
- Water Heaters - The project shall provide high efficiency tank-less hot water heaters to provide for the most energy efficient delivery of hot water. Nothing in this provision shall preclude installation of high efficiency alternative energy source hot water heating and storage units.
- Electrical vehicle accommodations – The project shall incorporate 110v electrical outlets in the garage units such that they are readily accessible for use with electric vehicles.
- Renewable Energy Commitment - The project shall incorporate a 400 KW renewable energy system to reduce the amount of energy purchased by the Project. The renewable energy will be incorporated over the life of the project such that a minimum of 100 KW will be incorporated into phase 1 with an aggregate total of 100 KWs per phase through the buildout of phase 4. The 400 KW system will result in an annual reduction of 730,000 kWh of purchased electricity at full project buildout. This is equivalent to the emissions from electrical consumption of approximately 188 dwelling units. The renewable energy system may include solar, wind, fuel cells, or other new technology that becomes available over the implementation of the project. The following are the commitments already made by the project to foster this renewable commitment.
- Photovoltaic Design - The project shall be planned to orient at least 40% of the roof area of a minimum of 50% of the buildings to the west, south or southwest so that photovoltaic panels and collector systems can provide maximum benefit when installed. The project shall work with the local utility and, through an aggressive sales program, encourage and provide solar systems and/or alternative energy systems as an option.

- Solar Orientation – The majority of the project’s buildings shall be designed to orient the roof tops with strong solar capture opportunities for photovoltaic panels throughout the community. The orientation of at least 40% of the roof area of at least 50% of the buildings shall be west, southwest, or south.
  - Solar Energy – As indicated in the AQMP (measure M28), the NWLP Project has committed to the implementation of a solar energy system that will offset a minimum of 2.5% of the residential needs of the project.
4. Reductions applied on the “Mobile Emissions” sheet (page A23 – A24 of Appendix L)
- The following Project Design Features were accounted for in the Traffic Study and are represented in the reduction calculations as “Reduced” URBEMIS emissions.
- AQMP measure M4 – Proximity to bike path/bike lanes
  - AQMP measure M5 – Pedestrian network
  - AQMP measure M6 – Pedestrian barriers minimized
  - AQMP measure M7 – Bus shelter for existing transit service
  - AQMP measure M13 – Pedestrian pathway through parking
  - AQMP measure M14 – Off street parking
  - AQMP measure M18 – Residential density
  - AQMP measure M23 – Suburban mixed-use

### **3. LIST OF AGENCIES AND PERSONS COMMENTING**

### **3.0 LIST OF AGENCIES AND PERSONS COMMENTING**

---

#### **AGENCIES**

- California Office of Planning and Research
- State of California, Department of Transportation
- Pacific Gas and Electric Company
- Sacramento City Unified School District
- Sacramento Metropolitan Air Quality Management District

#### **LOCAL ORGANIZATIONS AND INDIVIDUALS**

- Environmental Council of Sacramento
- Greater Broadway Partnership
- Land Park Community Association
- Cheryl McDonald
- Keith Roberts
- Gary Saccani and Roland Saccani, Saccani Distributing Co.
- Sacramento Area Bicycle Advocates
- Upper Land Park Neighborhood Association

## **4. COMMENTS AND RESPONSES**

---

## 4.0 COMMENTS AND RESPONSES

---

This section contains the comment letters that were received on the Draft EIR and responses to the comment letters received on the Draft EIR. The section begins with Master Responses to those comments that apply to more than one comment received on the Draft EIR. Each comment letter is followed by a response by the City intended to supplement, clarify, or amend information provided in the Draft EIR and/or refer the reader to a Master Response or to the appropriate place in the Draft EIR where the requested information can be found. Comments that are not directly related to environmental issues may be discussed or noted for the record. Where text changes in the Draft EIR are warranted based upon comments on the Draft EIR, those changes are generally included following the response to comment, as well as in Chapter 2, Text Changes.

## MASTER RESPONSE 1 TRIP DISTRIBUTION PERCENTAGES

Several comments on the Draft EIR related to the methods used to develop the expected project trip distribution. The City of Sacramento 2030 General Plan Master EIR transportation analysis results support the approach used in the Draft EIR. This master response explains the six analytical techniques used to assist in developing the project's expected inbound and outbound trip distribution percentages:

1. *Project-only traffic assignment was derived from the most recent version of SACOG's SACMET version 2001 regional travel demand model, which serves as the primary travel forecasting model for the Sacramento region. The model involves four submodels: trip generation, trip distribution, mode choice, and trip assignment. The model is explained in a report from SACOG, available at <http://www.sacog.org/publications/SACOG02003.pdf>. This method tracks project trips through the study roadways, and then proportions the relative percentage used to various roadways. The version of the model used to produce the Northwest Land Park forecasts reflects the City's current General Plan. This model is based upon the last major update to SACMET, released in 2007, but was updated to include the land use and transportation components of the City's General Plan adopted in June 2009.*
2. *Geographic distribution of work locations for residents in Upper Land Park from 2000 Census. By understanding the commute travel behavior of existing residents, anticipated travel behavior for project residents can be estimated.*
3. *Direction of residential trips traveling on Broadway from 5<sup>th</sup> Street and Muir Way. Travel patterns near the site combined with turning movements taken from the traffic counts prepared for this project, at the 5<sup>th</sup> Street and Muir Way intersections were reviewed to assess the spatial directions of travel of existing residents using these streets. Page 5.9-29 of the Draft EIR lists the numerous shopping, employment, recreational, spiritual, and entertainment attractions located within 1 mile of the project site. The location of these land uses were considered when developing the project trip distribution.*
4. *Knowledge of the location of schools that would serve the study area (Jedediah Smith Elementary, California Middle, and McClatchy High, according to the Sacramento City School District website). Understanding the schools that project residents will attend (based on school district boundaries) provides further understanding of expected travel patterns.*
5. *Relative travel time/speed comparisons between the project and key destinations (e.g., McClatchy High School) for various travel routes. This helps determine route selections by drivers, which are considered in the percentages shown on Figures 5.9-6A and B. of the Draft EIR.*
6. *Relative ease of travel (and actual travel distance) on parallel routes. This is important to route selection. As an example, some project trips are expected to use X Street to travel eastbound because of its relative lack of congestion and coordinated traffic signals. However, the majority of eastbound traffic will use Broadway based on its adjacent land uses and access to other travel routes.*

In summary, a rigorous analytical approach was undertaken to develop the project's expected inbound and outbound trip distribution percentages. The trip distribution percentages are considered appropriate by the City based on professional judgment and experience in dealing with similar downtown projects.

**MASTER RESPONSE 2  
TRAFFIC ON VALLEJO WAY**

Several comments on the Draft EIR related to existing and projected traffic on Vallejo Way. This master response describes existing and projected traffic conditions on Vallejo Way.

According to data on pages 5.9-15 through 5.9-17 of the Draft EIR, Vallejo Way currently carries approximately 3,200 average daily trips. Project buildout would add about 25 AM peak hour trips, 30 PM peak hour trips, and 240 daily trips to this roadway. This would equate to one additional vehicle every two minutes during peak travel hours. The projected level of usage of Vallejo Way (8 percent of all trips) reflects the potential for project residents to travel to schools in the area and patronize the limited number of retail uses located on Riverside Avenue. As noted on page 5.9-29 of the Draft EIR, the majority of complementary land uses for project residents are situated north of the project. Relatively few destinations are situated to the south and southeast. Travel time studies show that it would be quicker for project residents to use Broadway to access regional destinations such as Land Park and Sacramento City College.

There is no evidence to suggest project-added traffic would increase speeds, reduce safety, impede access to driveways, adversely affect emergency access, or cause reckless driving. As noted on page 5.9-26 of the Draft EIR, traffic management improvements have already been completed in the Swanston Palms neighborhood. This includes median refuge islands, speed legend pavement markings, striped crosswalks, tree wells, and centerline striping on Vallejo Way, all of which act as traffic calming devices. The Draft EIR concluded that the Vallejo Way/5<sup>th</sup> Street intersection would operate at LOS A without and with the proposed project.

---

### MASTER RESPONSE 3 CLIMATE CHANGE

Comments were submitted regarding the Draft EIR's analysis of greenhouse gas emissions and climate change. The City has responded to specific comments received, but provides this master response to further respond to comments regarding the City's approach to the reduction of greenhouse gas emissions.

The City has adopted a comprehensive approach to global climate change by building greenhouse gas reduction strategies into the City's general plan, and proceeding with an organized plan to prepare and approve a Climate Action Plan (CAP). The first phase of the CAP, focused on City buildings, has been completed. The second phase relates to private buildings and is in progress.

The Master EIR certified in connection with approval of the 2030 General Plan evaluated the potential greenhouse gas emissions that could be generated by buildout consistent with the provisions of the general plan. This programmatic approach is an appropriate approach for impacts, such as climate change, that are inherently cumulative in nature. As noted in the Draft EIR and referenced in responses to comments, the project incorporates specific features that will reduce emissions of greenhouse gases. CEQA Guidelines section 15177 requires the project's EIR to determine whether the project would have any project-specific effect which was not addressed as a significant effect in the Master EIR. As described in the Draft EIR and in the responses to comments, the project would not result in any project-specific effects not addressed in the Master EIR. Thus, additional analysis as suggested by commenters is not required.

#### **CEQA Requirements for a Master EIR**

The City's approach to analyzing climate change is consistent with CEQA in that "project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs), 15168 (program EIRs), 15175-15179.5 (master EIRs), 15182 (Specific Plan EIRs), and 15183 (EIRs prepared for general plans, community plans, or zoning)." (CEQA Guidelines § 15183.5.) The Master EIR contained a programmatic analysis of greenhouse gas emissions. Thus, future project-specific EIRs and negative declarations may rely upon the Master EIR's cumulative climate change analysis. See CEQA Guidelines section 15177, specifically related to analysis of projects subsequent to the certification of the Master EIR.

The "streamlined environmental review" provisions of CEQA, commencing with Public Resources Code section 21156, authorize the preparation of a "master EIR" for specific kinds of projects involving broad policy decisions, such as general plans. The applicable statutory and CEQA Guidelines sections provide that, after an agency has prepared and certified a Master EIR, the approval of a "subsequent project" identified in the Master EIR will require one of the following: (1) a finding that, because the project is "within the scope" of the Master EIR, no new environmental analysis is necessary; (2) a mitigated negative declaration; (3) a focused EIR; or (4) where a Master EIR is inadequate in dealing with specified issues, an ordinary EIR. (Pub. Resources Code, §§ 21157.1, 21157.5; CEQA Guidelines §§ 15175-15179.) Where a Master EIR is prepared in

connection with a general plan, the “anticipated subsequent projects” included within a Master EIR may consist of later planning approvals, including parcel-specific approvals, consistent with the overall planning decision for which the Master EIR was prepared. Such subsequent projects are considered to be “adequately described” for purposes of CEQA if the Master EIR identifies the land use designations and permissible densities and intensities of such use for the affected parcels. In other words, projects that were not specifically identified as “subsequent projects” in the Master EIR may nonetheless properly rely on the Master EIR so long as they are developed consistent with the Master EIR. (CEQA Guidelines § 15176, subd. (d).)

The operative language governing Master EIRs provides that an agency contemplating a project (even a project with significant effects) can prepare a mitigated negative declaration, focused EIR or full EIR as long as the significant effects at issue are not “additional significant effects on the environment” as defined in Public Resources Code section 21158, subdivision (d). Such effects are defined as being limited to “project-specific effects” on the environment which were not addressed as significant in the Master EIR. (CEQA Guidelines § 15178, subd. (c).) See also Pub. Resources Code, § 21065.3, defining “project specific effect” as “all the direct or indirect environmental effects of a project other than cumulative effects and growth-inducing effects.”) The statutory and regulatory language governing the Master EIR process allows agencies to disclose, and thereby dispense with, certain significant effects at the Master EIR stage of environmental review, and to avoid having to revisit those same significant effects at the project-specific stage.

For purposes of the Northwest Land Park EIR, the City has determined that the proposed project was an “anticipated subsequent project” and is within the scope of the Master EIR, as the proposal is consistent with the General Plan for which the Master EIR was prepared. This approach is consistent with the recently amended CEQA Guidelines which expressly address streamlining the analysis of greenhouse gas emissions in section 15183.5, providing that lead agencies “may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions.” Under such approach, later project-specific environmental documents “may tier from and/or incorporate by reference that existing programmatic review.” More specifically, “project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs), 15168 (program EIRs), 15175-15179.5 (master EIRs), 15182 (Specific Plan EIRs), and 15183 (EIRs prepared for general plans, community plans, or zoning).” The City has determined that the Northwest Land Park may properly tier from the Master EIR and additional cumulative analyses are not required, provided projects are consistent with the General Plan, Appendix K, AB 32, and all relevant policies.

As noted above, the City is in the process of preparing a CAP, its plan for the reduction of greenhouse gas emissions. Once the City adopts the CAP, and completes environmental review, it may be used in a cumulative impacts analysis for future projects and may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the CAP. (CEQA Guidelines § 15183.5, subd. (b).) In the interim,

the City is guided by the 2030 General Plan and Master EIR, including Appendix K to the Master EIR, which includes climate change policies designed to ensure compliance with AB 32.

### **The 2030 General Plan and the Master Environmental Impact Report**

In November 2005, the City Council adopted a resolution committing the City to drafting a General Plan that would accommodate the SACOG Blueprint allocation of an additional 100,000 homes and 140,000 jobs consistent with adopted smart growth principles by the anticipated General Plan build-out date of 2030. The City Council approved the 2030 General Plan on March 3, 2009. As part of its action, the City Council certified the General Plan Master Environmental Impact Report (Master EIR) that evaluated the environmental effects of development that are reasonably anticipated under the 2030 General Plan. The Master EIR includes extensive discussion of the potential effects of greenhouse gas emissions. The Master EIR's discussion regarding climate change is incorporated here by reference. See, for example:

Draft Master EIR: 6.1 Air Quality (page 6.1-1)

Final Master EIR: City Climate Change master Response (page 4-1)

Master EIR Errata No. 2: Climate Change (page 12)

These documents are available at:

- [www.cityofsacramento.org/dsd/planning/environmental-review/eirs/](http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/); and
- the offices of the Community Development Department at 300 Richards Boulevard, Third Floor, Sacramento, California.

The impact of greenhouse gas emissions from human activities, specifically with regard to global climate change, has been acknowledged by the City of Sacramento and others as an inherently cumulative effect. Global climate change occurs, by definition, on a global basis. Greenhouse gases remain in the atmosphere for extended periods, and combine with GHG emissions from other areas of the globe, thus creating an inherently cumulative impact.

The 2030 General Plan and Master EIR recognized these unique aspects of global warming. The Master EIR acknowledges that the greenhouse gas emissions resulting from development that would be consistent with the 2030 General Plan would be cumulatively considerable, and significant and unavoidable. (See Master EIR, Errata 2, February 23, 2009.)

The 2030 General Plan calls for land use patterns that focus on infill and mixed-use development that support public transit and increase opportunities for pedestrians and bicycle use; quality design guidelines and "complete" neighborhoods and streets to enhance neighborhood livability and the pedestrian experience; "green building" practices including the adoption of a green building rating program and ordinance and the use of recycled construction materials and alternative energy systems; and adaptation to climate change, such as reducing the impacts from the urban heat island effect, managing water use, and increasing flood protection. Specific goals, policies, and programs targeting greenhouse gas reductions commit the City to AB 32 reduction targets, preparation of a greenhouse gas emissions inventory for existing land uses and 2030 General Plan build-out,

reductions in greenhouse gas emission from new development, and adoption of a climate action and adaptation plan by 2010 with on-going monitoring and reporting.

The effects of the 2030 General Plan promote denser urban development within the current City territorial limits to accommodate population growth, which will reduce growth pressures and sprawl in outlying areas. While total greenhouse gas emissions within the General Plan policy area may increase over time due to growth in population in the region, this increase is less than what would have occurred if the 2030 General Plan were not adopted and development of more land in outlying areas had been permitted under the 1988 General Plan. Adoption of the 2030 General Plan put these key strategies in place immediately and has begun to shape development as well as the activities of day-to-day living and to move the City and the region toward a more sustainable future.

Because the actual effectiveness of all the feasible policies and programs included in the 2030 General Plan that avoid, minimize, or reduce greenhouse gas could not be quantified, the impact was identified as a significant and unavoidable cumulative impact.

### **General Plan Consistency of the Northwest Land Park Project**

The 2030 General Plan identifies a mix of Urban Neighborhood Medium Density and Urban Corridor Low on the Northwest Land Park site. These designations include detached and attached single-family homes, multifamily dwellings, commercial or mixed use development and compatible public and quasi-public uses. The proposed Northwest Land Park project development program and mix of uses is generally consistent with the development program anticipated by the General Plan and the Master EIR. The proposal includes a variety of medium-density residential units on the majority of the site, with a mix of buildings along Broadway with approximately 15,000 square feet of commercial space on the lower floors with residential uses above. The proposed 968 residential units and 15,000 square feet of commercial uses units falls within the range anticipated by the General Plan (33 to 110 du/a for Urban Neighborhood Medium and 20 to 110 du/a for Urban Corridor Low, and 0.4 to 3.0 floor area ratio). As a result, the land uses and their associated density and intensity are consistent with the General Plan.

The 2030 General Plan established numerous policies and implementation measures that will result in development that reduces future greenhouse gas emissions. The Master EIR discussed and evaluated this approach.

The following general plan policies are a substantial part of the City's effort to reduce greenhouse gas emissions:

- Land Use 1.1.5
- Land Use 1.1.9
- Land Use 2.1.4
- Land Use 2.1.5
- Land Use 2.6.1

- Land Use 2.6.2
- Land Use 2.6.3
- Land Use 2.6.4
- Land Use 2.7.7
- Land Use 4.4.6
- Land Use 5.1.5
- Utilities 5.1.11
- Utilities 5.1.12
- Utilities 6.1.11
- Environmental Resources 6.1.3
- Environmental Resources 6.1.5

Appendix K this EIR identifies the project characteristics that respond to the applicable general plan policies, in including those set forth above. The project is consistent with the applicable policies.

The Northwest Land Park project has incorporated the General Plan guidelines in its project design. The project design reflects a sensitivity to climate change and a commitment to reduce greenhouse gas emissions. In fact, a number of project features, as described in the project EIR and the PUD Guidelines, are specific to GHG emission reductions. Those features include:

- Choice of Mobility – The community shall allow for multiple modes of transportation including private automobiles, bicycles, and pedestrian mobility.
- Street Connectivity – The community streets shall be designed on a modified grid with multiple connections to the surrounding roadway network.
- Pedestrian and Bicycle Connectivity – The community shall provide sidewalks on both sides along all streets, and a defined multi-use trail network. The community shall develop private pathways that provide pedestrian linkages within individual blocks and between community uses.
- Safe Environment – Streets shall be designed to be safe in terms of traffic mobility, diversity in users, and crime prevention. Climate Appropriate Plants – Trees, shrubs, and grasses shall be conducive to the Northern California environment in terms of water use, drought tolerance, maintenance, and durability. Synthetic Turf should be used for active play areas and small gathering lawns.
- Low Maintenance & Cost Effectiveness – Landscape material including trees, plants, turf, and hardscape should require minimal maintenance as compared to other varieties and material choices. Synthetic turf shall be used to the extent possible in lieu of natural turf and grasses. Materials should be cost effective to lessen the initial expenditure, periodic replacement, and long-term maintenance. Turf may be synthetic to lessen irrigation demands and long term maintenance.

- Standard Streetscape – The plantings along streets and the community trails shall consist mainly of species that at maturity will act as large canopy shade trees and colorful understory plantings. Nothing in this section shall be construed to require an initial planting larger than a 24” box tree.
- Alternative Local Streetscape - Landscaping along internal local streets shall be more lush and generous in plant coverage including primarily canopy shade trees to create a dynamic streetscape.
- Stormwater Management – The project will redevelop with smaller residential buildings interlaced within green courtyards, large central park and meandering greenbelt, and utilizing decorative permeable materials for private driveways and courts. The pervious to impervious ratio for Phase 1 (40% permeable to 60% Impermeable) will be used as a minimum guideline for the build-out of the entire site through Phase 4.
- Water Efficiency – All project landscaping shall be climate appropriate for the area and irrigated with moisture sensor driven systems to provide drought tolerance and maximum efficiency of water use in irrigation. Synthetic turf shall be used, to the greatest extent possible, for private grassed areas within the development.
- Vegetation & Forestation – Vegetation and tree planting plans shall be designed to provide shading for streets, hardscape surfaces, buildings, and recreation areas during summer months. In contrast, said plans shall include landscape varieties that lose their leaves during winter months to promote passive sunlight within the community, thus reducing energy use relating to heating and lighting.
- Air Quality – The project proposes that all buildings, units, and facilities, indoors and out, are free of devices designated to facilitate the combustion of wood or wood products to eliminate emissions generally associated with traditional fireplaces.
- Reuse and Recycling - The project shall re-use at least 50% of the salvageable materials in the existing improvements on-site, as measured by weight. This can take the form of re-use of entire structures, re-use or repurposing of significant elements, such as beams or trusses, and recycling materials within the new project such as grinding paving and asphalt for use as base material at the site. These activities will increase the sustainability of the site through reduced waste materials from demolition, reduced need for new materials on-site, and reduction of the ancillary transportation impacts from off-haul and delivery of materials to the site. Additionally, the project will evaluate brick, wood, metal, and masonry materials from the demolition to be re-manufactured into a “heritage” line of finishes to be offered as upgrades to the units. As an example, wood timbers would be converted into flooring material to provide the character and cache of “distressed” lumber underfoot. These efforts will increase the amount of on-site materials reused sustainably within the project.
- Efficient Floor Plans - The Northwest Land Park community will be developed with compact efficient floor plans. In addition the majority of units will share wall/floor space, and thus thermal mass, with at least one other unit.
- Insulation – Building shall be designed with a high-efficiency thermal shell for the units with exterior walls at or above R25 for walls and R40 for ceilings.
- Climatization – Residential buildings shall use small high efficiency heating and cooling units.

- Lighting - Buildings shall use a LED or fluorescent lighting system throughout the units, allowing for energy efficient lighting.
- Exterior Lighting. Exterior HOA maintained lighting, including pathway lights, accent/landscaping lights, motor-court lights, and private street lights shall use LED lighting technologies
- Water Heaters - The project shall provide high efficiency tank-less hot water heaters to provide for the most energy efficient delivery of hot water. Nothing in this provision shall preclude installation of high efficiency alternative energy source hot water heating and storage units.
- Electrical vehicle accommodations – The project shall incorporate 110v electrical outlets in the garage units such that they are readily accessible for use with electric vehicles.
- Renewable Energy Commitment - The project shall incorporate a 400 KW renewable energy system to reduce the amount of energy purchased by the Project. The renewable energy will be incorporated over the life of the project such that a minimum of 100 KW will be incorporated into phase 1 with an aggregate total of 100 KWs per phase through the buildout of phase 4. The 400 KW system will result in an annual reduction of 730,000 kWh of purchased electricity at full project buildout. This is equivalent to the emissions from electrical consumption of approximately 188 dwelling units. The renewable energy system may include solar, wind, fuel cells, or other new technology that becomes available over the implementation of the project. The following are the commitments already made by the project to foster this renewable commitment:
  - Photovoltaic Design - The project shall be planned to orient at least 40% of the roof area of a minimum of 50% of the buildings to the west, south or southwest so that photovoltaic panels and collector systems can provide maximum benefit when installed. The project shall work with the local utility and, through an aggressive sales program, encourage and provide solar systems and/or alternative energy systems as an option.
  - Solar Orientation – The majority of the project’s buildings shall be designed to orient the roof tops with strong solar capture opportunities for photovoltaic panels throughout the community. The orientation of at least 40% of the roof area of at least 50% of the buildings shall be west, southwest, or south.
  - Solar Energy – As indicated in the AQMP (measure M28), the NWLP Project has committed to the implementation of a solar energy system that will offset a minimum of 2.5% of the residential needs of the project.

With incorporation of these project design features, the proposed project will reduce emissions by 40.54% (from 2010 BAU) and by 30.10% (from 2019 BAU). (Draft EIR, p. 5.4-25; see also Response to Comment 10-3). Several commenters requested that the above design features be included in the project’s MMRP. The City and the Project applicant have agreed to include the above project features in the MMRP to ensure enforceability.

Several commenters requested that the above design features be included in the project’s MMRP in order to better identify project features that reduce GHG emissions and to ensure enforceability. While the City Code requires compliance with PUD Guidelines, the City has agreed to include the

various requirements identified above in the mitigation monitoring plan for the project. The Mitigation Monitoring Plan will be submitted as part of plan approval documents.

## Ongoing Activities

The 2030 General Plan included direction to staff to prepare a CAP for the City. Staff has continued work on this plan since adoption of the 2030 General Plan. The CAP will provide additional guidance for the City's ongoing efforts to reduce greenhouse gas emissions for both the City's internal municipal operations, as well as the broader community within the City's jurisdiction. The tentative completion date for the CAP is mid-2011.

Federal and state policy regarding climate change and reduction of GHGs continues to evolve:

1. On December 7, 2009, the US EPA issued two distinct findings<sup>1</sup> regarding GHGs under section 202(a) of the Clean Air Act:
  - **Endangerment Finding:** The Administrator found that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>)--in the atmosphere threaten the public health and welfare of current and future generations.
  - **Cause or Contribute Finding:** The Administrator found that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, they are prerequisite to finalizing the EPA's proposed GHG standards for light-duty vehicles, which were jointly proposed by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009.<sup>2</sup>

2. The State of California announced its intent to reduce GHGs from passenger vehicles in 2002 with the passage of CA Assembly Bill 1493 (Pavley). The following summarizes recent changes in the implementation of the Pavley standards since publication of the Master EIR:
  - The US EPA reversed its 2008 decision and granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009.
  - Most recently, the California Air Resources Board (ARB) adopted amendments to the "Pavley" regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. The amendments, approved by the Board on September 24, 2009, are part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016.

1 <http://www.epa.gov/climatechange/endangerment.html>

2 <http://www.epa.gov/oms/climate/regulations.htm>

- ARB's September 2009 amendments finalized plans for enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments will also prepare California to harmonize its rules with the federal rules for passenger vehicles.
3. In October 2008, Governor Schwarzenegger signed SB 375, which requires the ARB to set regional targets for the purpose of reducing greenhouse gas emissions from passenger vehicles, for 2020 and 2035. If regions develop integrated land use, housing and transportation plans that meet the SB 375 targets, new projects in these regions can be relieved of certain review requirements of the California Environmental Quality Act. The targets apply to the regions in the State covered by the 18 metropolitan planning organizations (MPOs).

Per SB 375, on September 30, 2009, the ARB-appointed Regional Targets Advisory Committee (RTAC) submitted to the ARB its recommendations on factors to be considered and methodologies to be used in the ARB's target setting process. Key recommendations were as follows:

- Adoption of a uniform statewide target expressed as a per capita reduction below 2005 levels for each MPO region;
- Each MPO can either set their own targets or seek an adjustment to the statewide target;
- The Sustainable Communities Strategy (SCS) required for each MPO region should include all feasible measures to achieve the GHG targets;
- A seven-step process for MPOs should be followed in setting each region's baseline for 2005, examining alternative planning scenarios, and then confirming these with ARB prior to September 2010; and
- On February 17, 2011, the ARB approved regional GHG emissions reduction targets for passenger vehicles and light trucks for 2020 and 2035.

## **Conclusion**

The Master EIR concluded greenhouse gas emissions that could be emitted by development that is consistent with the 2030 General Plan would be cumulatively considerable and unavoidable (Master EIR, Errata No. 2, page 12). The Master EIR includes a full analysis of greenhouse gas emissions and climate change, and adequately addresses these issues.

The project is consistent with the City's goals and policies as set forth in the 2030 General Plan and Master EIR relating to reduction of greenhouse gas emissions, and is also consistent with the SACOG Blueprint. The Northwest Land Park project is a "subsequent project" anticipated in the Master EIR and thus may properly rely upon the cumulative analysis in the Master EIR. (CEQA Guidelines § 15176, subd. (d).) On a project-specific level, the project is an infill project, proximate to the Central City, that includes a number of design features that will reduce GHG emissions. These project design features will be enforceable through the project's MMRP. The project would

not have any significant additional environmental effects relating to greenhouse gas emissions or climate change that were not considered in the Master EIR.

**Dana Allen**

---

**From:** Kennedy, Donald [DLKn@pge.com]  
**Sent:** Tuesday, January 04, 2011 1:58 PM  
**To:** Dana Allen  
**Cc:** Hendricks, Don; Hackney, Hall (GT&D)  
**Subject:** Notice of Availability - DEIR for the Northwest Land Park Project (P10-039) - City of Sacramento  
**Attachments:** 2011010413525750.pdf

Dear City of Sacramento,

Thank you for giving PG&E the opportunity to review the Notice of Availability of the DEIR for the Northwest Land Park Project located in the City of Sacramento. PG&E has the following comments regarding this project.

Dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways, private drives and/or Irrevocable Offer of Dedication.

1-1

We would like to note that continued development consistent with the City's General Plans will have a cumulative impact on PG&E's gas system and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

1-2

Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. Upgrades or additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

1-3

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

1-4

PG&E remains committed to working with the City to provide timely, reliable and cost effective gas service to the planned area. We would also appreciate being copied on future correspondence regarding this subject as the project develops.

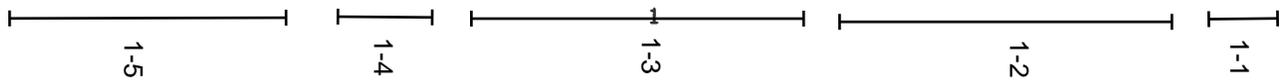
1-5

Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at (800) 743-5000 as soon as possible to coordinate construction so as not to delay the project.

1-6

The California Constitution vests in the California Public Utilities Commission (CPUC) exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

1-7



You may contact me with any questions.

<<2011010413525750.pdf>>

Sincerely,

**Donny Kennedy**

Pacific Gas & Electric Company

343 Sacramento Street

Auburn, CA 95603

Internal: (8) 732-5089

External: (530) 889-5089

Fax: (530) 889-3392

## **LETTER 1: Pacific Gas and Electric, Donald Kennedy**

### **Response to Comment 1-1**

The comment requests a 12.5-foot easement for underground utilities. This is consistent with section 16.40.170 of the City's Subdivision Ordinance, which requires easements inside the front property line to be a minimum of 12.5 feet.

### **Response to Comment 1-2**

The comment states that development associated with the Sacramento General Plan could have a cumulative impact on utilities because it may require additions and improvements to facilities that provide these services. As discussed in the Draft EIR, the Master EIR acknowledges that future development in the general plan policy area as well as areas in the region serviced by PG&E would increase residential, commercial, and office needs for electricity and natural gas. Development in previously undeveloped areas would require the extension of existing lines and new transmission facilities and substations would be needed. As discussed in the Draft EIR, the proposed project is consistent with the land uses assumed in the Master EIR. Therefore, neither the project specific nor the cumulative assumptions for demand for electricity and natural gas would differ from those analyzed in the Master EIR. Consequently, the Draft EIR found that the proposed project would not result in additional significant environmental effects that were not addressed as a significant effect in the Master EIR (Draft EIR pp. 5.11-69 and 5.11-70).

The comment also states that the presence of existing gas transmission facilities does not mean the facility has the capacity to connect new loads. The comment does not state whether the facilities at the project site have the capacity to connect new loads, but does state that gas service may be available to the project (see Comment 1-4). The project site is currently developed and the proposed project would replace the existing light industrial and commercial uses. Consequently, demand for natural gas would not be entirely new to the project site. The project applicant will coordinate with service providers, including PG&E to ensure that adequate facilities are available to serve the project.

### **Response to Comment 1-3**

The comment recommends that development projects include adequate evaluation of cumulative impacts on utility systems. As discussed above, the proposed project is consistent with the land use designations for the project site that were analyzed in the Master EIR. Therefore, the effects of the provision of services to the project site were already analyzed in the Master EIR and the Draft EIR relies upon the analysis in the Master EIR. Any future development projects proposed within the City's general plan policy area would also have to consider their contribution to cumulative effects on utility systems.

### **Response to Comment 1-4**

The comment states that gas service may be available to the project. The comment also requests that PG&E be notified as the project develops and that the developer contact PG&E to coordinate construction. As plans for project phases are developed, the project applicant will contact PG&E regarding the provision of natural gas service to the project.

### **Response to Comment 1-5**

The comment provides information about the authority of the California Public Utilities Commission to regulate investor-owned or privately-owned public utilities. The comment is noted. No response is required.

**PAGE: PROVIDE COMMENTS ON AN ENVIRONMENTAL DOCUMENT**

**1. Project Name**

|                   | Response Count |
|-------------------|----------------|
| Show replies      | 11             |
| answered question | 11             |
| skipped question  | 0              |

**2. Comments**

|              | Response Count |
|--------------|----------------|
| Hide replies | 10             |

1. The student generation calculations completed in Table 5.8-6 on page 5.8-19 appears to the district as an inaccurate calculation. The generation rate used for the calculation was for high density residences. Per the proposed project description the project will include 898 medium density residences and only 70 high density residences.

Tue, Jan 4, 2011 4:08 PM

The student generation calculations for this project would instead be

- K-6 for 898 medium density (898 x .17)= 153
- 7-8 for 898 medium density (898 x .06)= 54
- 9-12 for 898 medium density (898 x .08)= 72
- K-6 for 70 high density (70 x .10)= 7
- 7-8 for 70 high density (70 x .02)= 1
- 9-12 for 70 high density (70 x .03)= 2
- TOTAL = 289

2-1

2. Testing to see where comments are directed. Please confirm with me when these comments are received.

Wed, May 5, 2010 8:43 AM

3. I am interested in knowing if any environmental review was conducted for this project. Was there an EIR, Neg Dec, or was the project exempted?

Tue, Feb 23, 2010 1:43 AM

4. Test comment to track notification to staff.

Thu, Jan 21, 2010 12:47 PM

5. I'm in receipt of your letter regarding the above mentioned topic. However, the letter is a full sheet, but does not include the cost of this project. I think we all would like to be informed of the cost of this project before any comment can be made.

Sat, Dec 5, 2009 12:41 PM

**PAGE: PROVIDE COMMENTS ON AN ENVIRONMENTAL DOCUMENT**

**1. Project Name**

|                   | Response Count |
|-------------------|----------------|
| Show replies      | 11             |
| answered question | 11             |
| skipped question  | 0              |

**2. Comments**

|                   | Response Count |
|-------------------|----------------|
| Show replies      | 10             |
| answered question | 10             |
| skipped question  | 1              |

**3. Contact Information (Optional)**

|                             | Response Percent | Response Count |
|-----------------------------|------------------|----------------|
| <b>Name</b><br>Hide replies | 85.7%            | 6              |

- 1. Crystal Hoff Tue, Jan 4, 2011 4:08 PM
- 2. Tom Buford Wed, May 5, 2010 8:43 AM
- 3. Patrick Riordan Tue, Feb 23, 2010 1:43 AM
- 4. Tom Buford Thu, Jan 21, 2010 12:47 PM
- 5. Kathy Canady Sat, Dec 5, 2009 12:41 PM
- 6. Allison Stone and Nathan Jacobsen Sat, Oct 31, 2009 8:17 AM

|                              |        |   |
|------------------------------|--------|---|
| <b>Email</b><br>Show replies | 100.0% | 7 |
|------------------------------|--------|---|

|                              |       |   |
|------------------------------|-------|---|
| <b>Phone</b><br>Show replies | 57.1% | 4 |
|------------------------------|-------|---|

|                   |   |
|-------------------|---|
| answered question | 7 |
| skipped question  | 4 |

**LETTER 2: Sacramento City Unified School District, Crystal Hoff****Response to Comment 2-1**

The comment states the generation rates used to estimate student generation for the project are incorrect. The text is amended, as shown below, to reflect the generation rates provided by the District. Please note, however, that the increased number of projected students does not change the analysis.

The text under the heading "Student Generation Calculations" on page 5.8-18 and in Table 5.8-6 on page 5.8-19 of the Draft EIR is amended as follows:

For the school impact analysis, expected student yields were derived using medium-density and high-density ~~current single-family and multi-family~~ student generation rates for the elementary, middle, and high school levels (see Table 5.8-6). ~~For the purposes of the analysis, the SCUSD multi-family generation rates were used.~~ Multi-family Medium-density generation rates are ~~0.4~~ 0.17 student per unit for grades K-6, ~~0.02~~ 0.06 student per unit for grades 7-8, and ~~0.03~~ 0.08 student per unit for grades 9-12. High-density generation rates are 0.10 student per unit for grades K-6, 0.02 student per unit for grades 7-8, and 0.03 student per unit for grades 9-12. The development of new residential units anticipated under the proposed project would occur over many years, so the growth in students would be spread across several phases of development.

| <b>SACRAMENTO STUDENT GENERATION</b>   |                                     |  |                                     |
|--|-------------------------------------|--|-------------------------------------|
| <b>Type of School</b>  | <b>Multi-Family Generation Rate</b> | <b>Number of Multi-Family Dwelling Units</b> | <b>Number of Students Generated</b> |
| <b>Medium-Density Residential</b>  |                                     |  |                                     |
| Elementary (K-6)   | <u>0.17</u>                         | <u>968 898</u>                               | <u>97 153</u>                       |
| Middle (7-8)   | <u>0.06</u>                         | <u>968 898</u>                               | <u>49 54</u>                        |
| High (9-12)  | <u>0.08</u>                         | <u>968 898</u>                               | <u>29 72</u>                        |
| <b>High-Density Residential</b>  |                                     |  |                                     |
| Elementary (K-6)   | <u>0.10</u>                         | <u>70</u>                                    | <u>7</u>                            |
| Middle (7-8)   | <u>0.02</u>                         | <u>70</u>                                    | <u>1</u>                            |
| High (9-12)  | <u>0.03</u>                         | <u>70</u>                                    | <u>2</u>                            |
| <b>Total</b>   |                                     |  | <b><u>145 289</u></b>               |
| Source: Crystal Hoff, Planning Technician, Sacramento City Unified School District, January 4, 2011. Diane Heidrich, Sacramento City Unified School District, personal communication, November 7, 2007; PBS&J, 2010. |                                     |  |                                     |

The proposed project is anticipating growth of approximately 968 new residences, including 898 medium-density units and 70 high-density units. ~~all of which would be multi-family.~~ In accordance with the estimated number of residences, approximately 16097 elementary, 5549 middle, and 7429 high school students – a total of 289445 students – would be generated, as shown in Table 5.8-6.

The first sentence of the first full paragraph on page 5.8-20 is changed as follows:

As shown in Table 5.8-6, approximately 16097 elementary, 5549 middle, and 7429 high school students – a total of 289145 students – would be generated by the proposed project.

**Hindmarsh, Patrick J**

**From:** Dana Allen [DAllen@cityofsacramento.org]  
**Sent:** Monday, January 31, 2011 9:25 AM  
**To:** 'keitheroberts@aol.com'  
**Cc:** Hindmarsh, Patrick J  
**Subject:** RE: NW Land Park EIR

Hello Keith

The text should state that, "Appendix K - 2030 General Plan Climate Change Policies Table details how the propose project..."

Thanks for pointing out the typo..

Dana

*Dana Allen, Associate Planner  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Blvd., 3rd Floor  
Sacramento, CA 95811  
(916) 808-2762*

---

**From:** keitheroberts@aol.com [mailto:keitheroberts@aol.com]  
**Sent:** Saturday, January 29, 2011 11:32 AM  
**To:** Dana Allen  
**Subject:** NW Land Park EIR

Hi Dana,  
Long time, no see. I hope evverything is going ok at the City.  
I'm reviewing the NW Land Park EIR regarding climate change. Page 5.4-27 refers to Table 5.6-2 and states

"Table 5.6-2 details how the proposed project incorporates the applicable policies and measures identified in the 2030 General Plan for the reduction of GHG emissions and is, therefore, compliant with the 2030 General Plan."

**Table 5.6-2 is titled: TYPICAL LEVELS OF GROUND-BORNE VIBRATION**

**I did see some GP policies on page 5.4-22**

**Is the table mentioned missing or is the refernece to Table 5.6-2 meant to refer to page 5.4-22**

**Thanks Keith  
205-6085 or email**

3-1

## LETTER 3: Keith Roberts

### Response to Comment 3-1

The comment notes an incorrect reference to a table in section 5.4, Climate Change. The text in the third paragraph under Impact 5.4-2 on page 5.4-27 of the Draft EIR is amended as follows:

The proposed project is required to comply with the 2030 General Plan policies and measures for the reduction of GHGs and to comply with the 2030 MTP and AB 32. Because the traffic from the proposed project was incorporated into the 2035 MTP, and the 2035 MTP is anticipated to meet the goals of AB 32, the proposed project would comply with the 2035 MTP. Appendix K, 2030 General Plan Climate Change Policies Table 5-6-2 details how the proposed project incorporates the applicable policies and measures identified in the 2030 General Plan for the reduction of GHG emissions and is, therefore, compliant with the 2030 General Plan.

**From:** Dana Allen  
**Sent:** Tuesday, February 08, 2011 4:18 PM  
**To:** Samar Hajeer; 'Hindmarsh, Patrick J'; Aelita Milatzo; David Hung  
**Cc:** Tom Buford  
**Subject:** NWLP public comment

This came into our website as a public comment

To whom it may concern:

I've lived in the Northwest Land Park area for the last 20 years and generally welcome the development of the Setzer property. However, I have some major concerns:

1. Increased traffic on surrounding surface streets—Vallejo Way and Muir Way in particular. While there is considerable attention placed on the Broadway/9th St./5th St. corridors, not much is addressed about the impact of increased traffic on the surrounding surface streets. In my immediate neighborhood, I see the need in the near future for a 4-way stop at Vallejo and San Luis Court and a 3-way stop at Muir Way and McClatchy Way (next to the Muir Way market). As Broadway becomes more congested, drivers will follow the paths of least resistance.

4-1

2. On-street parking along the 5th street side of the development should not be allowed. At the nearby public housing, once on-street parking was eliminated, there was a major decrease in crime. Also, it is much safer for pedestrians and children playing if they are more visible to drivers.

4-2

3. Student safety is a big issue. At the corner of 5th St. and McClatchy Way in the mornings and afternoons there is considerable foot traffic as students arrive and depart from the elementary school and high school. Whatever is built at that corner should provide the highest visibility possible for students. I suggest the placement of a community garden at that corner instead of elsewhere in the development. A good example is the Fremont Garden at 14th and Q St. Not only would the open-style fencing allow the needed visibility for both pedestrian and auto traffic, visually it would act as a better transition between existing structures and new ones.

4-3

Thank you,  
Cheryl McDonald  
[mcdonald4214@sbcglobal.net](mailto:mcdonald4214@sbcglobal.net)

*Dana Allen, Associate Planner  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Blvd., 3rd Floor  
Sacramento, CA 95811  
(916) 808-2762*

**LETTER 4: Cheryl McDonald****Response to Comment 4-1**

The comment expresses concerns regarding increased traffic on surrounding surface streets (Vallejo Way and Muir Way in particular). The commenter also asserts that a 4-way stop is needed at Vallejo/San Luis Court and a 3-way stop is needed at Muir Way/McClatchy Way. Please see Master Responses #1 and #2. Traffic congestion and travel speeds on Broadway were considered in the development of the trip distribution estimates. Vallejo Way and Muir Way are expected to be used by 8 percent and 3 percent of project trips, respectively. This added traffic was found not to cause an impact at the 5<sup>th</sup> Street/Vallejo Way and Broadway/Muir Way intersections. No modifications in traffic controls are warranted as a direct result of implementation of the proposed project.

**Response to Comment 4-2**

The comment states that on-street parking should not be permitted along the project frontage on 5<sup>th</sup> Street to reduce crime and enhance safety for pedestrians and children. Based on roadway cross-section plans for the project, the segment of 5<sup>th</sup> Street along the project's frontage would consist of a single travel lane and Class II (on-street) bicycle lane in each direction separated by a two-way left-turn lane. On-street parking is not proposed along the west side of 5<sup>th</sup> Street.

**Response to Comment 4-3**

The comment expresses concern regarding student safety at the 5th Street/McClatchy Way intersection and recommends that future land uses provide high visibility for students. Field observations indicate that Jedediah Smith Elementary School students frequently travel through the three-way 5th Street/McClatchy Way intersection during school hours. The south and west legs feature painted-yellow crosswalks. Sidewalks are provided on one or both sides of the street on each approach to the intersection. The northbound 5<sup>th</sup> Street approach features Student Crossing Ahead (S1-1) and Stop Sign Ahead (W3-1) signs. The southbound 5<sup>th</sup> Street approach features a Student Crossing Ahead (S1-1) sign and "Slow School Xing" pavement marking. McClatchy Way features undulations to slow motorists. These improvements are typically associated with higher levels of pedestrian safety. In addition, the City requires a minimum 10-foot building setback to ensure that corner sight distance requirements are met. These improvements would ensure that the safety elements are consistent with the applicable design standards and adequate safety precautions have been taken.



**GREATER BROADWAY PARTNERSHIP**

P.O. BOX 188182  
 Sacramento, CA 95818  
 (916) 737-1427

February 11, 2011

Dana Allen  
 Associate Planner  
 Environmental Planning Services  
 City of Sacramento Community Development Department  
 300 Richards Boulevard, 3rd Floor  
 Sacramento, CA 95811

RE: NORTHWEST LAND PARK DEVELOPMENT

Dear Ms. Allen:

Thank you for the opportunity to comment on the Northwest Land Park Development. We are pleased at the prospect of a well-designed project in our district, as our organization hopes to encourage mixed-use infill development to further support existing businesses as well as encourage new economic activity in our district. However, after close review of the draft PUD Guidelines as well as maps and other materials related to the proposed development, we have several important observations, suggestions and concerns we wish to voice.

**General Plan Intention vs Outcome**

In countless meetings held to develop the City’s General Plan, several principles were articulated: mixed-use to encourage walking and cycling, “centers of activity” to energize and create community, the provision of hardscapes that encourage interaction, etc. The Northwest Land Park project will be the first opportunity to test the City’s intention against the General Plan in our area. In our opinion this project, while conforming to the Plan, does not actualize the sound design principles heard at various public meetings. We believe the test of a planning document is whether its implementation yields the desired outcome. Approximately thirty-one acres of housing with only a very small amount of commercial concentrated at one end of the project bears re-examination. Our comments below will provide more specificity.

5-1

**Increase and Redistribute Mixed-Use District**

First, we believe that the distribution and phasing of uses is unbalanced and illogical. A Residential District (RD) adjacent to existing industrial and heavy commercial uses is neither appealing to prospective homebuyers nor sustainable for the adjacent property owners. A Mixed-Use District (MXD) is better suited to act as a buffer between existing industrial uses and RD in the rest of the development.

5-2

The PUD Guidelines propose only one MXD, with 15,000 square feet of commercial space along Broadway - space for a single corner store or cafe. This floor area represents only 28% of the MXD, and only 1.6% of the complete Northwest Land Park development. We do not believe this is sufficient to serve the community nor characterize this development as "mixed use" and "urban."

5-2  
(cont.)

Moreover, since the MXD is only defined for Phase 4, it will be the last portion of the development completed. What commercial uses will serve the Phase 1-3 community in the interim? We would like to see more commercial uses incorporated into the earlier phases of the project, to truly provide a mix of uses and an urban character to the community, reflecting the character of Land Park's collector streets and Broadway's neighborhood corridor.

We would like to suggest "RMX-Special Planning District" zoning for the two areas scheduled to be completed in Phase 3 and 4, and designate these areas as MXD in the PUD Guidelines. This would give more flexibility to future developers by allowing the construction of residential, mixed-use or commercial buildings depending on future economic conditions. This zoning would create the potential for more commercial space to be incorporated into the areas closest to Broadway and encourage residential units to be built above commercial space.

5-3

A vibrant mix of uses draws pedestrians out and about, creating a more walkable neighborhood merely by creating activity and interest along the street. We do not believe that the development as it is currently envisioned will encourage walking or biking, because there is nothing to walk or bike to except houses.

**Street Layout Inhibits Walkability**

The street layout is also an impediment to walkability. Though the PUD Guidelines state that the streets within the NW Land Park development are laid out in a modified urban grid, "keeping with an urban character and continuing the pattern of the Central City,"<sup>1</sup> the transportation framework plan shows otherwise. Of the 10 internal intersections in the development, only one is a four-way intersection. All other intersections are suburban style T-intersections, creating long uninterrupted blocks and looped streets one would see in a suburban development. The Central City's blocks measure roughly 340 feet by 360 feet, and are bisected by alleyways. The proposed development has blocks of double that length. We believe that the blocks and streets in the Northwest Land Park development should be closer in keeping with the blocks in the Central City and surrounding neighborhoods like Land Park and Curtis Park.

5-4

The street parallel to, and just south of, 1<sup>st</sup> Avenue is especially problematic. Instead of being aligned with the parallel street to its west, it is shifted about 100 feet south. Not only does this create a dangerous zig-zag intersection, it also necessitates a Residential District adjacent to the existing industrial uses fronting 1<sup>st</sup> Avenue. It would make more sense to separate the existing industrial use from the new residential uses by aligning the street to the edge of the industrial property and locating residential uses across the street.

The vast majority of alleyways in Sacramento are public rights-of-way, providing access to private parking areas as well as alternative travel routes for pedestrians and bicycles. The draft PUD Guidelines do not clearly state whether the proposed development will feature alleyways, and if so, whether they will be private or public. We would not support private, gated alleys in Northwest Land Park.

5-5

The design of the roadways is a significant issue that should be addressed early in the project. The Greater Broadway Partnership would prefer to see a true grid street pattern, with public alleys, in keeping

<sup>1</sup> Northwest Land Park PUD Guidelines. Section 4.1 Transportation Network. Page 37.

with the surrounding neighborhoods and the Central City blocks, rather than the proposed modified grid. We believe this will create a more pedestrian-friendly and lively neighborhood than what is currently envisioned.

↑  
5-5  
(cont.)

**Restore Original Open Space Concept**

The most recent iteration of the Open Space District (OSD) is also disappointing. We preferred the previous design of a meandering greenbelt running through the development. We like the concept of a trail or bike path leading through the community to the Marina, and to Front Street, as this will connect the community to non-residential uses.

Though the park variation still provides a trail connection by means of Setzer Run, the park itself does not have any adjacent uses to activate it. Urban parks are normally highly programmed spaces adjacent to commercial uses, so that constant pedestrian activity keeps the park safe and lively. The current proposal is very suburban in character, surrounded by residential uses and lined by only two streets. The configuration of the park also clearly contributes to the street layout problems discussed above.

5-6

We are also concerned about when the park will be built out. The draft PUD Guidelines show only a small sliver of the OSD within Phase 1. Since this development will likely be phased in over a 10-15 year period, we want to ensure that the park is built during Phase 1 and Phase 2, so the people who buy homes in the first Phases don't have to wait many years before they can enjoy the park.

**Ensure Owner Management and Maintenance**

The PUD Guidelines propose that other common open spaces, such as the courtyards and planting beds be maintained by a property owners association. This begs the question – who will own property in the development?

5-7

We believe you have also considered this issue, and hence have developed low-maintenance design standards including synthetic turf for private landscaped areas. Synthetic turf is encouraged and promoted in at least three different sections of the Guidelines document.<sup>2</sup> Promoting this low-maintenance, but also very low-quality, landscaping material is not a good way to mitigate for poor property management and maintenance.

We would like to see owner-occupied units, so that the association members live within the development and have a stronger incentive to keep the community clean, safe and well-maintained. Absentee landlords have historically been problematic for the Broadway district, and we do not wish to see the same management and maintenance issues arise in the Northwest Land Park development.

5-8

**Diversify Design by Diversifying Uses**

The PUD Guidelines offer perhaps the most specificity with regard to the design of residential structures. Numerous points are given about orienting facades to create lively public streets and public spaces. The Guidelines also state that, "Neighboring buildings should be distinctively different in terms of elevation design, exterior materials, color, and/or height. No more than two individual buildings with the same elevation and color scheme shall be located side by side on a given block."<sup>3</sup> While these are good starting points, we do not believe variation in color and articulation will truly achieve diversity and interest along

5-9  
↓

<sup>2</sup> Northwest Land Park PUD Guidelines. Section 5.3.3 Hardscape Design standards. Page 48. Section 5.5 Plant List. Page 49. And Section 6.2 Sustainability and Energy Site Development Guidelines. Page 53.

<sup>3</sup> Northwest Land Park PUD Guidelines. Section 2.5.1 Building Orientation. Page 19.

the street. Architectural diversity stems not from minor differences in articulation and color – but in differences of use. Monotonous uses will beget monotonous streetscapes.

↑ 5-9 (cont.)

**Retain Historic Significance**

Similarly, the idea of “theming” the development with signage made from reclaimed industrial materials<sup>4</sup> is an unfortunate waste of existing resources on the site, and a somewhat superficial tribute to the area’s distinct history as a food processing and distribution hub for the Sacramento region. Instead of “theming” the aesthetic trappings of a residential subdivision with the history it is displacing, why not incorporate historic and existing uses in additional commercial and mixed-use areas within the development?

5-10

We strongly support the ideas included the Appendices of the PUD Guidelines, to incorporate the Wholesale Produce Building and Farmers Market and Market Club Building into a community center, a year-round produce stand, and an open air market.<sup>5</sup> Vibrant and desirable commercial and community uses such as these would not only keep the history of the area alive, it would give the development a true sense of place. Instead of listing these great ideas in the “Alternative Community Master Plan,” we wish to see them incorporated into the body of the PUD Guidelines document.

**Make PUD Guidelines Binding**

We believe that the Northwest Land Park development has the potential to be a great addition to our district, the Land Park neighborhood, and the City of Sacramento. We hope that our comments will be seriously considered and an attempt made to incorporate them into a revised version of the PUD Guidelines. Many of the concerns listed within this letter can be addressed through alternatives that have already been proposed by the developer – including the original open space design, the original street grid, and the alternative commercial and community uses listed in Appendix 1. The ideas are there.

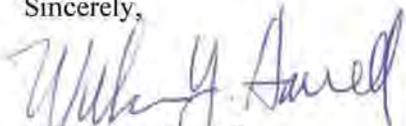
5-11

Our final request is that the final PUD Guidelines be made binding. The draft Guidelines state that only the Development Standards are binding.<sup>6</sup> We want the entire final document to be binding. As the development will proceed over four phases and many years, we want to ensure that future contributors, consultants and developers participating in the project do not stray from the original intent of the project. We would, however, support a future PUD guideline modification should it result in a significantly improved project design. For example, if the changes were requested to allow the inclusion of additional mixed use as earlier recommended in our comments.

We look forward to a continuing collaboration with the City, developer and neighboring community groups to insure the superior design of this project.

If you have any questions regarding the above, please feel free to contact either myself or our Executive Director, Teresa Rocha, at (916) 737-1427 or greaterbroadwaypartnership@gmail.com.

Sincerely,



William Y. Harrell  
President (A), Board of Directors

<sup>4</sup> Northwest Land Park PUD Guidelines. Section 1.3.3 Contextual Theming. Page 9.

<sup>5</sup> Northwest Land Park PUD Guidelines. Appendix 1. Pages 60-61.

<sup>6</sup> Northwest Land Park PUD Guidelines. Section 1.6. Purpose. Page 13.

---

**LETTER 5: Greater Broadway Partnership, William Y. Harrell**

The comments in this letter are related to planning issues and components of the proposed project. These comments are related to the merits of the proposed project and not the adequacy of the EIR. No response is required, nevertheless, the following responses are provided.

**Response to Comment 5-1**

The comment asserts that the project does not actualize the design principles embodied in the City's 2030 General Plan because the project lacks adequate commercial uses. The comment does not raise any issues related to the environmental analysis provided in the Draft EIR; therefore, no further response is necessary. The City Council will consider the types of uses proposed by the Project applicant and shall, in its discretion, determine the best uses for the City and the local community.

The project is consistent with the City's General Plan land use designations for the project site, which includes Urban Corridor Low and Urban Neighborhood Medium Density. As discussed below, the commercial uses proposed by the Project are consistent with the City's vision for the Project area.

Urban Corridor Low includes street corridors that have multistory structures and more-intense uses at major intersections, lower-intensity uses adjacent to neighborhoods, and access to transit service throughout. At major intersections, nodes of intense mixed-use development are bordered by lower-intensity single-use residential, retail, service, and office uses. Street-level frontage of mixed-use projects is developed with pedestrian-oriented uses. The streetscape includes landscaping, lighting, public art, and other pedestrian amenities. The allowable density is 20-110 units per net acre. The allowable FAR is between 0.30 and 3.0 FAR. The project proposes mixed-use development on the northernmost portion of the site with 24 to 70 dwelling units and up to 15,000 square feet of neighborhood serving commercial uses on 1.2 net acres. The mixed-use development proposes a density range between 20 and 58 dwelling units per net acre and a FAR of 2.5.

Urban Neighborhood Medium Density allows for moderate to higher intensity urban housing and neighborhood support uses including small-lot single-family dwellings, small-lot single-family attached dwellings (e.g., duplexes, triplexes, townhomes), multifamily dwellings (e.g., apartments and condominiums), mixed-use neighborhood-serving commercial, compatible public, quasi-public, and special uses. The allowable density is 33-110 units per net acre. The allowable floor area ratio (FAR) is between 1.5 and 4.0 FAR. The project proposes 693 to 898 residential units within 20.2 net acres in the Urban Neighborhood Medium Density designation (not including the 70 units in the mixed-use portion of the site). This equates to a density range between of 33 and 45 dwelling units per net acre, when average over the entire site (and not by individual phase).

**Response to Comment 5-2**

The comment states that a residential district will not be compatible with the adjacent existing industrial and heavy commercial uses. Residential uses currently exist to the south and southeast of the project site with a mix of commercial, industrial, and retail uses to the north and east of the

project site. There is no development to the west of the project site with the exception of an existing fuel storage yard located on the west side of Front Street near the intersection with Broadway, over 300 feet west of the project site. Moreover, the City's General Plan designation for the existing industrial and heavy commercial uses is Urban Neighborhood Medium. As the area develops over time, new uses will be consistent with the General Plan and will be consistent with the proposed Project.

The northwest portion of the site immediately adjacent to Broadway is proposed for mixed-use development. This type of development is compatible with the existing mix of uses along Broadway. Residential uses are proposed in the remainder of the site to the east and west of 3<sup>rd</sup> Street. In the western portion of the site, the project abuts undeveloped land adjacent to the railroad tracks and Interstate 5 (I-5). There are no developed uses adjacent to the site to the west; therefore, there would be no land use compatibility concerns.

In the eastern portion of the site, residential uses are proposed along 5<sup>th</sup> Street and adjacent to existing commercial uses south of Broadway. A public park, proposed in the center of the site, is adjacent to open fields and the Jedediah Smith Elementary School and the Arthur Benjamin High School to the south. Schools near or within residential neighborhoods is common throughout Sacramento and is considered a compatible land use.

The proposed residential uses adjacent to 5th Street would be just north of existing residential neighborhoods along McClatchy Way, San Luis Court, and Dudley Way located in the upper portion of the Land Park neighborhood. There would be no potential land use incompatibilities between these existing residential uses and the project. Existing uses on the east side of 5th Street include a mix of undeveloped areas, warehouses, and vacant uses. There are no existing activities or uses that would create an incompatibility with the proposed project. The project also includes mitigation measures to reduce the potential noise impacts from surrounding uses. (See Mitigation Measures 5.6-1 and 5.6-2.)

### **Response to Comment 5-3**

The comment states that the project lacks sufficient commercial uses, and would like to see commercial uses in all planned phases of development. See Response to Comment 5-1, addressing the project's consistency with the City's General Plan designation for the project site.

### **Response to Comment 5-4**

The comment states the street layout for the project does not promote walkability, and thus advocates for a grid system typical of the Central City. The comment does not raise any issues related to the environmental analysis provided in the Draft EIR; therefore, no further response is necessary. The City Council will consider the street grid proposed by the project applicant and shall, in its discretion, determine whether it meets the needs of the City and the local community.

*Walkability.* The project would provide sidewalks on both sides along streets, and a defined multi-use trail network. The project would also develop private pathways that provide pedestrian linkages

within individual blocks and between community uses, which provides pedestrian and bicycle connectivity and promotes biking and walking. Moreover, specific site layout for the project calls for several ease of use features to encourage walking and bicycling within the project. These include prohibiting fence separations and providing direct pathway access from all units to sidewalks, leading to the central Setzer Run, the park, the potential neighborhood center, and the retail contained within the mixed use portion of the project at 3rd and Broadway.

*Street Grid.* Generally, the streets within the project site are laid out as a modified grid in keeping with an urban character and continuing the pattern of the Central City as it transitions from a traditional grid system into a meandering street pattern in the Northwest Land Park neighborhood. Project streets are designed to project a strong pedestrian environment and the streetscape elements are aimed to create a distinctive sense of place similar to Land Park.

The project as originally proposed included a traditional grid layout consistent with the street patterns in the Central City. The City considered and rejected this proposed layout for a number of reasons relating to traffic circulation and safety. The current street layout was driven by required intersection spacing and existing driveway locations along the east side of 5<sup>th</sup> Street. Additionally, existing adjacent uses, the irregular shape of the parcel, and noise mitigation requirements along I-5 made the grid pattern unworkable in some areas. It is necessary to provide a neighborhood park adjacent to the school property to promote joint use of the open space. Similarly, building massing is required along the western property line, oriented parallel with I-5 and staggered in order to minimize noise from the freeway.

The comment states the street parallel to, and just south of, 1<sup>st</sup> Avenue creates a dangerous zig-zag intersection. The intersection is intended to be stop controlled. The project will be required to provide a two-way left turn on 5<sup>th</sup> Street to improve traffic operations on 5<sup>th</sup> Street and all side streets.

### **Response to Comment 5-5**

The comment states a preference for public, as opposed to private, alleyways. The comment does not raise any issues related to the environmental analysis provided in the Draft EIR; therefore, no further response is necessary.

The project would include predominantly private streets and alleyways to accommodate public utilities. The project was originally proposed with public streets; however, it was determined that necessary public rights of way for SMUD and other public utilities were incompatible with the proposed public streets. The project, therefore, proposes private streets in order to accommodate utilities in the streets and to provide additional streetscape enhancements such as tree wells along the sidewalks.

### **Response to Comment 5-6**

The comment states a preference for an open space greenbelt running through the project, rather than a square park area which the commenter characterizes as suburban. The comment does not

raise any issues related to the environmental analysis provided in the Draft EIR; therefore, no further response is necessary. The City Council will consider the open space configurations proposed by the Project applicant and shall, in its discretion, determine the best park facilities for the City and the local community.

The City's parks goal to provide 5-acres of parkland for every 1,000 residents. Based on the parkland dedication requirements enumerated in Sacramento City Code section 16.64.030, the proposed project at maximum build out of 968 units would generate a demand for approximately 10.5 acres of neighborhood/community parks, 16.8 acres of region (citywide) parks, and approximately 1 mile of trails and bikeways. These demands are subject to change based on final unit count. General Plan Policy ERC 2.2.4 and Chapter 16.64 of the Sacramento City Code require that new residential projects either dedicate land, pay in-lieu fees, or otherwise contribute a fair share to the acquisition and development of parks or recreation facilities to meet the service level goals. The proposed project intends to meet 100% of the neighborhood/community parks Quimby obligation through parkland dedication and payment of in lieu fees. The project includes approximately 4.5 acres of parks; however, final unit count will determine actual park land dedication. The project shall be required to meet its neighborhood park dedication obligation through on-site dedication with the community obligation to be met through payment of in-lieu fees.

The Northwest Land Park community is designed with a variety of open space and park areas including a central public park and a linear green space corridor spanning the community. A 4.5-acre park is located central to the project and serves a one-half mile radius to provide recreational opportunities for the Northwest Land Park community and the immediately surrounding neighborhoods. The park is located adjacent to the Jedediah Smith Elementary School and Arthur Benjamin High School to create a large civic node central to the neighborhood. The park will be dedicated to the Sacramento Department of Parks and Recreation for planning, programming, development, and maintenance.

The park may accommodate a variety of civic gathering and recreational uses. Specifically, the park may provide less intensive recreational activities including playgrounds, small play fields, sports courts, trails, and picnic/or areas. The park will serve as a hub for the neighborhood's trail network, as the neighborhood trails radiate outward from the park and connect residential areas, civic uses, and neighboring uses to a comprehensive open space network including Setzer Run. Setzer Run contains a continuous multi-use trail that is interconnected with the community's open space network and links recreational areas to the park and the adjacent schools to the south. The Setzer Run Greenway Corridor will be a part of the property owners association.

In addition, an elevated section of I-5 is located immediately adjacent to the project site to the west, with a railroad tunnel and existing rail spur located beneath the freeway. The existing rail spur connects the western boundary of the project site, via the tunnel under I-5, to Front Street and Miller Park. The Project proposes to improve the tunnel to create a pedestrian and bicycle connection between the Northwest Land Park community and Miller Park located along the Sacramento River. This would provide an important connection between Northwest Land Park and Miller Park, the River

and the Promenade, and would provide an attractive means of travel for biking and walking to downtown and Old Sacramento.

The project as originally proposed included a greenbelt running through the development, as commenter suggests. The City considered and rejected this proposal and requested the project applicant to revise its site plans to include a larger, rectangular park as reflected on the current site plan. The Parks Department requested a square shaped park to better accommodate typical neighborhood park amenities such as sports fields, play structures, and picnic areas. Parks also requested streets on 3 sides of the park to promote eyes on the park and provide on-street parking. The City had some security and maintenance concerns with the linear park as originally proposed.

The project as currently designed includes an on- and off-street trail connection between the development and Miller Park, the Marina, the Sacramento River and Front Street. These are components of the project, albeit in a slightly different configuration than originally proposed. The revised park and open space layout includes on- and off-street trails that will serve the community and may include use of the existing rail tunnel beneath I-5 to provide a direct connection to Miller Park, Front Street and points beyond.

The central neighborhood park will be surrounded on three sides by residential uses, with the fourth side adjoining the existing school property. This layout is consistent with the City's Parks and Recreation Master Plan. Neighborhood parks are generally less than ten acres in size and are designed to serve the people living nearby, or within walking distance of the park. When a school is located nearby, the City tries to locate the park adjacent to the school to maximize the open space. Joint use of park/school facilities often occurs.

The park site would be dedicated to the City as the project is phased. Park development will likely not occur until the entire site has been assembled and dedicated to the City; timing will depend on the project's build-out. Because the funding for park master planning and development comes from the park related fees collected as the project is developed, the master planning does not typically begin until the project is at least halfway complete. This ensures that an adequate funding source will be available for the master planning and development.

### **Response to Comment 5-7**

The comment expresses concern that the residents in Phases 1 and 2 will not have the benefit of parkland, as the park is planned for development in later phases. Project phasing is dictated by the current landowner; allowing the landowner to continue use of the property and to gradually reduce its use as the project develops. The project applicant will acquire ownership of the entire project area over time and in phases, thus the applicant may only develop property within its ownership and control. Based on the project phasing, open space land would be incrementally dedicated as part of Phases 2 through 3. Because there would be no parkland dedication for Phase 1, the project proponent would be required to pay in-lieu fees for Phase 1. This would ensure that increased demand associated with an increase in population would not significantly accelerate the deterioration of existing park areas or recreational facilities because new residential development would be

required to ensure that adequate parkland is provided or applicable fees paid to the City to purchase additional park facilities or improve existing parks in the community plan areas. There are also other parks in the vicinity of the project site that could serve residents of the project, including Land Park, Miller Park, Southside Park, O'Neil Park, and Smith School Park.

The comment objects to use of synthetic turf for private landscaped areas, and would prefer to see drought tolerant landscaping. Synthetic turf is anticipated to be used mainly in the private driveways and areas of heavy pedestrian traffic in lieu of traditional hardscape, i.e., asphalt drives and concrete walkways, as well as active use areas. The synthetic material is a higher cost investment at the outset and is designed to achieve long-term benefits, such as lower maintenance costs, lower water usage, and reducing air pollution by eliminating the need for gas powered landscaping equipment. An example of the material that could be used can be reviewed at [www.fieldturf.com](http://www.fieldturf.com). Traditional and drought tolerant landscaping materials would also be used to plant private landscaped areas.

### **Response to Comment 5-8**

The comment requests a mechanism to ensure owner-occupied units. The comment does not raise any issues related to the environmental analysis provided in the Draft EIR; therefore, no further response is necessary. The project applicant is a predominantly for-sale home developer. It is the applicant's intent to provide primarily for-sale housing, as reflected in the Phase 1 design. However, future market conditions may dictate portions of the community be developed as rental housing.

### **Response to Comment 5-9**

The comment states that variation in color and articulation are not sufficient to create a diverse neighborhood; commenter advocates for more diverse commercial uses in the project. See Response to Comment 5-1 describing the project's consistency with the City's General Plan and the City's vision for development in the project area.

### **Response to Comment 5-10**

The comment expresses its support for the re-use alternative studied in the EIR and described in the PUD Guidelines. The comment is noted. The City Council will exercise its discretion to approve the project it believes is best suited for the City and the local community.

### **Response to Comment 5-11**

The comment requests that all components of the PUD Guidelines be binding. This comment was apparently referencing particular text in the PUD Guidelines that implied that they were not binding. The text of the PUD guidelines has been revised to confirm the binding nature of the requirements. The PUD Guidelines that would be approved as part of the project are binding on the project and shall be implemented consistent with the City Code section 17.180.020 (B), which prohibits the issuance of any building permit for a building or structure in a PUD unless and until the Planning Director has confirmed compliance with the provisions of the PUD Guidelines.

In addition, to further ensure that the project design features included in the project PUD Guidelines are implemented, the following mitigation measure is added to the Draft EIR.

5.4-1 The following PUD Guidelines shall be incorporated into project design, as verified by City staff during design review:

- Choice of Mobility – The community shall allow for multiple modes of transportation including private automobiles, bicycles, and pedestrian mobility.
- Street Connectivity – The community streets shall be designed on a modified grid with multiple connections to the surrounding roadway network.
- Pedestrian and Bicycle Connectivity – The community shall provide sidewalks on both sides along all streets, and a defined multi-use trail network. The community shall develop private pathways that provide pedestrian linkages within individual blocks and between community uses.
- Safe Environment – Streets shall be designed to be safe in terms of traffic mobility, diversity in users, and crime prevention. Climate Appropriate Plants – Trees, shrubs, and grasses shall be conducive to the Northern California environment in terms of water use, drought tolerance, maintenance, and durability. Synthetic Turf should be used for active play areas and small gathering lawns.
- Low Maintenance & Cost Effectiveness – Landscape material including trees, plants, turf, and hardscape should require minimal maintenance as compared to other varieties and material choices. Synthetic turf shall be used to the extent possible in lieu of natural turf and grasses. Materials should be cost effective to lessen the initial expenditure, periodic replacement, and long-term maintenance. Turf may be synthetic to lessen irrigation demands and long term maintenance.
- Standard Streetscape – The plantings along streets and the community trails shall consist mainly of species that at maturity will act as large canopy shade trees and colorful understory plantings. Nothing in this section shall be construed to require an initial planting larger than a 24” box tree.
- Alternative Local Streetscape - Landscaping along internal local streets shall be more lush and generous in plant coverage including primarily canopy shade trees to create a dynamic streetscape.
- Stormwater Management – The project will redevelop with smaller residential buildings interlaced within green courtyards, large central park and meandering greenbelt, and utilizing decorative permeable materials for private driveways and courts. The pervious to impervious ratio for Phase 1 (40% permeable to 60% Impermeable) will be used as a minimum guideline for the build-out of the entire site through Phase 4.
- Water Efficiency – All project landscaping shall be climate appropriate for the area and irrigated with moisture sensor driven systems to provide drought tolerance and maximum efficiency of water use in irrigation. Synthetic turf shall be used, to the greatest extent possible, for private grassed areas within the development.

- Vegetation & Forestation – Vegetation and tree planting plans shall be designed to provide shading for streets, hardscape surfaces, buildings, and recreation areas during summer months. In contrast, said plans shall include landscape varieties that lose their leaves during winter months to promote passive sunlight within the community, thus reducing energy use relating to heating and lighting.
- Air Quality – The project proposes that all buildings, units, and facilities, indoors and out, are free of devices designated to facilitate the combustion of wood or wood products to eliminate emissions generally associated with traditional fireplaces.
- Reuse and Recycling - The project shall re-use at least 50% of the salvageable materials in the existing improvements on-site, as measured by weight. This can take the form of re-use of entire structures, re-use or repurposing of significant elements, such as beams or trusses, and recycling materials within the new project such as grinding paving and asphalt for use as base material at the site. These activities will increase the sustainability of the site through reduced waste materials from demolition, reduced need for new materials on-site, and reduction of the ancillary transportation impacts from off-haul and delivery of materials to the site. Additionally, the project will evaluate brick, wood, metal, and masonry materials from the demolition to be re-manufactured into a “heritage” line of finishes to be offered as upgrades to the units. As an example, wood timbers would be converted into flooring material to provide the character and cache of “distressed” lumber underfoot. These efforts will increase the amount of on-site materials reused sustainably within the project.
- Efficient Floor Plans - The Northwest Land Park community will be developed with compact efficient floor plans. In addition the majority of units will share wall/floor space, and thus thermal mass, with at least one other unit.
- Insulation – Building shall be designed with a high-efficiency thermal shell for the units with exterior walls at or above R25 for walls and R40 for ceilings.
- Climatization – Residential buildings shall use small high efficiency heating and cooling units.
- Lighting - Buildings shall use a LED or fluorescent lighting system throughout the units, allowing for energy efficient lighting.
- Exterior Lighting – Exterior HOA maintained lighting, including pathway lights, accent/landscaping lights, motor-court lights, and private street lights shall use LED lighting technologies.
- Water Heaters - The project shall provide high efficiency tank-less hot water heaters to provide for the most energy efficient delivery of hot water. Nothing in this provision shall preclude installation of high efficiency alternative energy source hot water heating and storage units.
- Electrical vehicle accommodations – The project shall incorporate 110v electrical outlets in the garage units such that they are readily accessible for use with electric vehicles.

- Renewable Energy Commitment - The project shall incorporate a 400 KW renewable energy system to reduce the amount of energy purchased by the Project. The renewable energy will be incorporated over the life of the project such that a minimum of 100 KW will be incorporated into phase 1 with an aggregate total of 100 KWs per phase through the buildout of phase 4. The 400 KW system will result in an annual reduction of 730,000 kWh of purchased electricity at full project buildout. This is equivalent to the emissions from electrical consumption of approximately 188 dwelling units. The renewable energy system may include solar, wind, fuel cells, or other new technology that becomes available over the implementation of the project. The following are the commitments already made by the project to foster this renewable commitment:
  - Photovoltaic Design - The project shall be planned to orient at least 40% of the roof area of a minimum of 50% of the buildings to the west, south or southwest so that photovoltaic panels and collector systems can provide maximum benefit when installed. The project shall work with the local utility and, through an aggressive sales program, encourage and provide solar systems and/or alternative energy systems as an option.
  - Solar Orientation – The majority of the project’s buildings shall be designed to orient the roof tops with strong solar capture opportunities for photovoltaic panels throughout the community. The orientation of at least 40% of the roof area of at least 50% of the buildings shall be west, southwest, or south.
  - Solar Energy – As indicated in the AQMP (measure M28), the NWLP Project has committed to the implementation of a solar energy system that will offset a minimum of 2.5% of the residential needs of the project.

# **Saccani** DISTRIBUTING COMPANY

*Since 1933*  
2600 - 5th STREET, SACRAMENTO, CALIFORNIA 95818  
P.O. BOX 1764 SACRAMENTO, CALIFORNIA 95812-1764  
PHONE: (916) 441-0213 FAX: (916) 441-0806

February 11, 2011

Dana Allen  
Associate Planner  
Environmental Planning Services  
City of Sacramento Community Development Department  
300 Richards Boulevard, 3<sup>rd</sup> Floor  
Sacramento, CA 95811

RE: NORTHWEST LAND PARK DEVELOPMENT

Dear Ms. Allen:

My name is Gary Saccani and I am President of Saccani Distributing Company, which is located on 5<sup>th</sup> Street and 1<sup>st</sup> Ave. just north of the proposed Northwest Land Park Development. Saccani Distributing Company has been located in Sacramento since 1933 and we have been at our current location since 1950. In addition, my brother Roland and I also own adjacent property on 1<sup>st</sup> Ave. which is north and east of the proposed development.

While I applaud the development of the adjacent area, there are several issues that my brother and I have concerns about. The first concern is noise. Not their noise but ours. We are a beverage distribution company that operates almost twenty-four hours a day during the work week. At around 5pm we start loading our delivery trucks and work until the job is finished. It is not uncommon to finish loading by 2 to 3 am. All the while the forklifts are running and their backup alarms are going off. We also start our diesel trucks and tractors to move them about our yard to facilitate our loading during this time period. At approximately 4 am our warehouse opens and our delivery drivers start arriving. At that time the drivers start their trucks, do their pre-trip and confirm that the product loaded on their truck is correct.

6-1

In addition to our cars, forklifts and diesel trucks in our yard, we have refrigeration equipment located on the roofs of our buildings. Needless to say it starts automatically anytime of the day or night. Due to its height above ground it has the potential to disturb close by residences.

The second concern is drainage. I am not certain which direction our drain travels near our southern lot line by 5<sup>th</sup> Street. In the future we will need to determine if any problems could arise because of this development.

6-2

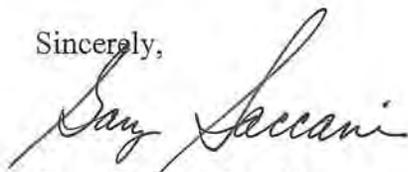
Our major issue is Northwest Land Park's proposal to locate residences along our southern and western perimeter of our properties. We feel that it would be better for everyone if the proposed street located south of 1<sup>st</sup> Ave. were to align itself with the proposed east-west street, west of 3<sup>rd</sup> Street and be adjacent to our southern property line. Besides putting distance between our company and the proposed multi-family residential structures it would eliminate a dangerous zigzag intersection on 3<sup>rd</sup> Street. We feel that these residences would be classified as "sensitive receptors" and by smart planning now we could avoid a potentially adversarial relationship with our neighbors that could come about by locating them so close to us.

6-3

Since we are one of three entities that abut this project we feel that our concerns should be carefully and fully explored.

Thank you for your consideration in this matter.

Sincerely,



Gary Saccani, President  
Saccani Distributing Company  
and adjacent property owner



Roland Saccani, Vice President  
Saccani Distributing Company  
and adjacent property owner

## LETTER 6: Saccani Distributing Co., Gary Saccani and Roland Saccani

### Response to Comment 6-1

The comment expresses concern about potential for noise generated at the existing distribution facility on 5<sup>th</sup> Street to disturb the residents of the proposed project. As discussed in the Draft EIR, noise monitoring was conducted at 12 locations around the project site, including 2 locations adjacent to the distribution facility, to quantify existing conditions in and around the project site (Draft EIR p. 5.6-7). The Draft EIR found that operation of heavy-duty trucks at the existing commercial/distribution facility, which typically generate noise level of up to 75 dBA  $L_{eq}$  at 50 feet, including the additional noise associated with back-up beeps occurring intermittently, could exceed the exterior noise threshold of 65 dBA  $L_{eq}$ . Mitigation Measure 5.6-1b (Draft EIR p. 5.6-21), which requires residential structures in the project to avoid any exterior communal/recreational areas within 200 feet (direct line-of-sight) of the existing commercial operations located immediately northeast of the project site, unless subsequent design features can reduce noise associated with truck operations to less than 65 dBA  $L_{eq}$  over a 1-hour period. The applicant is also required to provide written confirmation from a qualified noise consultant that any such design features are effective to achieve the required reduction in noise exposure, which would ensure the exterior noise levels do not exceed the 65 dBA  $L_{eq}$  threshold.

The Draft EIR also found that some residences on the project site could experience interior noise levels of up to 50 dBA, assuming a minimum 25 dBA reduction from exterior to interior be, which would be in excess of the City's 45 dBA  $L_{dn}$  standard. Mitigation Measure 5.6-2 was developed to ensure that the proposed project does not result in unacceptable interior noise levels at existing and proposed uses. Mitigation Measure 5.6-2 requires residential structures in Phases 3 and 4 of the project to provide up to a 30 dBA reduction from exterior to interior noise levels on any third and fourth floors of proposed residential structures and a 35 dBA reduction for units located adjacent to the existing commercial operations located along 1<sup>st</sup> Avenue. These measures would ensure that noise from operations of the existing commercial operations would not exceed the City's interior or exterior thresholds. Although noise associated with the existing commercial operations could be below noise levels allowed by the City, it could still be considered a nuisance by some residents. To ensure that potential homeowners and residents of the site are made aware of the potential noise associated with the existing commercial uses. Mitigation Measure 5.6-2(c) requires a deed restriction to provide notice to purchasers that any future residents of structures adjacent to the existing commercial operations acknowledge ongoing commercial activities that could result in noisy activities at the time of purchase or lease of a residential unit.

To clarify the location of the wall or line of structures required, relative to the existing commercial operations, and to acknowledge the City's intent to encourage urban development in the project area as evidenced by the General Plan designation "Urban Neighborhood Medium" for existing commercial and industrial areas, the following changes are made to Mitigation Measure 5.6-2:

- b) So long as existing industrial and commercial uses continue to operate, the project applicant shall design residential structures, immediately adjacent to the existing commercial operations located along 1<sup>st</sup> Avenue in Phases 2 and 4 to achieve up to

*a 35 dBA reduction between exterior and interior noise levels through the use of certain design-specific measures that may include, but are not limited to:*

- *The use of triple-paned or no windows for structure walls fronting the existing commercial operations located along 1<sup>st</sup> Avenue;*
- *Not allowing bedrooms along the outermost structure walls of the northern and eastern boundaries of Phase 2 and the eastern boundary of Phase 4.*
- *The use of gypsum board or other sound-insulating building material; and*
- *Providing a uniform wall or line of structures along the ~~western~~ boundary of the site where Phase 2 abuts the existing use on the south side of First Avenue and on the eastern boundary of Phase 4 where it abuts the existing use on the north side of First Avenue.*

### **Response to Comment 6-2**

The comment expresses concern about drainage. In response to the comment about the direction of stormwater flow in the area, as shown in Figure 2-8 on page 2-15 of the Draft EIR, stormwater on the south side of the commenter's property would flow eastward, toward 5<sup>th</sup> Street. The storm drainage effects of the project are discussed on pages 5.11-31 through 5.11-38 of the Draft EIR. As discussed in the Draft EIR, impacts related to degradation of water quality, violation of water quality standards, and local and regional flooding would all be less than significant.

### **Response to Comment 6-3**

The comment suggests a realignment of the proposed "Crate Avenue" (see Figure 2-3 on page 2-4 for the Draft EIR) to be adjacent to the commenter's southern property line to provide a buffer between the existing commercial uses and the proposed residential uses. While the additional distance created by the realignment suggested in the comment would further reduce potential noise impacts, as discussed in Response to Comment 6-1, implementation of Mitigation Measures 5.6-1 and 5.6-2 would ensure interior and exterior noise levels at proposed residential uses would not exceed city standards. The commenter provides no evidence supporting its statement that the intersection of 3<sup>rd</sup> Street and Crate Avenue is dangerous. All interior roads have been reviewed by City engineering staff to ensure that the project would not result in hazardous roadway conditions.

February 15, 2011

Ms. Dana Allen, Associate Planner  
 Community Development Department  
 Environmental Planning Services  
 300 Richards Boulevard, 3rd Floor  
 Sacramento, CA 95811

Dear Ms. Allen:

The Upper Land Park Neighborhood Association (ULPNA) has reviewed the Draft Environmental Review for the North West Land Park Project (project), proposed for the Setzer Properties located south of Broadway and west of 5th Street.

As the residents who live closest to the project area, we believe our experience within and around the project area will provide meaningful information for a thorough analysis of this project's impact to the surrounding and adjacent neighbors and help reduce negative impacts on residential areas. Our comments begin with traffic and circulation because of the potential impact to residents, but we also are commenting on other parts of the DEIR that are also important to the success of the project.

**TRANSPORATION AND CIRCULATION:**

The DEIR states that the General Plan allows flexible Level of Service (LOS) standards for developers and allows for a LOS standard less than desired if a developer provides improvements to the overall system and/or promotes non-vehicular transportation as part of the development project or City-initiated project (page 5.9-24). We would request that if this approach is proposed for this project, all improvements should be within a 1/2 - 1 mile of the project and not in other parts of the city due to the impacts already affecting our community.

7-1

**Trip Generation and Mode Splits - Calculations**

**Pass By Cars - Retail**

Pass-by trips for retail are estimated to be 25% during PM park hour and 15 percent during AM peak hour and on a daily basis. Although based upon the ITE manual, we believe they may not represent the Sacramento experience (5.9-31).

7-2

**Trip Distribution (page 5.9-33)**

Proposed Project Trips: The sources and analytical techniques used to develop the inbound and outbound trip distribution percentages are listed. Some of these are outdated and more updated sources should be used and some techniques are not

7-3

North West Land Park Project  
February 15, 2011

appropriate for the type of residents the developer indicated would purchase these condominiums. Specifically:

- "Geographic distribution of work locations for residents in Upper Land Park from 2000 Census": The 2000 information is outdated. We believe there may be more up to date employment center data which should be used.
- "Directionality of residential trips traveling on Broadway from 5th Street and Muir Way": The residential trips on this section are not reflective of potential home buyers of the NW Land Park. A more appropriate geographic location in which to estimate directionality should be used. This part of Broadway abuts commercial and a large affordable housing complex which has different driving patterns than the rest of Land Pak or Southside Park.
- "Relative ease of travel on parallel routes (e.g., coordinated signals on X Street versus clustered signal timing and frequents stops on Broadway)." This statement is incorrect. Broadway is much easier to use because X Street often is congested during AM and PM Peak hours with queues of cars backed up on freeway ramps. These cars block intersections at 15th on X Street. Traveling along X Street is particularly slow at peak times and Broadway is faster even though it has more traffic lights. In the afternoon, traffic backs up on the surface streets of 15th at W and X and Broadway from Land Park Drive to 13th Street and X Street during PM peak hours. Even though this is outside the traffic study, it is our experience that it will impact the dispersement of future development vehicles from Broadway onto residential streets (e.g., 5<sup>th</sup> Street to Vallejo Way, Muir, and Riverside).

7-3  
(cont.)

**Proposed Trip Distribution**

The estimates of in/out trip distribution percentages, we believe, are under counted for new vehicle trips. If not accurately assessed, this could impact existing residential streets: (e.g., Vallejo Way/5<sup>th</sup> Street, Muir Way, Riverside Blvd). These streets as stated above will have pass through traffic from Broadway.

7-4

In 1999, a Neighborhood Traffic Management Project in the Swanson Palms neighborhood included Vallejo Way from 5th Street to Riverside. The NTM Project recognized large volumes of traffic at Vallejo Way @ 5th Street, and Vallejo Way @ Muir. The NTMP documented a significant number of traffic issues. The City spent large amounts of staff time and city funds to reduce traffic dangers and problems, in addition to traffic levels adversely affecting our neighborhood. The City also recognized that the City's high density affordable housing projects on 5th Street and on Muir, and the large affordable apartment complex (Land Park Woods) created impacts on our fragile neighborhood that include, but are not limited to, high traffic volumes.

7-5

The City and developer should recognize and address 'neighborhood livability' problems related to ANY increases in traffic in the area, not just LOS. These include traffic speed, cut through traffic, pedestrian safety, children safety, bicycle and pet safety, traffic noise, access to driveways, on-street parking, emergency access, and reckless driving.

7-6

North West Land Park Project  
February 15, 2011

The study should accurately analyze the vehicle counts and mitigate potential traffic impacts from the new development. The in/out distribution splits for 5<sup>th</sup> Street, Muir, and Riverside are too low and should be increased because of the unique traffic congestion on Broadway.

7-7

**Vallejo Way as Collector**

The volume of daily trips identified for Vallejo Way is of particular concern due to the street's width and residential population. As the DEIR correctly states, streets south of McClatchy Way are considered a "traditional neighborhood" and governed by General Plan M 1.2.2. (c), LOS A-D to be maintained at all times. However, the City's Traffic Engineering indicates that Vallejo Way is identified as a "collector" street in the General Plan, which allows up to 7000 vehicle trips per day as acceptable. Thus, this higher vehicle trip number makes it more difficult to prove a "significant impact". To define Vallejo Way as a "collector" street is inappropriate and would significantly impact the surrounding residential neighborhood. From Vallejo and 5th Street going east, Vallejo Way quickly narrows to 35 feet (gutter to gutter) west of Muir Way (@ 786 Vallejo Way). East of Muir Way (@ 807 Vallejo Way) the street width is 35 feet, 3 inches and narrows to 24 feet approximately 1/2 block east of Muir Way (@ 901 Vallejo Way). Finally, one-half block east of 10th Street and Vallejo, the street further narrows to 23 ft, 2 inches.

7-8

Due to the small home lots in this neighborhood, residents must park their cars on the street, so the City should not propose eliminating such parking as a viable traffic calming measure. The residential car parking results in 15 feet of usable street width for two lanes of vehicle traffic. Adding more traffic will create further unsafe conditions for residents getting into their parked cars, those who back out of their driveways, children playing and students biking and walking to school. In addition, the bike lanes end 1/2 block east of Muir Way and adding more cars will decrease bicycle safety. Adding large traffic flows to Vallejo Way will create unsafe traffic volumes for this older established neighborhood. And the narrowing of Vallejo makes it probable that additional traffic will disperse on to other smaller residential streets between west of Riverside and south of Broadway. The traffic study for the project should be expanded to study Vallejo Way to Riverside and smaller streets south, e.g., 3rd Avenue; Muir Way to Robertson, including smaller streets such as Fremont Way, McClatchy Way; and intersections along Riverside Blvd. to Robertson.

7-9

8% of trips in/out on 5th Street to Vallejo Way are also undercounted. Due to the traffic delays identified at 3rd and Broadway, we believe more traffic will exit from new street connections on 5th Street. And those auto trips will use 4th Avenue, Vallejo Way, Fremont Way, Muir Way etc to bypass heavily congested traffic along Broadway at 9th/10th, Riverside and 15th/16th street streets at peak times.

7-10

**5th Street Connectivity**

The proposed Phase I development identifies five (5) streets to open onto 5th Street. We strongly recommend reducing the number of streets to help encourage new

7-11

North West Land Park Project  
February 15, 2011

residents to travel north from their homes towards Broadway. The two southern streets openings onto 5th Street should be eliminated to reduce the probability of higher numbers of vehicles from the development using Vallejo and other neighborhood streets to the south of the project. In fact, the study recommends closing some streets. We understand the development will include several phases, and that the 3rd Street opening at Broadway would not be built for several years. The reduction in the number of Phase I streets opening onto 5th would create long term traffic calming benefits to the existing neighborhood and future residents of the NW Land Park project. In addition, it would reduce the conflicts between bicyclists and walkers along 5<sup>th</sup> Street, which the developer says he wants to promote.

↑  
7-11  
(cont.)

**Freeway On/Off Ramps**

Business 80/US-50 off ramp to X Street (10 Street Exit). This ramp was not evaluated and should be added to the traffic study to determine traffic queues, wait times, and directions. (page 5.9-21)

7-12

The Caltrans Guide for the Preparation of Traffic Impact Studies (Caltrans, December 2002) states that a signification impact occurs if there is a "perceptible increase in services volumes in a weaving area." The study does not analyze this and should due to the heavy traffic and safety problems that exit along I-5 and Business 80 corridors. (page 5.9-23)

7-13

**SITE PLAN:**

Retail space: We believe that there should be more retail space added to the project along Broadway. The 15,000 square feet is too small to provide enough residential services. Lack of adequate local residential services will increase the likelihood of additional traffic in our neighborhoods as development residents seek neighborhood services south and east of the project (e.g., Muir Way Market, Riverside Cleaners, gymnasiums, Vic's Ice Cream, barbers, watch repair, etc.)

7-14

**PARK AND RECREATION:**

We believe the meandering park would provide more interest to potential buyers and create a unique development. Having the revised "square" design will not create a unique sense of place, nor compliment the Seltzer Run portion of the open space as affectively as it could.

7-15

**PUD IMPLEMENTATION:**

The PUD is being proposed to establish certainty for development of the total site. We believe it will help, but the fact that only development standards are binding does not ensure a comprehensive development since the project will be completed in multiple phases -- and over several years; future phases may be implemented by other developers who may not want to adhere to the PUD "guidelines." We would

7-16  
↓

North West Land Park Project  
February 15, 2011

recommend making the PUD binding to provide certainty for the project and the surrounding community.

↑  
7-16  
(cont.)

**LANDSCAPE AND STREETLIGHTS:**

In order to attract and retain homeowners, the landscape plan should use high quality landscape materials. The proposed artificial turf is not acceptable. If the intent is to reduce water use, drought tolerant landscaping can be used. To further enhance the development, Sycamore trees should be planted throughout to replicate the feel of Southside and Land Park neighborhoods.

For the streetscape, and to better reflect Land Park, Union Metal historic, acorn caste iron street lights should be used.

The streetscape along 5<sup>th</sup> street should have a wide, i.e., 5 feet sidewalk to encourage more walking from the existing Land Park residents and residents of the development.

There should be further Neighborhood Traffic Management Projects as the development is build out including the possibility of 5th Street landscape medians with trees (as was done on Vallejo Way) to provide traffic calming.

↑  
7-17

In closing, we believe the development can be an asset if it is well designed and sensitive to the surrounding residential areas. We look forward to working with the developer, Kevin Smith, and the City to accomplish this.

Sincerely,

Craig Chaffee

Luree Stetson

cc:  
Council Member Rob Fong  
David Hung  
Land Park Community Association

---

**LETTER 7: Upper Land Park Neighborhood Association, Craig Chaffee and Luree Stetson****Response to Comment 7-1**

The comment requests that all improvements proposed by the project be made at locations within ½ to 1 mile of the project site and not in other parts of the City. Mitigation Measures 5.9-15 and 5.9-16 require the project applicant to make fair share contributions to the W Street/9<sup>th</sup> Street and I-5 NB Off-Ramps/Broadway intersections. Both intersections are situated less than one mile from the project site. The Draft EIR does not identify impacts on roadways more than one mile from the project site; therefore, off-site roadway improvements located more than one mile away from the project site are not required.

**Response to Comment 7-2**

The comment states that the assumed pass-by percentages for retail trips may not represent the Sacramento experience. Pass-by-trips to the retail commercial land uses are trips that are already in the existing traffic stream that passes by the site and that would be attracted to the project when it is completed. These trips are included in the total count of traffic generated by the project and are included in the project driveway volumes, but are not included as new trips at intersections outside of the influence of the project driveways. The pass-by trip percentages assumption made in the Draft EIR to the retail uses were derived from guidelines in the *Trip Generation Handbook* (Institute of Transportation Engineers, 2004), which is a standard reference source in the industry. The amount of a project's pass-by trips varies by type of land uses and the magnitude of existing/projected traffic on the adjacent streets. According to page 46 of the ITE Handbook, on average, 34 percent are pass-by trips during the PM peak hour. Based on the location and size of the project, the Draft EIR assumed that 25 percent of PM peak hour trips to the retail uses would be pass-by. The pass-by percentages applied in the Draft EIR are derived from recognized sources and consistent with generally accepted engineering principles.

**Response to Comment 7-3**

The comment asserts that the trip distribution percentage calculation techniques are outdated and inappropriate for the type of project residents. Concerns were raised regarding the use of 2000 Census data, and other methods used to develop project travel characteristics. The comment also expresses concern regarding the use of observed turning movements at the 5<sup>th</sup> Street and Muir Way approaches to Broadway. Lastly, the comment states that Broadway is much easier to use than X Street.

Please see Master Response #1 regarding the methodology for determining the trip distribution. Additionally, it is noted that at the time the Draft EIR was completed, results of the 2010 Census were not yet (and are still not) available. Therefore, the 2000 Census data was used in addition to the other resources as mentioned in Master Response #1 to assess home-based-work travel behavior for residents in the project vicinity. It is common practice to review travel patterns of similar, nearby land uses to better understand expected travel behavior of project trips. The commenter

asserts that the following statement on Page 5.9-33 of the Draft EIR is inaccurate: “Relative ease of travel on parallel route (e.g., coordinated signals on X Street versus clustered signal timing and frequent stops on Broadway)”. This statement is accurate in that it correctly describes the existing traffic signal timing plans on each street. The statement was not intended to imply that project trips will exclusively use X Street, and not Broadway. In fact, a review of the outbound project trip distribution on Figure 5.9-6B indicates that eastbound trips will use Broadway twice as often as X Street. Please see Master Response #1 for additional supporting evidence as to the reasonableness of the expected trip distribution percentages.

#### **Response to Comment 7-4**

The comment states that estimates of in/out trip distribution percentages are undercounted for new vehicle trips, which could impact residential streets. The comment includes no data to support the assertion that new vehicle trips have been undercounted. Please also see Master Response #1.

#### **Response to Comment 7-5**

The comment describes the Neighborhood Traffic Management Project undertaken by the City in 1999 for the Swanston Palms neighborhood. This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. Therefore, a response is not required.

#### **Response to Comment 7-6**

The comment states that the City and developer should recognize and address neighborhood livability problems related to any increases in traffic in the area. With regard to concerns of neighborhood livability, there is no evidence to suggest that project-added traffic would increase speeds, reduce safety, impede access to driveways, adversely affect emergency access, or cause reckless driving. Please see Master Response #1 and #2 regarding methods used to develop trip distribution percentages and anticipated levels of traffic on residential streets.

#### **Response to Comment 7-7**

The comment states that the study should accurately analyze vehicle counts and mitigate potential impacts from the new development. It further states that use of 5<sup>th</sup> Street, Muir, and Riverside are too low and should be increased due to traffic congestion on Broadway. Please see Master Responses 1 and 2 regarding methods used to develop trip distribution percentages and anticipated levels of traffic on residential streets. Traffic congestion and travel speeds on Broadway were considered in the development of the trip distribution estimates.

#### **Response to Comment 7-8**

The comment expresses concern regarding the amount of daily traffic on Vallejo Way. The comment also states that Vallejo Way should not be classified as a collector and should not be evaluated using daily collector roadway thresholds. Please see Master Response 2 regarding anticipated levels of traffic on Vallejo Way. The City of Sacramento 2030 General Plan identifies Vallejo Way as

a collector street; therefore, the roadway designation is outside the scope of this Draft EIR. Comments regarding street widths on Vallejo Way are noted.

### **Response to Comment 7-9**

The comment states that the City should not propose eliminating on-street parking on Vallejo Way and expresses concerns that added traffic will create further unsafe conditions. The comment also states that the traffic study should be expanded to other neighborhood streets. The Draft EIR does not propose the elimination of on-street parking on Vallejo Way. There is no evidence to suggest in this case that the addition of 240 daily trips to a residential street carrying 3,200 ADT would result in or exacerbate unsafe conditions. Expansion of the study area to other neighborhood streets is not warranted given the distance from the project site and modest amounts of traffic the project would add to those facilities.

### **Response to Comment 7-10**

The comment states that the expected usage of Vallejo Way by project trips is understated. The comment expresses concerns that project trips will bypass congestion on Broadway by using 4<sup>th</sup> Avenue, Vallejo Way, Muir Way, and Fremont Way. Please see Master Response 1 regarding the methodology for determining the project trip distribution. As shown in Table 5.9-14 of the Draft EIR, the signalized Broadway/5<sup>th</sup> Street intersection would operate at LOS B under existing plus project buildout conditions. This service level represents a modest level of motorist delay (i.e., less than 20 seconds per vehicle on average), so it is unlikely that there would be a need for motorists to bypass congestion on Broadway.

### **Response to Comment 7-11**

The comment requests that the two southern streets that connect to 5<sup>th</sup> Street be eliminated to reduce the probability of higher numbers of vehicles using Vallejo Way and other neighborhood streets. General Plan Policy M 1.3.1 requires new residential development to develop a transportation network that provides for a well-connected, walkable community, preferably in a grid or modified grid network. The proposed internal street system complies with this policy. This comment will be forwarded to the decision makers for their consideration.

### **Response to Comment 7-12**

The comment states that the Business 80/US 50 off-ramp to X Street (10<sup>th</sup> Street exit) should have been evaluated for traffic queuing. The comment appears to refer to the WB Business 80/US 50 off-ramp at 10<sup>th</sup> Street onto W Street (not X Street). This off-ramp was not included in the queuing analysis since it merges with W Street rather than terminating at a controlled intersection. Further, the distance from the freeway mainline to the nearest traffic signal on W Street is over 2,000 feet. Accordingly, it was not necessary to analyze queuing at this off-ramp.

### **Response to Comment 7-13**

The comment states that the traffic study did not analyze weaving areas on the I-5 and Business 80 corridors. Table 5.9-7 shows that 11 freeway facilities on I-5 and Business 80/US-50 were analyzed as part of the Draft EIR. This includes off-ramp diverge movements, on-ramp diverge movements, weaving areas, and mainline segment operations. Freeway facilities were reviewed and compared to facility descriptions in the *Highway Capacity Manual* (Transportation Research Board, 2000) to determine the correct facility type for subsequent analysis. All freeway facilities that would potentially be affected by the proposed project to a significant degree were studied (including weaving areas).

### **Response to Comment 7-14**

The comment states there should be more retail provided in the project and lack of retail services would result in traffic impacts in other neighborhoods. See Response to Comment 5-1, addressing the project's consistency with the General Plan designations in the City's General Plan. The traffic analysis prepared for the project includes the land uses as proposed, including approximately 15,000 square feet of commercial uses. Consequently, any trips generated by the residential uses in the project include the assumption of trips to retail uses outside of the project area.

### **Response to Comment 7-15**

The comment states a preference for a meandering park, as opposed to the "square" park shown for the project. The City had some security and maintenance concerns with the linear park and requested a square shaped park to better accommodate neighborhood amenities, such as sports fields, play structures, and picnic areas. The Parks Department also requested streets on 3 sides of the park to promote eyes on the park and provide on-street parking. Please see Response to Comment 5-6.

### **Response to Comment 7-16**

The comment states that binding PUD Guidelines would be preferred to recommendations. As noted elsewhere, compliance with the PUD Guidelines is required by City Code, and confirmation of compliance by the Planning Director is required. See City Code section 17.180.020 (B), and Response to Comment 5-11.

### **Response to Comment 7-17**

The comments express preferences in landscaping and streetscape details. These are comments on the merits of the project and not on the adequacy of the EIR. The comments are noted and forwarded to the decision-makers for their consideration. Please also see Response to Comment 5-7 regarding the use of artificial turf.



JERRY BROWN  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT

February 14, 2011

Dana Allen  
City of Sacramento  
300 Richards Boulevard, 3rd Floor  
Sacramento, CA 95811

Subject: Northwest Land Park Project  
SCH#: 2010052011

Dear Dana Allen:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on February 11, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

8-1

Document Details Report  
State Clearinghouse Data Base

Letter 8

**SCH#** 2010052011  
**Project Title** Northwest Land Park Project  
**Lead Agency** Sacramento, City of

---

**Type** EIR Draft EIR  
**Description** Residential/mixed-use community on approximately 31.7 acres currently occupied by existing light-industrial and commercial uses. The project would include up to 898 medium-density multi-family residences, up to 70 high-density multi-family residences, 15,000 square feet of commercial-retail uses, approximately 4.3 acres of park, approximately 1.1 acres of private open space, and approximately 5.9 acres of public rights-of-way.

---

**Lead Agency Contact**

**Name** Dana Allen  
**Agency** City of Sacramento  
**Phone** (916) 808-2762  
**email**  
**Address** 300 Richards Boulevard, 3rd Floor  
**City** Sacramento  
**Fax**  
**State** CA **Zip** 95811

---

**Project Location**

**County** Sacramento  
**City** Sacramento  
**Region**  
**Cross Streets** Broadway and 5th Street  
**Lat / Long**  
**Parcel No.** various  
**Township** 8N **Range** 4E **Section** **Base**

---

**Proximity to:**

**Highways** I-5/ Hwy 50,80  
**Airports** No  
**Railways** UPRR  
**Waterways** Sacramento River  
**Schools** Arthur A. Benjamin HS and Jed Smith ES  
**Land Use** Light-industrial and commercial use; City of Sacramento GP = Urban Neighborhood Medium Density and Urban Corridor Low; Zoning = Heavy Commercial Zone (C-4), Light Industrial Zone (M-1), Heavy Industrial Zone (M-2), and Heavy Industrial Zone with Plan Review (M-2-R).

---

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wildlife; Landuse; Cumulative Effects

---

**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 2; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; California Highway Patrol; Caltrans, District 3; Department of Housing and Community Development; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public Utilities Commission

---

**Date Received** 12/29/2010 **Start of Review** 12/29/2010 **End of Review** 02/11/2011

**LETTER 8: State of California, Governor's Office of Planning and Research,  
Scott Morgan**

**Response to Comment 8-1**

The letter acknowledges receipt of the Draft EIR by the State Clearinghouse. No response is required.



February 17, 2011

Ms. Dana Allen, Associate Planner  
 Environmental Planning Services  
 City of Sacramento Community Development Department  
 300 Richards Blvd., 3<sup>rd</sup> Floor  
 Sacramento CA 95811

RE: Northwest Land Park Development (P10-039)

Dear Ms. Allen:

By letter dated February 11<sup>th</sup> the Greater Broadway Partnership submitted its comments regarding the Draft Environmental Impact Report for the Northwest Land Park Development. The Land Park Community Association has also studied the Draft Report and come to the same conclusions as those expressed in the Greater Broadway Partnership letter. Accordingly, the Association wishes to endorse the Greater Broadway Partnership letter in its entirety.

The LPCA Land Use Committee has held a number of community meetings regarding the Northwest Land Park Development, two of which have been at Arthur Benjamin Health Professions High School specifically designed to solicit the input of residents in the immediate development area. The result of these meetings has been a consensus that, while the project presents a wonderful opportunity to enhance our neighborhood, it also presents a number of difficult challenges to economic success. The perception of the whole development area must be changed from that of an isolated industrial location to that of a vibrant urban residential neighborhood in order for it to attract the young professionals and empty nesters that it has targeted. Unless this happens, the project will fail and leave the area with problems it does not now have. And the challenge is even greater, given the fact that, out of economic necessity, the project is planned in phases, with the initial phase at the most isolated corner of the development area. We highly commend the developer for undertaking this development, but we also feel that the project must incorporate as many good urban design principles as possible in order to succeed. Good residential design is not enough here; real urban amenities must also be included in the development. We believe the Greater Broadway Partnership letter expresses what is required well.

In addition we have one comment peculiar to the residents of our membership area: traffic. The development will undoubtedly lead to an increase in local traffic throughout the existing area contiguous with the project. In particular, we are

9-1

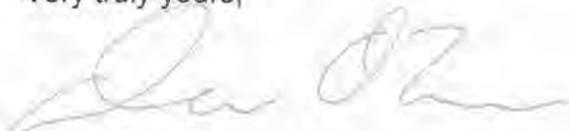
9-2

concerned that there will be a heavy impact on Vallejo Way, with Muir Way, Riverside Blvd., W and X Streets also impacted. It appears to us that the traffic study does not accurately reflect the degree to which this will occur. For example, neither the Vallejo Way – Muir Way nor the Vallejo Way – Riverside Blvd. intersections have been included in the traffic analysis. These omissions leave a void that should be corrected. Also, City staff have recently indicated they foresee a new river crossing in the area at or near Broadway. This has not been considered in the traffic analysis either.

↑  
9-2  
(cont.)

We appreciate the efforts the developer has made to reach out to us. As does the Greater Broadway Partnership, we look forward to a continued dialogue with all interested parties to make this a project of superior design.

Very truly yours,



Dave O'Toole, President  
Land Park Community Association

Enc: Greater Broadway Partnership letter

cc: Mr. Kevin Smith  
Councilmember Robert Fong

## **LETTER 9: Land Park Community Association, Dave O'Toole**

### **Response to Comment 9-1**

The comment refers to and incorporates a comment letter from the Greater Broadway Partnership. Please see responses to comment letter 5.

### **Response to Comment 9-2**

The comment states that the traffic study does not accurately reflect the degree to which Vallejo Way, Muir Way, Riverside Boulevard, W and X Streets will be impacted. The comment also states that the Vallejo Way/Muir Way and Vallejo Way/Riverside Boulevard intersections should have been included in the traffic analysis. Lastly, the comment states that a new river crossing at Broadway is not considered in the traffic analysis. Please see Master Responses #1 and #2. The Vallejo Way/Muir Way and Vallejo Way/Riverside Boulevard intersections were not analyzed given their expected light usage by project trips, and low susceptibility for being impacted. As noted previously, the project would add 25 AM peak hour and 30 PM peak hour trips to Vallejo Way with a portion of that total expected to pass through these intersections. Given this modest level of project-added traffic and field observations that indicate acceptable operating conditions, it was not necessary to analyze these intersections because they would not be degraded to a level that would cause a significant impact.

Page 5.9-46 of the Draft EIR provides a detailed discussion of a proposed Broadway bridge that would connect the Cities of Sacramento and West Sacramento. A new river crossing was not assumed in place for the cumulative conditions analysis because the preferred location has not yet been identified, funding sources for any future crossing are uncertain, and the Broadway bridge was not assumed in place for the purposes of developing traffic forecasts for the City's 2030 General Plan. For each of these reasons, the Broadway bridge is not a "probable future project" for purposes of cumulative analysis under CEQA.



**Via Electronic Mail**

17 February 2011

City of Sacramento  
 Community Development Department  
 300 Richards Blvd, 3<sup>rd</sup> Floor  
 Sacramento, CA 95811  
 Attention: Dana Allen  
 Email: [dallen@cityofsacramento.org](mailto:dallen@cityofsacramento.org)

**Re: Comments on the Northwest Land Park (P10-039) Draft Environmental Impact Report**

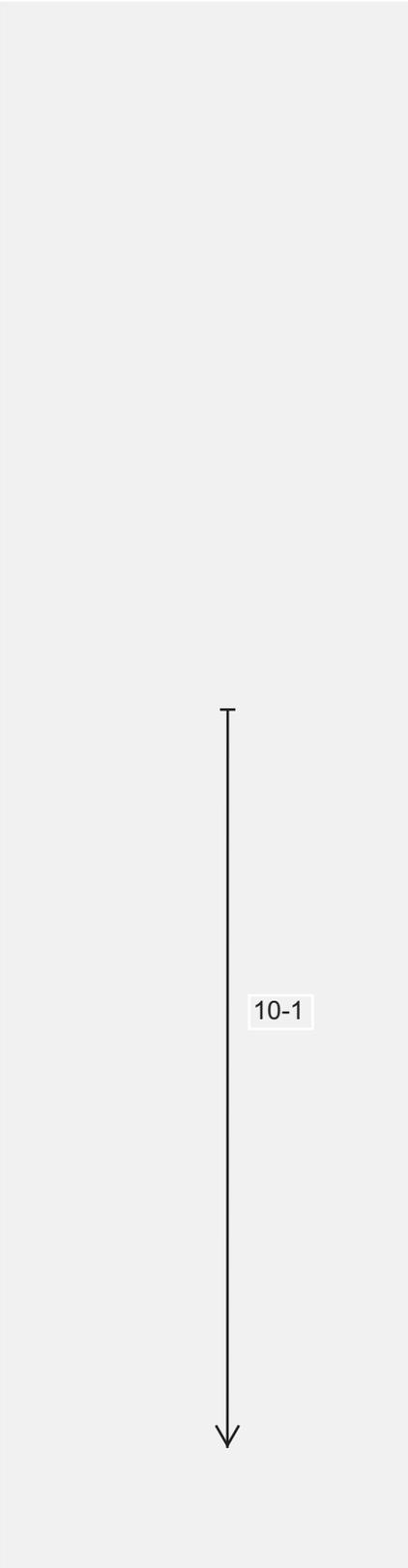
Dear Ms. Allen,

These comments are submitted on behalf of the Environmental Council of Sacramento (ECOS) on the Northwest Land Park (NWL) Draft Environmental Impact Report (DEIR). ECOS is a coalition of environmental and civic organizations with a combined membership of more than 12,000 citizens throughout the Sacramento Region. Our mission is to achieve regional and community sustainability and a healthy environment for existing and future residents.

ECOS supports infill development and is therefore generally supportive of the Northwest Land Park project. We do however concur with the comments and recommendations made by Walk Sacramento, which would ultimately make this project a more pedestrian and bicycle friendly development.

ECOS' main concern deals with the DEIR's treatment of climate change. Our major comments are summarized as follows:

- The City needs to address the conflict that exists between the General Plan Update (GPU) estimate of greenhouse gas (GHG) emissions in 2030 and Sustainability Master Plan's (SMP) 2020 and 2050 GHG targets
  - DEIR improperly tries to use GPU as a programmatic document to state that GHG mitigation is not necessary
- DEIR also uses 29.95% better than business-as-usual to state that GHG mitigation is not necessary; the Attorney General has found that this method is not legally defensible
- DEIR improperly identifies mitigation measures as guidelines, apparently in an effort to bypass enforcement
- DEIR fails to achieve "fair share" GHG emission reductions



- The apparent lack of guidance that the City provides to project proponents regarding how to handle GHG in EIR’s leads to confusion and could likely lead to failure in meeting 2020 and 2050 GHG reduction goals
  - Adopting a significance threshold for GHG could do much to improve the clarity of what the City requires and assist the City in meeting its goals
- The City has not apparently attempted to optimize the life cycle cost of water, sewer and storm systems. Infrastructure and efficiency should be evaluated using integrated resource planning concepts

Although the NWLP Plan is a fairly well designed infill project with an impressive density of 40 housing units per acre, these major flaws, and other comments within, should cause the DEIR to be recirculated.

**I. Two Official City Documents Are In Conflict**

The GPU, approved by City Council in March 2009 states that GHG emissions in the City will INCREASE by 64% to 7.57 million tonnes per year by 2030<sup>1</sup>

The SMP, approved by City Council in December 2007 states:

- that the City GHG emissions will DECREASE by 15% to 3.9 million tonnes per year by 2020<sup>2</sup>
- that the City GHG emissions will DECREASE by 80% to 790,000 tonnes per year by 2050 to meet its share of SACOG emissions reductions

The projected GPU increase and required SMP decrease in emissions clearly conflict. Additionally, it should be noted that the SMP’s 2020 and 2050 targets are based on science, are similar to other’s jurisdictional long-term targets, and that substantial evidence exists to justify the targets.

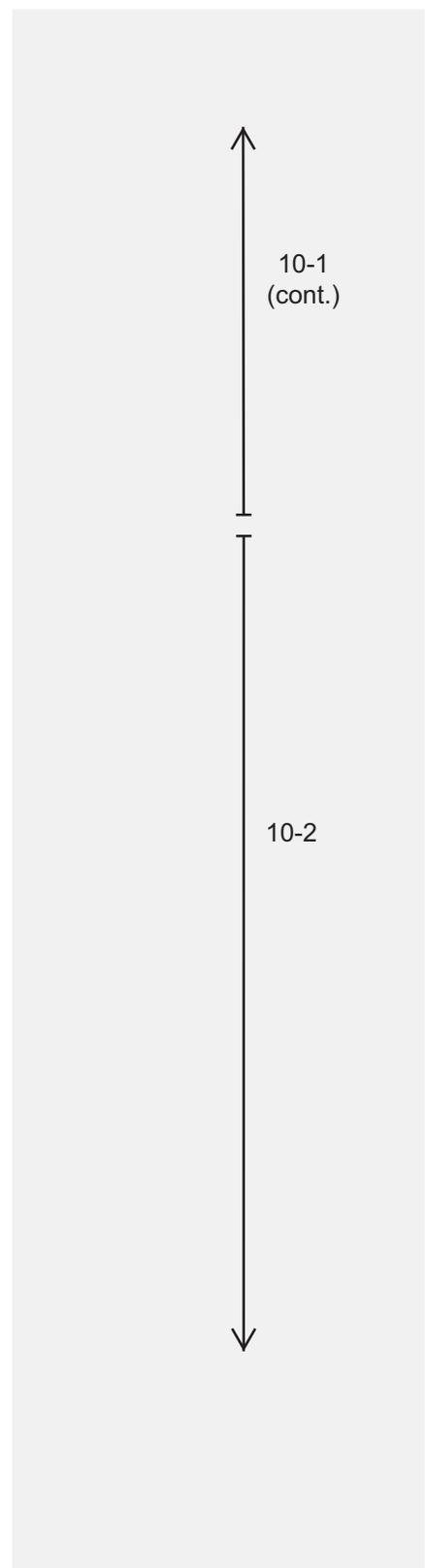
Furthermore, the NWLP Plan states that since the project is within the estimated impacts identified within the GPU, then GHG mitigation is not required.

- There are only specific instances where a DEIR can use a programmatic document (GPU) to determine that a GHG impact is significant and that mitigation is or is not required. The criteria are outlined in the new CEQA Guideline 15183.5. The programmatic document must show that it (GPU or CAP) actually has specific and enforceable measures in place that reach the City’s GHG goal and that the goal is sufficient based on substantial evidence, to render impacts less than significant.

The 2009 GPU does not meet these criteria so the DEIR can’t say that the GPU nullifies the need to adopt GHG mitigation for the NWLP Plan. The City is currently developing a climate action plan (CAP) that is intended to amend the

---

<sup>1</sup> p5.4-22  
<sup>2</sup> p5.4-16



GPU to some extent so that it can serve as a programmatic document for development projects.

**II. Calculations Are Based on Business As Usual Assumptions**

An additional flaw in the GHG analysis for the NWLP Plan is that it is compared to a theoretical business as usual (BAU) scenario. The NWLP Plan indicates that it is 29.95% better than the BAU base case.

The BAU concept is likely imported from the Scoping Plan for the Global Warming Solutions Act (AB 32), which outlines a general strategy for California to meet AB 32’s target of reducing GHG emissions to 1990 levels by 2020. The Scoping Plan notes in passing that reaching this statewide goal “means cutting approximately 30 percent from business-as-usual emissions levels projected for 2020.”

- Significantly, the Scoping Plan also notes that greater effort will be required to achieve subsequent (e.g. 2050) targets.

Similar to the NWLP Plan, the San Joaquin Valley Air Pollution Control District (SJVAPCD) recently adopted a 29% better than business as usual (BAU) threshold where the BAU base case is an undefined worst-case scenario. This threshold is fundamentally flawed because it:

- is not supported by substantial evidence;
- disregards multiple expert analyses finding that far more stringent GHG thresholds are required to be effective at reducing emissions and meeting California’s emission reduction objectives;
- allows the project applicant to meet the threshold largely through compliance with foreseeable regulation, thereby avoiding any duty to adopt feasible measures within the project applicant’s control;
- improperly compares the project to a hypothetical No Action Taken Scenario;
- fails to account for California’s longer-term emission reduction targets;
- undermines efforts for the San Joaquin community to provide a comprehensive climate action plan that would meet rigorous 2050 targets.

In direct contravention of CEQA, the SJVAPCD threshold simply presumes, absent any analysis, that because the Scoping Plan states that California’s *overall* emissions must be reduced to 29% below “business as usual” to meet the state’s target of reducing GHG emissions to 1990 levels by 2020, *new* development need only reduce emissions to 29% below “business as usual” to fully mitigate its impacts under CEQA. Pub. Res. Code § 21082.2(c) “[a]rgument, speculation, unsubstantiated opinion or narrative, [and] evidence which is clearly inaccurate or erroneous” does not constitute substantial evidence). To the contrary, as opportunities for reducing emissions from the built environment present greater challenges, there is no legitimate basis upon which to simply presume that expectations for minimizing emissions from new development, through energy efficiency, renewables, increased density, mixed-use and siting

↑  
10-2  
(cont.)

10-3



close to transit, should be equal to that of existing development, where emissions reduction opportunities are more constrained<sup>3</sup>. The Attorney General, in explaining why the 29% below “business as usual” threshold “will not withstand legal scrutiny,” cited the lack of evidence to directly apply a 29% economy-wide “business as usual” target to new development under CEQA, stating that “it seems new development must be more GHG-efficient than this average, given that past and current sources of emissions, which are substantially less efficient than this average, will continue to exist and emit.”<sup>4</sup>

CAPCOA has determined that the 29% below “business as usual” threshold has a “low” emissions reduction effectiveness which is hardly surprising given that compliance with the threshold could largely be achieved merely through compliance with existing and anticipated regulatory requirements. Indeed, the Attorney General also determined that because the “business as usual” approach “would award emission reduction ‘points’ for undertaking mitigation measures that are already required by local or state law,” it results in “significant lost opportunities” to require meaningful mitigation.<sup>5</sup>

The definition of BAU has not been well defined in the State and therefore the “starting point” for determining a projects improvement over the theoretical BAU base case is a “floating target” from project-to-project. This does not bode well for accurately determining any plan’s GHG reduction effectiveness (let alone NWLP Plan).

- Many EIR’s have adopted the concept of being 29 to 30% better than BAU, but given the fact that the BAU is simply adjusted by the Project Engineer until the desired target is achieved invalidates the process as a scientifically acceptable compliance method
- This “floating target” concept does much to confuse the situation and prevents climate change from being meaningfully addressed under CEQA

Page 5.4-19 attempts to identify what BAU conditions are with mixed success; some of the assumptions are clearly in error, e.g.:

- Subtracting 15% from 2005 T24 to assume 2008 is not correct
- Subtracting 15% because SMUD’s resources are 15% hydro is not correct

In stark contrast, identifying a significance threshold establishes a firm foundation from which project emissions can be compared and GHG reduction effectiveness determined. See next section.

<sup>3</sup> See CAL. AIR POLLUTION CONTROL OFFICERS ASS’N [hereinafter CAPCOA], CEQA AND CLIMATE CHANGE (2008) (“greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources”).

<sup>4</sup> Letter from California Attorney General to SJVACD re: Final Draft Staff Report on Greenhouse Gas Emissions Under CEQA at 1, 3 (Nov. 4, 2009).

<sup>5</sup> Letter from California Attorney General to San Joaquin Valley Air Pollution Control District (Nov. 4, 2009).



**III. GHG Significance Threshold Is Not Identified**

**A. Reasonable Significance Threshold**

The City has not adopted a GHG threshold of significance, which is typical throughout the State; this does not mean that there is no reasonable way to determine significance, or to determine a project’s “fair share” of emissions reductions.

Many air districts are attempting to develop GHG thresholds for new development, although no air district has suggested that development projects meet their “fair share” of GHG emissions reductions as is required by CEQA.

ECOS has used Statewide estimates of population to determine a projects “fair share” emissions rate within the State. The following table identifies the results:

| Year Building Permit Issued | Fair Share Emissions Threshold (MT/yr-sp) |
|-----------------------------|---|
| 2011                        | 2.5                                       |
| 2015                        | 2.2                                       |
| 2020                        | 1.9                                       |
| 2025                        | 1.5                                       |
| 2030                        | 1.2                                       |
| 2040                        | 0.8                                       |
| 2050                        | 0.7                                       |

The above table is based upon:

- Statewide service populations for 2020 and 2050
- Statewide emissions targets for 2020 and 2050 (based on AB32’s 2020 target and S 3-05’s and Sustainability Master Plan’s 2050 target<sup>6</sup>)
- Average 50 year building life
- Weighted average of service personnel metric over the buildings life time

There may be other scientific methods for calculating a projects “fair share” emissions, however ECOS has seen no other method proposed. Any other scientifically reasonable method will likely yield similar results.

ECOS prefers the concept of using Statewide statistics to develop local jurisdiction GHG thresholds because it will minimize gaming between jurisdictions, will provide greater certainty of what is expected from project proponents that do work throughout the State, and because of uniformity.

**B. NWLP Plan Emissions (Gross Emissions)**

<sup>6</sup> Using 2020 GHG targets are acceptable for short-lived GHG emitters such as cars (e.g. +/- 10 years), but long-term targets need to be properly weighed for long-lived GHG emitters such as buildings and land-use

10-4

Based on values in the DEIR, Table 5.4-1, the BAU emissions rate for the NWLP Plan is 6.1 metric tons per year per service personnel where 12,271 metric tons/(1,936 residents + 91 workers) = 6.1. As designed (per PUD Guidelines and no mitigation), the rate is reduced to 4.65 MT/yr-sp (6,690+2,720)/(1,936+91).

The above table indicates that projects permitted in 2011 should achieve an emissions rate of 2.5 metric tons per year per service personnel. The 4.65 calculation indicates that the NWLP Plan's emissions should be reduced by 45% in order to meet a "fair share" emissions rate and 1% in order to achieve parity with Bay Area neighbors (at 4.6 MT/yr-sp). This is an excellent emissions rate compared to many other projects in the State, assuming that PUD Guidelines are fully enforced as mitigation measures!

10-5

**C. Infill Incentive (Net Emissions)**

It is unclear from the DEIR what the service population is for the existing project site (Y), but it might be reasonable to subtract the existing conditions from the proposed as follows to determine a net emissions rate:

$$(12,271 - 2,720)^7 / (1,936 + 91 - Y)^8 \text{ service personnel} = \text{BAU net emissions rate}$$

$$(6,690) / (1,936 + 91 - Y) \text{ service personnel} = \text{net emissions rate with PUD Guidelines}$$

10-6

As an incentive to infill, it might be reasonable, using certain precautions, to use the higher of the gross or net emissions rate.

**D. Cost Effectiveness of Fair Share Emissions Threshold and Parity With Bay Area Neighbors**

ECOS is concerned that the above "fair share" significance threshold may not be life cycle cost effective in 2011 AND that the City would be viewed as anti-competitive if a "fair share" significance threshold were to be implemented in a vacuum.

AND

The Bay Area Air Quality Management District (BAAQMD) recently adopted a service personnel threshold of 4.6 MT/yr-sp.

Due to the above, ECOS recommends that the NWLP Plan:

- At a minimum meets the requirement of the BAAQMD threshold
  - to achieve parity with neighbors

10-7

<sup>7</sup> p5.4-26

<sup>8</sup> p4-6; 91 = 32,000 SF divided by 350 SF per employee

- If life cycle cost effective, “REACH”<sup>9</sup> towards the fair share emissions threshold with measures such as beating Title 24 by 20% as a NWLP Plan-wide requirement

↑  
10-7  
(cont.)

**E. Recommend City Adopt Interim Threshold**

It will likely be 12 months or more before the City CAP is completed and a GHG threshold is recommended by the consultant.

To provide guidance, reduce confusion amongst EIR preparers, improve clarity of EIR’s and to achieve parity with other jurisdictions in the State (e.g. Bay Area, Santa Barbara), ECOS recommends that the City adopt an interim GHG threshold, and furthermore ECOS suggests that the BAAQMD per service personnel metric of 4.6 be adopted as a minimum with an effort to REACH 2.5 if life cycle cost effective.

10-8

Without guidance from the City, confusion will continue as is evidenced by this DEIR and climate change mitigation will continue to be inadequately addressed in City EIR’s. This is not “Bringing The Customer To Success”.

**IV. The DEIR’s Analysis of Impacts from the Project’s Greenhouse Gas Emissions is Inadequate**

**A. The NWLP Plan Fails to Achieve Sustainability Master Plan 2020 and 2050 GHG Reduction Targets**

In 2007, the City adopted and codified it’s short and long term GHG reduction targets (2020 and 2050) by approving the Sustainability Master Plan. In doing such, greater credence must be accorded to scientifically based targets, which are backed by substantial evidence, as indicated above.

10-9

The NWLP Plan also improperly disregards California’s longer-range emissions reduction commitments. Through AB 32 and Executive Order S-3-05, California is committed to reducing GHG emissions to 1990 levels by 2020 and to 80 percent below 1990 levels by 2050. Health & Safety Code § 38550; Exec. Order S-3-05. This emissions reduction trajectory is consistent with the underlying environmental objective of stabilizing atmospheric concentrations of GHGs at a level that will substantially reduce the risk of dangerous climate change.<sup>10</sup> Guidelines § 15064(b); Scoping Plan at 118 (calling for additional emissions reductions of approximately 5% year between 2020 and 2030).

<sup>9</sup> The new California Green Code has REACH standards known as Tier 1 and Tier 2  
<sup>10</sup> The emissions reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds to the extent they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance, but only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. (See, e.g., *Protect the Historic Amador Waterways*, 116 Cal.App.4th at 1109.)

It may be reasonable to use 2020 GHG targets for short-lived GHG emitters such as cars (e.g. +/- 10 year life), however long-term 2050 targets must be considered when long-lived GHG emitters such as buildings and land use (e.g. 50+ year life) are considered.

- **In other words, TODAY's land-use decisions WILL affect emissions in 2050.**

**B. The DEIR Fails to Adequately Mitigate Project Impacts**

Through a convoluted process of using floating targets (i.e. BAU), identifying what the City has done in the past, referring to the 2009 General Plan Update (GPU) and that the NWLP Plan is no worse than what is identified in the GPU, even though the GPU self-indicates that emissions resulting from its implementation will cause the City to fail to meet it's long-term targets<sup>11</sup>, the NWLP Plan proclaims that emissions are significant and unavoidable and furthermore that mitigation is not required! Pub. Res. Code § 21082.2(c) (“[a]rgument, speculation, unsubstantiated opinion or narrative, [and] evidence which is clearly inaccurate or erroneous” does not constitute substantial evidence).

The overarching purpose of the EIR process is to identify ways that a project's significant environmental impacts can be avoided or minimized. Pub. Res. Code §§21002, 21002.1. Among the findings the lead agency must make in conjunction with Project approval is that the mitigation measures and project design features incorporated into the EIR will in fact “mitigate or avoid the [NWLP Plan's] significant effects on the environment.” *Id.* § 21081; *see also* CEQA Guidelines § 15091(a)(1). In particular, measures included in an EIR must meet two independent criteria: effectiveness in reducing the identified impact and enforceability. Pub. Res. Code §§ 21002.1(b), 21081.6; *see also Gray v. County of Madera*, 167 Cal. App. 4th 1099 (2008); *Lincoln Place Tenants Ass'n v. City of Los Angeles* 155 Cal. App. 4th 425, 445 (2007).

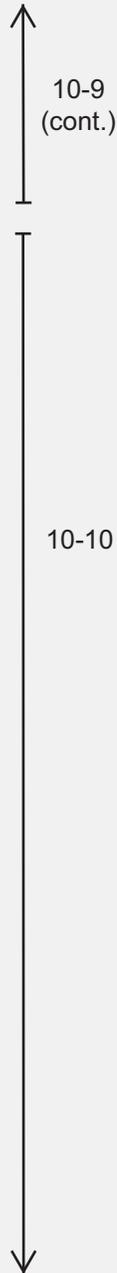
**1. Effectiveness in Reducing the Identified Impact**

Page 5.4-27 indicates that operational emissions mitigation is not required, yet page 5.4-25 says energy consumption will be 25% less than normal for the NWLP Plan. This PUD Development Guideline<sup>12</sup> and all other PUD items that will reduce GHG's beyond code requirements needs to be part of a mitigation measure and made enforceable through a Mitigation Monitoring Reporting Program (MMRP).

Recommended Guidelines: CAPCOA recently issued *Quantifying Greenhouse Gas Mitigation Measures* (Aug. 2010). This important document offers specific

<sup>11</sup> p5.4-22 estimates 2030 GHG emissions at 7.57 million metric tons per year

<sup>12</sup> p5.4-23



guidance on potential GHG mitigation and how GHG reductions from adopting this mitigation would be quantified. Please review these measures and adopt all feasible mitigation set forth in the CAPCOA document. If a measure is rejected as infeasible, please explain the basis for rejecting that measure. Adoption of measures in the CAPCOA Mitigation report can provide an informative route to reducing per capita emissions from the NWLP Plan to 4.6 MT and below.

On February 3, 2011, the South Coast Air Quality Management District (SCAQMD) released the California Emissions Estimator Model (CalEEMod), a new tool, based on the CAPCOA Guidelines, to estimate criteria pollutant and greenhouse gas emissions from land use development projects (for use in CEQA evaluation). The CalEEMod users guide and model itself can be downloaded at [www.caleemod.com](http://www.caleemod.com).

Other Sources of Guidance: In new and emerging processes such as CEQA and climate change impacts, it is frequently of value to review the actions of others and incorporate the positive aspects of their findings. Attachment A is a case study that the BAAQMD performed in support of its effort to develop a GHG threshold. The case study reviews the design features of a selection of Bay Area projects and estimates the threshold with and without the added design features. Some of the common threads that run throughout the case study are:

- a. Beat Title 24 by 20%
- b. Drought tolerant landscaping
- c. Low flush toilets and fixtures
- d. Reduce solid waste by 10%
- e. Solid waste energy recovery at landfill
- f. Solar hot water or electric
- g. Various transit demand management features

Attachment B was first submitted to Sacramento County as a concept/example of an effective climate action mitigation plan (CAMP) in January 2010 for the Florin-Vineyard Gap (FVG) DEIR and again in October 2010 for the FVG FEIR. The CAMP has been slightly modified to meet the design aspects of the NWLP Plan. The CAMP although similar to a few other measurable lists has two innovations that attempt to make it more effective than other lists:

- Market Transformation: The CAMP rewards project proponents that implement market transforming GHG reducing measures
- Rewards Local Governments: Local governments are increasingly implementing policies and ordinances that reduce GHG emissions within their communities; the CAMP rewards project proponents that develop projects in jurisdictions that have implemented specific GHG reduction policies and ordinances; this in turn allows the City to “Bring The Customer To Success”.

Similar to LEED, both market transforming project measures and state-of-the-art ordinances and policies should be periodically updated.

10-10  
(cont.)

**2. Enforceability**

Based on above comments, any PUD Guideline feature that will reduce GHG emissions must be included as a mitigation measure. To make the mitigation measure enforceable a Mitigation Monitoring Reporting Program (MMRP) must be provided. MMRP's could not be found in the DEIR.

Attachment B was first submitted to Sacramento County as a concept/example of a measurable and enforceable climate action mitigation plan (CAMP) in January 2010 for the Florin-Vineyard Gap (FVG) DEIR and again in October 2010 for the FVG FEIR. The enforceable CAMP has been slightly modified to meet the design aspects of the NWLP Plan.

**C. The DEIR Skirts its Obligation to Adopt Effective Mitigation for Project Greenhouse Gas Impacts**

The DEIR's improper analysis that led to the flawed conclusion that GHG emissions are significant and unavoidable, coupled with uncertain and vague PUD measures amounts to an improper end-run around CEQA's requirement to adopt all feasible mitigation and alternatives. As a result, the DEIR fails to adopt meaningful measures that would reduce NWLP Plan impacts, including improved efficiency, increased use of on-site renewable energy.

**V. NWLP Plan Undermines Community Wide Effort to Achieve 2050 Target**

The City and other local jurisdictions, under AB32, are requested to:

- reduce citywide GHG emissions to 1990 levels by 2020 and
- meet subsequent targets (presumably 80% reduction by 2050)<sup>13</sup>

Page 5.4-18 states:

The City of Sacramento is currently developing a Climate Action Plan (CAP) for the purpose of determining the existing City emissions and ways the City and surrounding areas can reduce GHG emissions and beneficially affect global climate change. The Climate Action Plan is currently in the planning process and will ultimately provide: a GHG reduction target; community and municipal strategies for reducing GHG emissions; and what investment opportunities are most appropriate for furthering the goal of the Climate Action Plan<sup>14</sup>.

- The City's current 2020 and 2050 targets are codified in the SMP and ECOS anticipates that that the SMP's targets, which are scientifically derived and supported by substantial evidence, will be generally supported during the development of the CAP

<sup>13</sup> The City's long term target for 2050 has already been codified through the Sustainability Master Plan

<sup>14</sup> p5.4-18

10-10  
(cont.)

Comment [KR1]:

10-11

Based on the City's 2005 emissions, it is projected that the City must REDUCE GHG emissions by 15% by 2020 to meet its AB32 2020 target. The need to REDUCE emissions by 15% in 9 years and the apparent reality that the NWLP Plan that is a fairly well designed infill project will INCREASE emissions does not bode well for the City.

Since the CAP won't be complete for at least one year and the NWLP Plan should not be unduly delayed, the City can do much to move the NWLP Plan forward in a meaningful manner AND meet City goals:

NWLP Project Specific:

- All PUD Guideline items that reduce GHG emissions beyond code requirements (e.g. 25% energy reduction) must be identified as a mitigation measure and not as a guideline
- All mitigation measures will include an enforceable MMRP
- Require all life cycle cost effective measures to be included programmatically in the NWLP Plan

City Specific:

- Eliminate conflict between GPU and SMP
- Adopt an interim GHG threshold for this and future projects
  - Preferably work with neighboring jurisdictions to develop common threshold
- Require all life cycle cost effective measures to be included programmatically in any plan
- Install some market transforming measures into each new development project in an effort to display the potential to the local population and thus reduce adoption time
  - see Attachment B for concepts on market transformation
- Lobby for property assessed clean energy (PACE) type financing so that project proponents can install life cycle cost effective measures at no cost to them and at no life cycle cost to the eventual building owner
- Lobby Federal and State government to extend and expand energy efficiency tax credits for project designers and owners

It should be noted that the NWLP Plan by not meeting "fair share" emissions reductions as is required by CEQA would undermine community wide efforts to meet AB32 2020, S 3-05 2050, and Sustainability Master Plan targets.

**VI. Economics of Water Supply and Demand Is Not Evaluated**

Conventional thinking regarding the economics of water supply are fairly straight forward, loads are estimated based on forecast growth, pumps, storage and pipes are sized and the most economically practical supply system is installed.



10-11  
(cont.)

10-12

Similarly, conventional thinking regarding the economics of water demand are also fairly straight forward, fixtures and landscaping design are generally selected to meet the minimum requirements of code; in some cases high efficiency fixtures or drought tolerant landscaping is provided.

Few sectors attempt to optimize costs between supply and demand of a commodity, however for over 20 years the electricity and natural gas energy sectors have attempted to optimize and integrate the overall economics of supply and demand of their commodity. This process is known as integrated resource planning (IPR). There are many reasons for IPR such as:

- Energy utilities are generally for-profit and try to minimize overall costs<sup>15</sup>;
- Supporting infrastructure is very expensive, especially electricity
  - as shown below, so is sewer (and probably potable water);
- To reduce environmental impacts;

but the overriding goal is to reduce overall costs to the consumer. Optimizing the end use of a commodity is frequently called demand side management or DSM.

On a smaller scale, UC Davis- in many respects a small city, owns both supply infrastructure and demand resources (i.e. buildings). UC Davis has understood since the early 1990's that making its buildings more resource efficient through DSM is frequently far less expensive than building the supply infrastructure to support inefficient buildings (i.e. code compliant, non-REACH buildings) AND DSM reduces operating costs! Since the mid-1990's other UC and CSU campuses, as well as other Universities, have adopted the UC Davis concept.

- The analogy becomes a bit more tenuous when the City owns the supply infrastructure and the citizens of the City own the demand resources, however if one assumes that the City exists to serve its citizens, the analogy is identical to the UC Davis example.

Demand side management (DSM) by the water purveyor (City) is not well documented in the DEIR. The City does reduce storm water impact fees for projects that use low impact storm water management, and the City does have a small water efficiency improvement office, yet little of this is outlined in the DEIR and there is no analysis of other DSM features that could be implemented to reduce long-term costs for the City's water and storm customers (and the region's sewer customers).

To illustrate the high cost of infrastructure; the Sacramento Regional Waste Water Treatment Plant (SRWTP) has effectively been ordered by the State to upgrade its treatment to tertiary standards. The SRWTP has estimated this cost at \$2 billion to treat 150 million gallons per day of sewage (or \$13.33 per gpd). The low estimate for this project is \$770 million.

<sup>15</sup> Investor owned utilities such as PG&E have greater reason to implement DSM than municipally owned utilities such as SMUD, however DSM is a valuable tool to all electric utilities.



10-12  
(cont.)

A SIMPLE example of DSM follows: As a retrofit water efficiency measure, a 5.0 gpf toilet is replaced by a 1.28 gpf 2011 code compliant toilet; the toilet is used 10 times per day, 360 days per year; this retrofit will save 37 gallons of water per day (gpd); 13,300 gallons of water per year and most significantly will allow the SRWTP to reduce the size of their plant by 37 gpd; or in other words will save \$495 in construction costs for tertiary treatment, for ONE toilet (@ \$13.33/gpd)!

This SIMPLE example ignores several complexities, some of which would reduce the value of DSM, some would enhance the value of DSM.

- SOME items that would tend to devalue the \$495 calculated:
  - Sewer system storage capabilities
  - Economies of scale
- SOME items that would enhance the \$495 calculation:
  - Value of potable water infrastructure is not included (i.e. existing infrastructure is preserved for future growth)
  - Value of potable water distribution is not included
  - Value of sewer distribution is not included

The SIMPLE example included above is intended to show that IRP and DSM has value; in many instances the value of DSM exceeds the value received from system infrastructure expansion and therefore helps reduce overall costs to water, storm and sewer customers.

Given the State mandate to improve SRWTP effluent quality and the probable high cost of potable water infrastructure, the following questions need to be asked and answered in the DEIR:

- Does it make sense for the City to expand the existing combined sewer system for the NWLP Plan?
- ECOS acknowledges that NWLP permeability is higher than average, but does increased low impact storm water management (e.g. green roofs, green alleys, swales, etc.) have greater value?
  - Especially in areas served by the combined sewer system?
  - Will increased low impact storm water management reduce the probabilities of sewer system overflows? And what is the value?
- Does the use of recycled water make greater sense?
  - Does the increased use of recycled water allow existing potable water infrastructure to be used for higher quality needs (i.e. growth)?
    - This infers that potable water purveyors could invest their saved money in recycled water infrastructure; a cross-jurisdictional issue that would benefit end use customers, but could create potential conflicts between jurisdictions
- Should monthly storm water fees be based on the percentage of parcel that is permeable? (see Minneapolis MN storm water fee structure)
- Is demand side water efficiency BEYOND CODE requirements cost effective to water and sewer suppliers?

10-12  
(cont.)

- Should California Green Code REACH standards be required?
- Should the City increase its public goods charge (PGC) to better fund water efficiency DSM improvements?
  - What is the City's PGC relative to other water purveyors? As a percent of bill? As a cents per 100 gallons charge?
- Should the City identify its PGC as a line item on a customer's bill?
- Should the City support the State's effort to implement water PGC statewide as a method to meet AB32 targets?

The cost of potable water generation and distribution infrastructure is unknown to ECOS, but its value should also be part of the above calculations.

**SUMMARY**

In closing, ECOS does appreciate the opportunity to comment on the Draft Environmental Impact Report for the Northwest Land Park Project. To reiterate, ECOS supports infill development and is generally supportive of this project. With the incorporation of the design recommendations made by Walk Sacramento and addressing numerous deficiencies that we have identified concerning climate change in this document, this could be an exemplary infill project. If you would like to meet with ECOS representatives responsible for these comments, please contact Keith Roberts [keitheroberts@aol.com](mailto:keitheroberts@aol.com)

Yours very truly,

/s/ Jonathan Ellison

Jonathan Ellison, President  
ECOS Board President

Attachment A- BAAQMD Case Studies  
Attachment B- NWLP Measurable and Enforceable Climate Action Plan (concept)

Cc: Erik deKok, Climate Action Plan Project Manager

10-12  
(cont.)

## College Terrace, Palo Alto

### Project Characteristics as analyzed (based on available info):

- 8 affordable 1-bedroom units, (rez use is “low-rise apartments” = 5.96 trips/unit on 0.25 acres)
- 8,000 sq. ft. of grocery store (102 trips/1000 sq. ft.) (existing, but not sure of existing size. Included here)
- 5,580 sq. ft. retail (37 trips/1000 sq. ft)
- 39,000 sq. ft. office on 0.65 acres at 11 trips/1000 sq. ft
- Residential population: census at 2.47/unit, but these are all 1-bedrooms, so I estimated 1.5 per unit, 12 residents total
- 192 Employees: (1 employee per 350 sq. ft. of retail and 1/276 sq. ft office)
- 227 parking spaces all on 1.15 acres, build out year 2015
- (This info from MND – there is a webpage with slightly different info – not sure of status – appears to be in review)

| <b>Project and Location Attributes</b> |   |
|--|---|
| Mix of Uses                            | Took census info and used it to determine ABAG projections within ½ mile of site in 2015: 676 housing, 1710 jobs (20% of census tract 5115.00)  |
| Local serving retail within 1/2 mile   | Yes. On El Camino and California Ave: restaurants, shopping, bike shop, coffee, deli, banks, yoga-gym, salon, etc, (also cultural/religious/educational institutions)   |
| Transit Service                        | Caltran station w/in ½ mile; 52 stops a day. VTA stops for 22, 89, 522 with 293 stops/days within ¼ mile.   |
| Bike & Pedestrian                      | St. network is limited to NW, assumed 500 i/s per sq. mile. Assume: 95% complete sidewalk and 50% bike accessibility  |
| Affordable housing                     | 100%  |
| Passby Trips                           | Yes to passby. Allows users to account for primary/diverted/passby trips. When off, all trips are primary (& therefore more miles). When on = lower emissions b/c trips associated with each are shorter. Residential: 85/10/5, office: 75/20/5, supermarket/retail 45/40/15, (source: ITE, Sandag) |
| Double Counting Correction             | Assume that 1 residential trip/day/unit internal to the site. This is 12 trips total, and it means that these trips will not be counted as being generated at both the residential unit and the destination within the development (such a small number of trips in this case, not significant).    |
| <b>Additional Measures Added</b>       |   |
| Paid Parking                           | Assumed 219 spaces for commercial use and \$6/day charge, consistent with City of Palo Alto California St. charge. This TDM measure only will affect employee trips.  |
| Additional TDM measures                | Preferred carpool parking, carpool matching program, G Ride Home, Alt Trans info provided.  |
| Energy Efficiency                      | Solid waste “landfilling with energy recovery”, cool roofs, 20% above Title 24, solar (-5,000 kw/year) drought tolerant, low flush, reduce solid waste 10%, subtracted 1,000 kw/year for solar water heaters  |

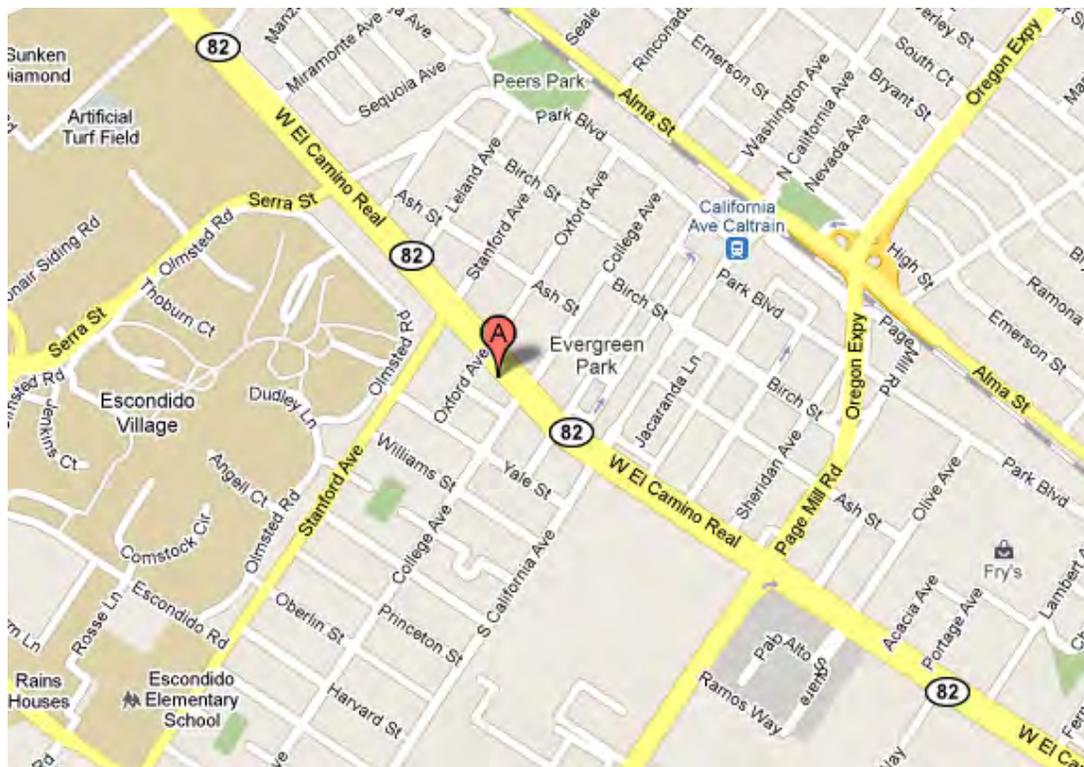
| <b>Residents: 12 Employees: 180 Service Pop: 192</b> | <b>Project &amp; Location Attributes</b> | <b>Additional Measures Added</b> |
|--|--|----------------------------------|
| CO2e Emissions in Metric Tons                        |  |                                  |
| Transportation                                       | 1,053                                    | 617                              |
| Electricity  | 238                                      | 294                              |
| Other (NG, water, waste)                             | 372                                      | 165                              |
| Total Emissions                                      | <b>1,663</b>                             | <b>1,076</b>                     |
| Metric Ton/Service Population                        | <b>8.66</b>                              | <b>5.60</b>                      |



# Case Study: College Terrace, Palo Alto

## Project Characteristics:

- 8 affordable 1-bdrm apartments
- 8,000 sq. ft. grocery
- 5,580 sq. ft. retail
- 39,000 sq. ft. office
- 227 parking spaces
- 1.15 acres





# Case Study: College Terrace, Palo Alto

| URBEMIS Measures  | BAAQMD Methodology |
|---|--------------------|
| <b>Project &amp; Location Attributes</b>  |                    |
| Mix of Uses   | Yes                |
| Local serving retail within 1/2 mile  | Yes                |
| Transit Service   | Yes                |
| Bike & Pedestrian   | Yes                |
| Affordable Housing  | Yes                |
| Passby Trip Correction  | Yes                |
| Double Counting Credit  | Yes                |
| <b>Additional Measures Added</b>  |                    |
| <b>Transportation Demand Measures:</b>  |                    |
| Parking Charge, Car-Sharing, Carpool Matching Program, Preferred Carpool/Vanpool Parking, Info on Transportation Alternatives   | ✓                  |
| <b>Energy Efficiency:</b>   |                    |
| Solid waste “landfilling w/ energy recovery”, cool roofs, 20% above Title 24, solar power, drought tolerant landscaping, low flush, reduce solid waste 10%, solar water heaters | ✓                  |



# Case Study: College Terrace, Palo Alto

| <b>Residents: 12</b><br><b>Employees: 180</b><br><b>Service Pop:192</b>                    | <u><b>Project &amp; Location</b></u><br><u><b>Attributes</b></u> | <u><b>Additional</b></u><br><u><b>Measures Added</b></u> |
|--|--|--|
| CO2e Emissions in Metric Tons<br>Transportation<br>Electricity<br>Other (NG, water, waste) | 1,053<br>372<br>238  | 617<br>294<br>165  |
| <b>Total Emissions</b>   | <b>1,663</b>   | <b>1,076</b>   |
| <b>Metric Ton/Service Population</b>   | <b>8.66</b>  | <b>5.60</b>  |

Notes: BAAQMG GHG Model (BGM) 1.1.9

## Wilder Project, Orinda

### Project Characteristics as analyzed (based on limited available info):

- 245 SFH on 0.5 each (122 acres). This density creates a higher trip rate of 10 trips/unit (rather than 3/acre at 9.57)
- Swim/recreation club 6,000 sq ft (40 trips/1000 sq. ft used “racquet/health club” rate from San Diego)
- 5 Playing fields (baseball/soccer, etc) assumed to be 33.7 acres and 10 acres passive use (used “city park” for these 10 acres at 1.6 trips/acre and 33.7 acres at 50 – combined to be 31.21 trips/acre)
- No information about art/garden center, not included
- Residential population: census at 2.66/unit, so 652 residents
- Assumed 17 employees for swim/health club (1 per 350/sq. ft)

| <b>Project &amp; Location Attributes</b> |   |
|--|---|
| Mix of Uses                              | Orinda BART, Downtown <b>not</b> within ½ mile, no ped x over hwy 24 from site, so assumed only the 17 jobs internal to the site.   |
| Local serving retail within 1/2 mile     | No  |
| Transit Service                          | EIR calls for BART Shuttle. Not clear how many times a day. I assumed 16 stops a day (2/hour for 4 hours of peak, 1/hour for other 8 hours)   |
| Bike & Pedestrian                        | 100% sidewalks assumed, nothing for density of network or bike accessibility  |
| Affordable housing                       | No  |
| Passby Trips                             | Yes. Allows users to account for primary/diverted/passby trips. When off, all trips are primary (& therefore more miles). When on = lower emissions b/c trips associated with each are shorter. Residential: 85/10/5, city park: 70/25/5, health club 50/40/10, (source: ITE, Sandag) |
| Double Counting Correction               | Assume that 213 residential trips/day/unit internal to the site (this is the max number Urbemis allowed me to use). This means that these trips will not be counted as being generated at both the residential unit and the destination within the development.                       |
| <b>Additional Measures Added</b>         |   |
| Additional TDM measures                  | Preferred carpool parking, carpool matching program, G Ride Home, Alt Trans info provided.  |
| Energy Efficiency                        | Solid waste “landfilling with energy recovery”, cool roofs, 20% above Title 24, solar (-5,000 kw/year) drought tolerant, low flush, reduce solid waste 10%, subtracted 1,000 kw/year for solar water heaters  |

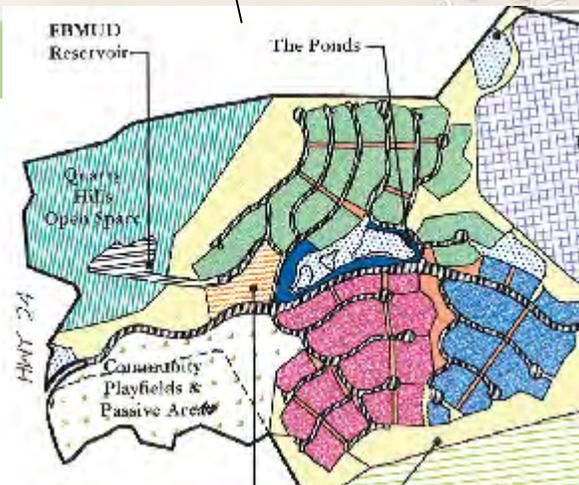
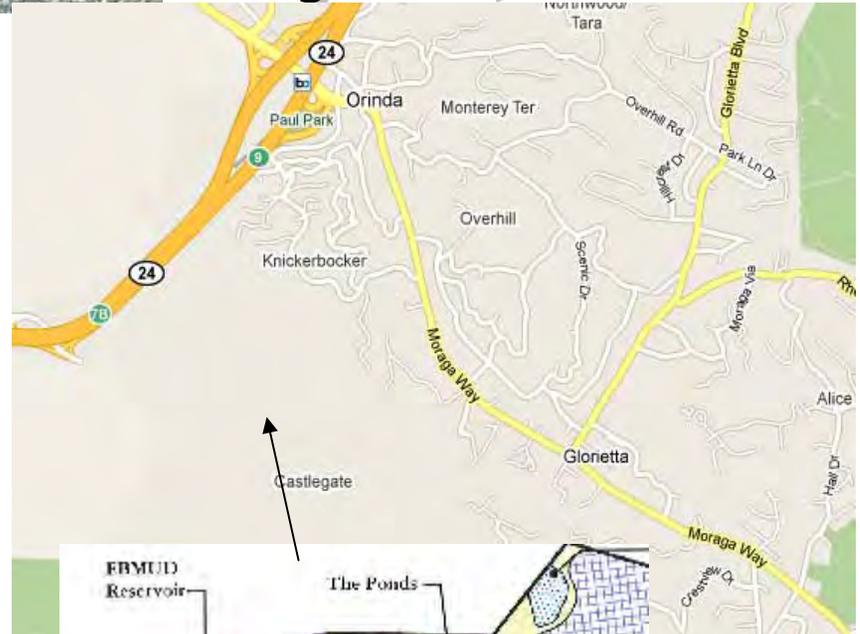
| <b>Residents: 652 Employees: 17 Service Pop: 669</b> | <b>Project &amp; Location Attributes</b> | <b>Additional Measures Added</b> |
|--|--|----------------------------------|
| CO2e Emissions in Metric Tons                        |  |                                  |
| Transportation                                       | 3,601                                    | 3,295                            |
| Electricity  | 692                                      | 129                              |
| Other (NG, water, waste)                             | 1,232                                    | 844                              |
| Total Emissions                                      | 5,525                                    | 4,268                            |
| Metric Ton/Service Population                        | 8.26                                     | 6.38                             |



# Case Study: Wilder Project, Orinda

## Project Characteristics:

- 245 sfh on 122 acres
- Swim/health club  
6,000 sq. ft.
- Sports playing fields
- “Art & Garden” center
- Open space





# Case Study: Wilder Project, Orinda

| URBEMIS Measures  | BAAQMD Methodology |
|---|--------------------|
| <b>Project &amp; Location Attributes</b>  |                    |
| Mix of Uses   | Yes (but...)       |
| Local serving retail within 1/2 mile  |                    |
| Transit Service   | BART Shuttle       |
| Bike & Pedestrian   | Yes (but...)       |
| Affordable Housing  |                    |
| Passby Trip Correction  | Yes                |
| Double Counting Credit  | Yes                |
| <b>Additional Measures Added</b>  |                    |
| <b>Transportation Demand Measures:</b>  |                    |
| Parking Charge, Car-Sharing, Carpool Matching Program, Preferred Carpool/Vanpool Parking, Info on Transportation Alternatives   | ✓                  |
| <b>Energy Efficiency:</b>   |                    |
| Solid waste “landfilling w/ energy recover” cool roofs, 20% above Title 24, solar power, drought tolerant landscaping, low flush, reduce solid waste 10%, solar water heaters | ✓                  |



# Case Study: Wilder Project, Orinda

| <b>Residents: 652</b><br><b>Employees: 17</b><br><b>Service Pop:669</b>                    | <u><b>Project &amp; Location</b></u><br><u><b>Attributes</b></u> | <u><b>Additional Measures</b></u><br><u><b>Added</b></u> |
|--|--|--|
| CO2e Emissions in Metric Tons<br>Transportation<br>Electricity<br>Other (NG, water, waste) | 3,601<br>692<br>1,232  | 3,295<br>129<br>844                                      |
| <b>Total Emissions</b>   | <b>5,525</b>   | <b>4,268</b>   |
| <b>Metric Ton/Service Population</b>   | <b>8.26</b>  | <b>6.38</b>  |

Notes: BAAQMG GHG Model (BGM) 1.1.9

**Sciortino Ranch, Brentwood**

- 160 single family units on 41.42 acres (4/acre = brings trips down to 9.20/unit)
- 0.92 city park (1.59 trips/acre)
- residential development to the north, east and south low-density suburban commercial development to the west.
- site is currently vacant and was historically used for agricultural purposes.
- Assumed 2015 build out year, Brentwood census is 3.11 people per du.

Note that since the NOP was released in November 2008, information about the project indicates that it has changed significantly to a high-density residential and mixed-use project. For our purposes, we will evaluate it as it appears in the state database.

| <b>Project and Location Attributes</b> |   |
|--|---|
| Mix of Uses                            | Took census info and used it to figure out ABAG projections for ½ mile of site in 2015: 3322 housing, 771 jobs (20% of census tract 3032.00)  |
| Local serving retail within 1/2 mile   | No. Brentwood aquatic center, churches, 2 gyms, gas station, but not a mix of local serving retail (i.e. grocery store).  |
| Transit Service                        | Tridelta. Conservative estimate is route 385 with 10 stops/day. This results in a 0.17% reduction in trips. From some areas of the site, site could be within ¼ miles of more transit. Added this additional transit in for an additional scenario...176 stops a day...3% reduction with additional transit |
| Bike & Pedestrian                      | No. Didn't use, not enough info. St. network is limited due to suburban c-d-sac   |
| Affordable housing                     | no  |
| Passby Trips                           | Yes to passby. Allows users to account for primary/diverted/passby trips. When off, all trips are primary (& therefore more miles). When on = lower emissions b/c trips associated with each are shorter. Residential: 85/10/5, office: 75/20/5, supermarket, retail 45/40/15, (source: ITE, Sandag)        |
| Double Counting Correction             | No.   |

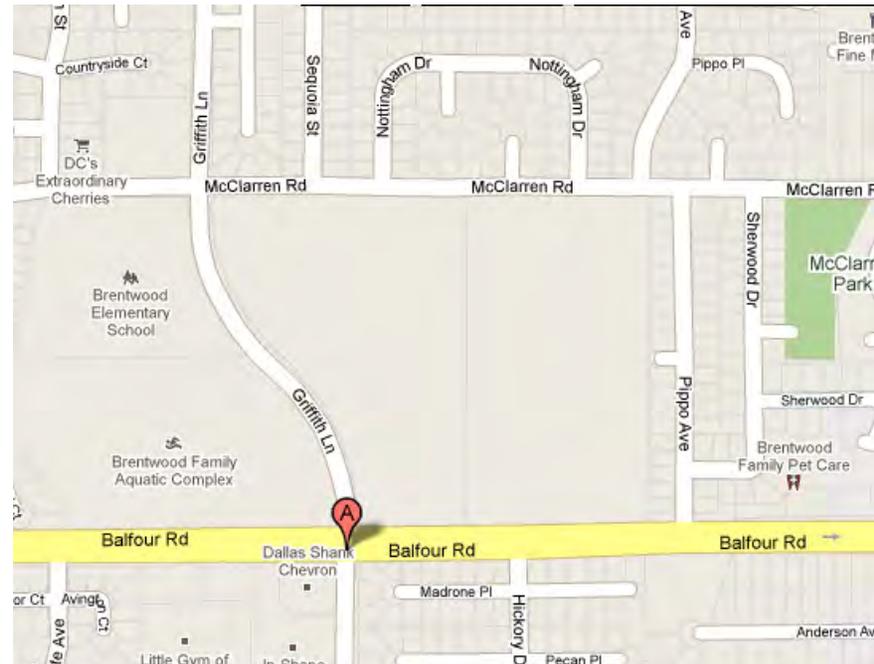
| <b>Residents: 498 Employees: 0 Service Pop: 498</b> | <b><u>Project &amp; Location Attributes</u></b> | <b><u>Added more transit</u></b> |
|---|---|----------------------------------|
| CO2e Emissions in Metric Tons                       |   |                                  |
| Transportation                                      | 1,628   | 1,581                            |
| Electricity   | 434   | 434                              |
| Other (NG, water, waste)                            | 770   | 770                              |
| Total Emissions                                     | <b>2,832</b>                                    | <b>2,785</b>                     |
| Metric Ton/Service Population                       | <b>5.7</b>                                      | <b>5.6</b>                       |



# Case Study: Sciortino Ranch, Brentwood

## Project Characteristics:

- 160 sfh on 41.42 acres
- 0.92 acre city park
- Surrounded by residential development & some suburban commercial
- Greenfield site





# Case Study: Sciortino Ranch, Brentwood

| URBEMIS Measures                         | BAAQMD Methodology |
|--|--------------------|
| <b>Project &amp; Location Attributes</b> |                    |
| Mix of Uses                              | Yes                |
| Local serving retail within 1/2 mile     |                    |
| Transit Service                          | Yes                |
| Bike & Pedestrian                        |                    |
| Affordable Housing                       |                    |
| Passby Trip Correction                   | Yes                |
| Double Counting Credit                   |                    |
| <b>Additional Measures Added</b>         |                    |
| <b>Additional Transit</b>                |                    |
| Added 176 bus stops a day                | ✓                  |



# Case Study: Sciortino Ranch, Brentwood

| <b>Residents: 498</b><br><b>Employees: 0</b><br><b>Service Pop: 498</b>                    | <u><b>Project &amp; Location</b></u><br><u><b>Attributes</b></u> | <u><b>Additional Transit</b></u><br><u><b>Added</b></u> |
|--|--|---|
| CO2e Emissions in Metric Tons<br>Transportation<br>Electricity<br>Other (NG, water, waste) | 1,628<br>434<br>770  | 1,581<br>434<br>770                                     |
| <b>Total Emissions</b>   | <b>2,832</b>   | <b>2,785</b>  |
| <b>Metric Ton/Service Population</b>   | <b>5.7</b>   | <b>5.6</b>  |

Notes: BAAQMG GHG Model (BGM) 1.1.9

## Uptown, Oakland

### Project characteristics:

- Located in downtown Oakland
- 700 multi-family units on 7 acres (100 units to acre = 4.92 trips/unit)
- 14,500 sq. ft. retail (43 trips/1000 sq. ft.)
- Excellent public transit
- Also included city park, trip rate 1.6 per acre

Build out year: 2011 b/c finished.

| <b>URBEMIS Measures</b>                         | <b>Project and Location Attributes</b>  |
|---|---|
| Mix of Uses                                     | Yes (used census tract 402800 and determined the number of hh and jobs projected by ABAG for the ½ radius: hhs: 708 and job 3307)             |
| Local serving retail within 1/2 mile of project | Yes (food, retail, recreational, also nightlife, cultural institutions)   |
| Transit Service                                 | <b>108 BART trains and 1700 daily bus stops.</b> AC Transit: 1, 1R, 12, 13, 14,15, 18, 51, 51A, 72, 72M, 72R, 651, 800, 802, 805, 840, BA, NL |
| Bike & Pedestrian                               | Street network grid dense in complete for bay area, 100% sidewalks, 50% bike accessibility  |
|   | No other measures that I am aware of  |

Why does this work? Existing neighborhood, well served by transit, dense network, local amenities

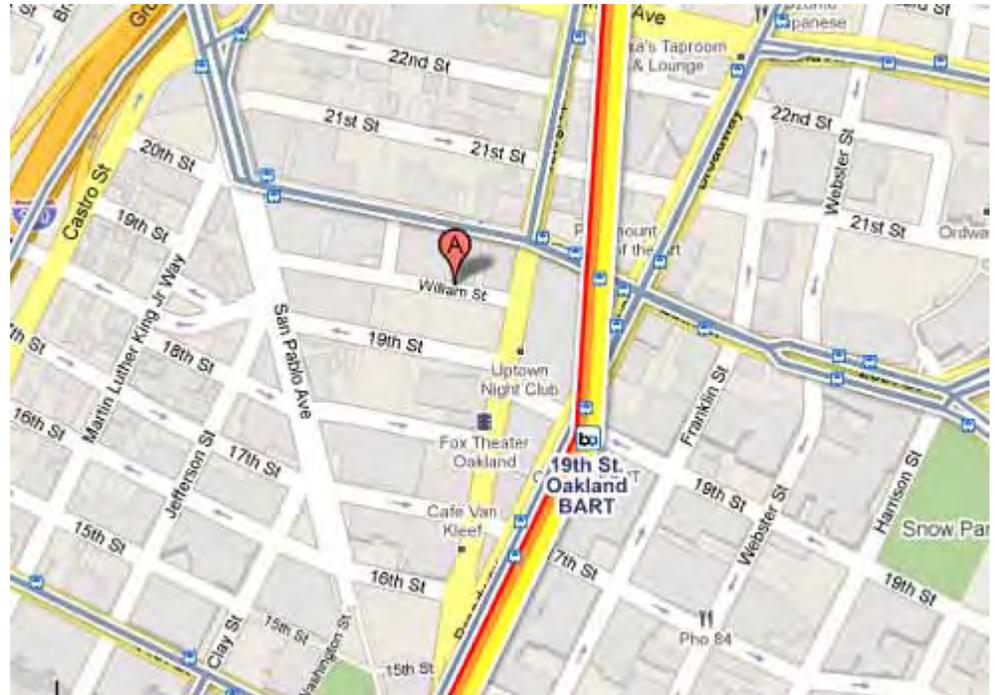
|   |            |   |
|---|------------|---|
| Residents: 1,736<br>Employees: 41<br>Service Pop: 1,777 | Emissions  | 1 employee per 350 sq. ft. or retail, residents based on census info. |
| CO2e Emissions in Metric Tons                           |            |   |
| Transportation  | 3,200      |   |
| Electricity   | 1,041      |   |
| Other (NG, water, waste)                                | 1,525      |   |
| Total Emissions   | 5,766      |   |
| Metric Ton/Service Population                           | <b>3.2</b> |   |



# Case Study: The Uptown, Oakland

## Project characteristics:

- Located in downtown Oakland
- 700 multi-family units
- 14,500 sq. ft. retail
- Excellent public transit





# Case Study: The Uptown, Oakland

| URBEMIS Measures                     | BAAQMD Methodology |
|--------------------------------------|--------------------|
| Mix of Uses                          | Yes                |
| Local serving retail within 1/2 mile | yes                |
| Transit Service                      | Yes                |
| Bike & Pedestrian                    | Yes                |
| Affordable Housing                   |                    |
| Free Transit Passes                  |                    |
| Secure Bike Parking                  |                    |
| Guaranteed Ride Home Program         |                    |
| Car-Sharing                          |                    |
| Info on Transportation Alternatives  |                    |
| Carpool Matching Program             |                    |
| Preferred Carpool/Vanpool Parking    |                    |
| Reduced Parking Supply               |                    |
| Double Counting Credit               |                    |
| <b>GHG Model Measures</b>            |                    |
| Drought tolerant landscaping         |                    |
| Tankless water heaters               |                    |
| 10% waste reduction                  |                    |
| Efficient toilets                    |                    |



# Case Study: The Uptown, Oakland

|  |                                  |
|--|----------------------------------|
| <b>Residents: 1,736</b><br><b>Employees: 41</b><br><b>Service Pop: 1,777</b> | <b><u>BAAQMD Methodology</u></b> |
| CO2e Emissions in Metric Tons  |                                  |
| Transportation   | 3,200                            |
| Electricity  | 1,041                            |
| Other (NG, water, waste)   | 1,525                            |
| Total Emissions  | 5,766                            |
| Metric Tons/Service Population   | <b>3.2</b>                       |

**North Richmond Specific Plan, Contra Costa County**

**Project Characteristics** as analyzed (based on available project description and added measures for examples):

- 2,100 dwelling units (200 SFH at 9.57 trips/day, 300 low-rise 6.90/day, 600 mid-rise 5.76/day, 1000 condos at 6.90/day)
- ~290,000 sq. ft. of retail (43 trips /1000 sq ft.)
- ~785,000 sq. ft. of office space (11 trips/1000 sq. ft)
- 71 acres of park/open space (13 acres at 1.6 trips/acre)
- Residential population: 5,796 people (2100\*2.76 average persons per household for Richmond from census)
- Employees: 3,672 (1 employee per 350 sq. ft. or retail; and 1 employee per 276 sq. ft. or office)
- Bus route runs through development
- Build out year assumed 2020

| <b>URBEMIS Measures</b>                                  | <b>BAAQMD Methodology</b>   |
|--|---|
| Mix of Uses  | Yes, based on specific plan: hh 2100, jobs: 3316 (abag)   |
| Local serving retail within 1/2 mile of project          | Yes (within the plan)   |
| Transit Service  | Yes, 24 bus stops, 10 shuttles  |
| Bike & Pedestrian  | 100% sidewalks, 20% bike accessibility  |
| Affordable Housing                                       | Yes, 10%  |
| Free Transit Passes                                      |   |
| TDM: Secure Bike Parking                                 | Yes (for commercial uses: at least 1 bike space per 20 vehicle parking spaces)  |
| Guaranteed Ride Home Program Provided                    |   |
| Car-Sharing  |   |
| TDM: information provided on Transportation Alternatives | Yes (bike, bus schedules, maps)   |
| Pay for parking  | Assuming a modest \$1 daily charge for parking for commercial uses  |
| Preferred Carpool/Vanpool Parking                        |   |
| Passby   | Yes. allows users to account for primary/diverted/passby trips. When off, all trips primary. When on = lower emissions b/c trips associated with each: residential 85/10/5, retail; 45/40/15 Office: 75/20/5 (Source: ITE/Sandag) |
| Double Counting  | No (turned it on by didn't include number)  |
| <b>GHG Model</b>   |   |
| Drought tolerant landscaping                             | Yes   |
| Tankless water heaters                                   | Yes   |
| 10% waste reduction                                      | Yes   |
| Efficient toilets  | Yes   |

**North Richmond Specific Plan – GHG Emissions from Project Operations**

| <b>Residents: 5,768 Employees: 3,672 Service Pop: 9,440</b> | <b>BAAQMD Methodology</b> |
|---|---------------------------|
| <b>CO2e Emissions in Metric Tons</b>                        |                           |
| Transportation  | 24,536                    |
| Electricity   | 9,126                     |
| Other (NG, water, waste)                                    | 10,668                    |
| <b>Total Emissions</b>                                      | <b>44,332</b>             |
| <b>Metric Ton/Service Population</b>                        | <b>4.6</b>                |

# Case Study: North Richmond Specific Plan, Contra Costa County

## Project Characteristics:

- 2,100 dwelling units
- ~290,000 sq. ft. of retail center
- ~785,000 sq. ft. of office space
- 71 acres of park/open space
- Several bus stops in Project area





# Case Study: North Richmond Specific Plan, Contra Costa County

| URBEMIS Measures                     | BAAQMD Methodology |
|--------------------------------------|--------------------|
| Mix of Uses                          | Yes                |
| Local serving retail within 1/2 mile | yes                |
| Transit Service                      | Yes                |
| Bike & Pedestrian                    | Yes                |
| Affordable Housing                   | Yes                |
| Free Transit Passes                  |                    |
| Secure Bike Parking                  | Yes                |
| Guaranteed Ride Home Program         |                    |
| Car-Sharing                          |                    |
| Info on Transportation Alternatives  | Yes                |
| Carpool Matching Program             |                    |
| Preferred Carpool/Vanpool Parking    |                    |
| Parking charge                       | Yes                |
| Passby Trip Reduction                | Yes                |
| GHG Model Measures                   |                    |
| Drought tolerant landscaping         | Yes                |
| Tankless water heaters               | Yes                |
| 10% waste reduction                  | Yes                |
| Efficient toilets                    | Yes                |



# Case Study: North Richmond Specific Plan, Contra Costa County

|   |                                  |
|---|----------------------------------|
| <b>Residents: 5,768</b><br><b>Employees: 3,672</b><br><b>Service Pop: 9,440</b> | <b><u>BAAQMD Methodology</u></b> |
| <b>CO2e Emissions in Metric Tons</b>  |                                  |
| Transportation  | 24,536                           |
| Electricity   | 9,126                            |
| Other (NG, water, waste)  | 10,668                           |
| <b>Total Emissions</b>  | <b>44,332</b>                    |
| <b>Metric Ton/Service Population</b>  | <b>4.6</b>                       |

# ATTACHMENT B (CONCEPT)

## Northwest Land Park Plan (NWLP) Concept Climate Action Mitigation Plan Supplement (CAMPS)

1 February 2011  
Rev 1.3

Note to City: This document was designed to be replicable for several types of development projects. This CONCEPT climate action mitigation plan supplement (CAMPS) was originally designed for use with the Draft Environmental Impact Report Climate Change Plan (CCP) for the Sacramento County Florin-Vineyard Gap Community Plan (see DEIR; Volume 3, Appendix C). The FVG Community Plan was fairly large; consisted of approximately 26 projects, 3,700 acres, 13,000 living units, 5 million square feet of commercial/ industrial space and has an estimated base case ghg emissions rate of 350,000 tonnes per year at full build out. (7% of County emissions)

In reviewing the DEIR Climate Change Plan (CCP) for the above project and NWLP Plan, it became apparent that any CEQA CCP must achieve the following objectives:

- permit holders must be able to easily understand and implement CCP
- CEQA lead agencies must be able to easily verify compliance with CCP
- enforcement and regulatory agencies must be able to enforce and hopefully quantify emissions savings from CCP

Although not necessary, additional desirable attributes of a CAP would include:

- a simple plan would allow AQMD's (or local jurisdictions) to specify a low significance threshold and
- a standardized template would provide a level-playing-field for all future CEQA CCP's and could assist in making the SB375 Sustainable Communities Strategy more consistent between State regions

The CCP submitted in the FVG DEIR partially met the first objective; NWLP meets none of the desirable objectives. The attached CAMPS is intended to be a supplement to the DEIR CCP and meets all objectives. The attached CAMPS is coordinated with SB375 requirements and is simple for permit holders and CEQA lead agencies because all questions can be answered with a Yes, No or Not Applicable.

The City should not accept a CCP that does not meet at least the first 3 objectives. The only other efforts that I'm aware of that try to quantify the value of greenhouse gas emissions under CEQA are:

- City of Davis staff report, April 2009
- CAPCOA Report, August 2010
- SCAQMD Effort to Develop Spreadsheet Model, late 2010

All of these efforts are in the formative stages of development, as was the FVG DEIR CCP and as is this CAMPS.

Simplicity to users comes at a price; to make this process simple for permit holders and CEQA lead agencies, some significant work should be put into a CAMPS template either by the City, AQMD, MPO, or perhaps OPR, Energy Commission, Air Resources Board, Integrated Waste Management Board, and/or Department of Water Resources. Some efforts would include:

1. Although this CAMPS is measurable and enforceable, the actual ghg emissions are not measurable without more information. Extensive empirical data and a units column is required to truly quantify ghg savings (an Excel measurable version of this is available- w/o correlated data)
2. Determine the benchmark "triggers" that would allow permit holder to answer Yes to a question, although with stakeholder modifications attached table could be used without benefit of ghg measurability
3. If a simple Yes/No process is desired, then the measures identified should be roughly equal in ghg emissions savings
  - a. Several measures are tiered so that "Yes" may be answered many times for high value measures
  - b. Some high value measures are double counted- e.g. Yes'es can be achieved for mixed use occupancy AND proximity to amenities
  - c. A point system could be used instead of Yes/No/NA (similar to the 1980's Title 24 Residential prescriptive compliance method or LEED)
4. Carbon reducing measures shown are examples; stakeholder input is required to develop an acceptable template

Additional Features To Promote Market Penetration: In addition to conventional carbon reducing measures, this CAMPS includes features that should be considered for inclusion no matter what type of final process is settled upon for CEQA CAP's

1. Market Transformation: This CAMPS attempts to reward permit holders that implement measures that are not commonplace today, but may be in the future- e.g. restaurants that agree to not use Styrofoam food containers for at least a 6 month pilot period, PG&E offers maintenance for solar thermal systems, project chooses to exceed State RPS requirements. Similar to LEED, as market transforms, CAMPS measures should be updated.
2. Behavioral Changes Over Time: This CAMPS attempts to “sprinkle” some measures over an entire project to assist market transformation- e.g. relative even spacing of Neighborhood Electric Vehicles and raised bed gardens, solar photovoltaic throughout sub-divisions
3. Reward Local Jurisdictions: This CAMPS attempts to reward local jurisdictions that: (1) implement market transforming processes, policies or ordinances or (2) attempt to meet various State goals; e.g. implementing a RECO ordinance, Big and Tall ordinance, bi-level street lighting, offer carbon neutral water and solid waste services
  - a. This is intended to meet the spirit of... “providing regulatory relief under CEQA” as identified in SB375. In effect permit holders receive credit at no cost to their project for processes, policies, and ordinances that are implemented by their local jurisdictions.
4. REACH Guidelines: For measures that City or State would like to see implemented, but do not want to codify at this time; e.g. 2 trees per lot, improved commercial recycling, web accessible parcel/ neighborhood level ghg emissions
5. Mandatory: Some measures are identified as “Mandatory”. These items are generally cost effective, but not required by State Code. Mandatory features could be specific to local jurisdictions that require them.

REQUIREMENT: The NWLP Plan must achieve at least 50% Yes ratio to meet carbon dioxide mitigation requirements.

Permit holders are to:

1. Fill out attached table and include in EIR with backup calculations.
2. Some measures are required and are indicated as Mandatory.
3. If a measure is not applicable to a project, indicate NA.
4. How many questions were answered with a Yes? \_\_\_\_\_
5. How many questions were answered with a No? \_\_\_\_\_
6. What percentage of questions were answered with a Yes where percentage = [Yes/(Yes+No)] \_\_\_\_\_
7. Did the project pass? [Y/N] \_\_\_\_\_

The outcome of some measures will not be fully known until construction is complete. If Yes ratio falls below percentage above, then fee of \$ xx per percent (times base case ghg emissions for full build-out of project) shall be paid to City (or SMAQMD?) as an in lieu fee for off-site climate change mitigation projects.

Notes to City:

1. Fee should be based on NYMEX(?) value of CO2 at time of permit AND as approved by ARB Cap and Trade program.
2. **EXAMPLE responses and explanatory notes are shown in red and italicized.**
3. An Excel, operational version of this table is available.

| Measure  | Benchmark For Suburban |      | Actual For This Project |      | Benchmark Met? |      |
|--|------------------------|------|-------------------------|------|----------------|------|
|  | Res                    | Comm | Res                     | Comm | Res            | Comm |
| <b>LAND USE (Stationary Source)</b>  |                        |      |                         |      |                |      |
| Percent of project acreage that utilizes “brownfield”, underused properties beneficially |                        |      |                         |      |                |      |

|   |           |           |  |    |     |     |
|---|-----------|-----------|--|----|-----|-----|
| >=10%   | Y/N       | Y/N       | 15%  | NA | Yes | NA  |
| >=20%   | Y/N       | Y/N       | 15%  | NA | No  | NA  |
| >=30%   | Y/N       | Y/N       | 15%  | NA | No  | NA  |
| >=40%   | Y/N       | Y/N       | 15%  | NA | No  | NA  |
| Percent of project acreage that is considered infill  |           |           |  |    |     |     |
| >=10%   | Y/N       | Y/N       | 25%  | NA | Yes | NA  |
| >=20%   | Y/N       | Y/N       | 25%  | NA | Yes | NA  |
| >=30%   | Y/N       | Y/N       | 25%  | NA | No  | NA  |
| >=40%   | Y/N       | Y/N       | 25%  | NA | No  | NA  |
| Percent of project (in acres) that is mixed use   |           |           |  |    |     |     |
| >= 10%  | Y/N       | Y/N       |  |    |     |     |
| >= 25%  | Y/N       | Y/N       |  |    |     |     |
| >= 50%  | Y/N       | Y/N       |  |    |     |     |
| >= 75%  | Y/N       | Y/N       |  |    |     |     |
| Density of Project  |           |           |  |    |     |     |
| >= 6 DU/acre  | 100%      | NA        | 100%   | NA | Yes | NA  |
| >= 9 DU/acre  | 60%       | NA        | 58%  | NA | No  | NA  |
| >= 12 DU/acre   | 25%       | NA        | 23%  | NA | No  | NA  |
| >= 15 DU/acre   | 10%       | NA        | 12%  | NA | Yes | NA  |
| Employees (FTE) per Job Acre  |           |           |  |    |     |     |
| >= 5  | NA        | 100%      | <i>Note: Floor to Area Ratio may be good alternative for this metric</i>   |    |     |     |
| >= 10   | NA        | 60%       |  |    |     |     |
| >= 50   | NA        | 30%       |  |    |     |     |
| >= 100  | NA        | 10%       |  |    |     |     |
| Number of intersections per square mile (should be high)  | 12-16     | 6-12      |  |    |     |     |
| Number of dead-ends (e.g. cul-de-sacs) per square mile (should be low)  | <= 1      | <= 1      | 0  | 0  | Yes | Yes |
| Percent of estimated burdened construction funds spent to build new roads vs. bicycle lanes, ped/bike amenities, NEV amenities, charging stations, transit capital improvements, transit operating costs, car sharing program start-up costs (modified metric from SB375 to suit new development) | 40%       | 40%       | <i>Note: Per metric, maximum of 60% spent on road construction; minimum of 40% spent on alternative modes; to include car share program start-up and placement of NEV's evenly through residential subdivision</i> |    |     |     |
| All living units and commercial spaces front on a continuous pedestrian network   | Mandatory | Mandatory |  |    |     |     |
| Percent of living units within ½ mile riding distance of a bicycle lane   |           |           |  |    |     |     |
| Class I   | 50%       | NA        | 30%  | NA | No  | NA  |
| Class II  | 80%       | NA        | 100%   | NA | Yes | NA  |
| Class III   | 100%      | NA        | 100%   | NA | Yes | NA  |
| Percent of living units within ½ mile walking distance of at least x amenities (as defined by LEED for Neighborhood Development)  |           |           | <i>Note: More amenities should be required for urban design</i>  |    |     |     |

|   |      |       |   |           |           |           |
|---|------|-------|---|-----------|-----------|-----------|
| >= 1 amenity  | 40%  | NA    |   |           |           |           |
| >= 3 amenities  | 25%  | NA    |   |           |           |           |
| >= 5 amenities  | 10%  | NA    |   |           |           |           |
| ALTERNATE for suburban projects:<br>Number of auto, bike or ped connections per acre between adjacent projects that have complementary, yet different zoning                                    | 0.3  | 0.3   | <i>Note: This metric does not require parcel level calculation and is appropriate only for suburban design</i>                  |           |           |           |
|   |      |       | <i>Note: Project entropy may also be a reasonable metric</i>  |           |           |           |
| Percent of living units within ½ mile of class B Park, community garden, publicly accessible open space, (or separated Class I bike path with minimum easement of 30 foot width)                | 80%  | NA    |   |           |           |           |
| Jobs to Housing Ratio: Jobs (real or zoned) within ½ mile walking distance of residential project (SB375 metric)  |      |       |   |           |           |           |
| Total   | 1:10 | NA    |   |           |           |           |
| Percent of jobs able to afford rent/mortgage (max 40% wage, for FTE, 1 earner)  | 60%  | NA    |   |           |           |           |
| Jobs to Housing Ratio: Living units (real or zoned) within ½ mile walking distance of commercial project (SB375 metric)   |      |       |   |           |           |           |
| Total   | NA   | 10:01 |   |           |           |           |
| Percent of jobs able to afford rent/mortgage (max 40% wage, for FTE, 1 earner)  | NA   | 60%   |   |           |           |           |
| Percent of living units within ½ mile of a transit stop with a minimum transit frequency service level of x stops/week (SB375 metric) per RT calcs (service level met within 5 years of permit) |      |       | <i>Note: This benchmark is under land use because supportable transit frequency is heavily dependent on living unit density</i> |           |           |           |
| Level of Service B  | 25%  | NA    | <i>12% per RT</i>   | <i>NA</i> | <i>No</i> | <i>NA</i> |
| Level of Service C  | 40%  | NA    | <i>15% per RT</i>   | <i>NA</i> | <i>No</i> | <i>NA</i> |
| Level of Service D  | 70%  | NA    | <i>20% per RT</i>   | <i>NA</i> | <i>No</i> | <i>NA</i> |
| Percent of commercial spaces within ½ mile of a transit stop with a minimum service level of x stops/week (SB375 metric)  |      |       | <i>Note: This benchmark is under land use because supportable transit frequency is heavily dependent on employment density</i>  |           |           |           |
| Level of Service B  | NA   | 80%   |   |           |           |           |
| Level of Service C  | NA   | 100%  |   |           |           |           |
| Level of Service D  | NA   | 100%  |   |           |           |           |
| Number of trees planted per living unit (including apartments)  | 2.0  | NA    |   |           |           |           |

|  |      |           |  |  |  |  |
|--|------|-----------|--|--|--|--|
| Number of trees planted per square foot of commercial space  | NA   | 0.01      |  |  |  |  |
| Percent estimated tree canopy coverage after 15 years (include roads)  | 20%  | 20%       |  |  |  |  |
| CC&R's do not restrict solar, clothes drying lines, chickens allowed per following guidelines(?)   | 100% | NA        |  |  |  |  |
| Percent of living units that require residential vehicle parking permit  |      |           | <i>Note: County action required for this one-not likely sellable in suburbs unless there is a chance for homeowners to receive credit- e.g. \$20/yr fee for standard car; \$20/yr credit for plug-in hybrid; \$30/yr credit for NEV... need funding source though or charge high fees for standard cars (i.e. feebate)</i> |  |  |  |
| Permit required for cars, no/low fee for first car   | 100% | NA        |  |  |  |  |
| Increased fees for 2 <sup>nd</sup> and subsequent vehicles   | 25%  | NA        |  |  |  |  |
| Reduced fees for NEV's, plug-in hybrids, alt fuel vehicles   | 25%  | NA        |  |  |  |  |
| <b>COMMUTES and TRIPS (Mobile Source)</b>  |      |           |  |  |  |  |
| Percent of commercial space that includes end-of-trip bicycle amenities (shower, lockers)  | NA   | 25%       |  |  |  |  |
| Percent of commercial space that meets LEED ND requirements for bicycle parking  | NA   | Mandatory |  |  |  |  |
| Percent of road-miles that are NEV capable (<= 35 mph)   | 100% | 50%       |  |  |  |  |
| Impermeable surfaces that have reflectivity greater than State requirements  |      |           | <i>Note: State action required for this one to identify benchmark</i>  |  |  |  |
| Roads  | 75%  | 75%       |  |  |  |  |
| Sidewalks  | 100% | 100%      |  |  |  |  |
| Parking Lots   | 75%  | 75%       |  |  |  |  |
| Percent of transit stops that are covered, have benches, have at least 2 sides protected from wind, solar powered lighting and electronic schedule update board w/ GPS on buses to improve board schedule accuracy (in lieu fees ok in high-vandal areas?) |      |           |  |  |  |  |
| Level of Service B   | 100% | 100%      |  |  |  |  |
| Level of Service C   | 50%  | 50%       |  |  |  |  |
| Level of Service D   | 25%  | 25%       |  |  |  |  |
| Percent of apartment houses that   |      |           |  |  |  |  |
| Decouple room rent from car space rent   | 100% | NA        |  |  |  |  |
| Offer car share programs to their tenants and have a minimum of 1 car per x units  | 100% | NA        |  |  |  |  |

|  |      |      |      |      |  |  |
|--|------|------|------|------|--|--|
| Tenants agree to not have a second car for at least 6 months (one car ok)  | 50%  | NA   |      |      |  |  |
| Percent of businesses (> 50 employees) that have transportation system management plans  |      |      |      |      |  |  |
| >=50% transit subsidy  | NA   | 100% |      |      |  |  |
| Parking cash out/ charge employees for parking   | NA   | 100% |      |      |  |  |
| Provide results from bi-annual survey to SACOG(?)  | NA   | 100% |      |      |  |  |
| Percent of homes provided with neighborhood electric vehicle (NEV), relatively evenly spaced at 1 per 10 living units  |      |      | 10%  | NA   |  |  |
| Percent of homes provided with car share vehicle   |      |      |      |      |  |  |
| AND at least 4 other homes within ¼ mile agree to share  | 10%  | NA   |      |      |  |  |
| AND half agree to NOT have second car for at least 6 month pilot   | 100% | NA   |      |      |  |  |
| Percent of fuel stations that offer B-5 bio-diesel and E-85  |      |      | NA   | 100% |  |  |
| AND B-20 bio-diesel  | NA   | 50%  |      |      |  |  |
| Percent of homes provided with electric lawn mower   |      |      | 100% | NA   |  |  |
| Percent of construction vehicles that meet SMAQMD preferred emissions rate (should be high, but may be difficult to enforce over long period of construction?) |      |      | 80%  | 80%  |  |  |
| <b>GOODS MOVEMENT (Mobile Source)</b>  |      |      |      |      |  |  |
| Percent of homes provided with raised bed garden, minimum of 200 square feet, relatively evenly spaced at 1 per 10 living units                                |      |      | 10%  | NA   |  |  |
| Apartment houses that offer (100% compliance required):  |      |      |      |      |  |  |
| Community gardens of at least 50 SF to x% of tenants   | 10%  | NA   |      |      |  |  |
| Community gardens of at least 50 SF to x% of tenants   | 20%  | NA   |      |      |  |  |
| Fenced, gated, water, tool shed, \$500/yr annual budget provided by owner  | 100% | NA   |      |      |  |  |
| Apartment houses that do NOT offer on site gardens (100% compliance on and off-site required):   |      |      |      |      |  |  |
| Fee to City ok if new garden is within ½ mile and SF portion earmarked for tenants   | 100% | NA   |      |      |  |  |

|  |           |           |   |      |     |     |
|--|-----------|-----------|---|------|-----|-----|
| Four times fee to City ok if new garden is > 1 mile away; no earmark for tenants   | 100%      | NA        |   |      |     |     |
| Percent of markets > 5,000 SF that have agreed to provide 25% of fruits and vegetables from farm sources within 100 mile radius    |           |           |   |      |     |     |
| 6 month pilot  | NA        | 50%       |   |      |     |     |
| Permanent  | NA        | 25%       |   |      |     |     |
| Percent of markets > 5,000 SF that have agreed to provide 10% of canned goods from processing plants within 100 mile radius        |           |           |   |      |     |     |
| 6 month pilot  | NA        | 50%       |   |      |     |     |
| Permanent  | NA        | 25%       |   |      |     |     |
| Percent of shops > 5,000 SF that have agreed to provide 10% of goods from manufacturing plants within 100 mile radius              |           |           |   |      |     |     |
| 6 month pilot  | NA        | 50%       |   |      |     |     |
| Permanent  | NA        | 25%       |   |      |     |     |
| Project includes manufacturing plant that projects that >=50% of raw materials to produce product will be sourced from < 300 miles |           |           |   |      |     |     |
| Per x tons/yr of mat'l used  | NA        | 100       |   |      |     |     |
| Per x tons/yr of mat'l used  | NA        | 200       |   |      |     |     |
| Project includes manufacturing plant that projects that >=50% of products will be sold to vendors within 300 miles                 |           |           |   |      |     |     |
| Per x tons/yr of product   | NA        | 100       |   |      |     |     |
| Per x tons/yr of product   | NA        | 200       |   |      |     |     |
| <b>FACILITY ENERGY (Stationary Source)</b>   |           |           |   |      |     |     |
| Percent of living units and commercial that exceed Title 24 (to include on-site solar)   |           |           | <i>Note: County and CEC action required for this one to beat Title 24 by 15%</i>  |      |     |     |
| >= 15%   | Mandatory | Mandatory | 100%  | 100% | Yes | Yes |
| >= 25%   | 50%       | 50%       |   |      |     |     |
| >= 35%   | 25%       | 25%       |   |      |     |     |
| Carbon Neutral (Off-Site)  | 10%       | 10%       |   |      |     |     |
| Net Zero Energy (On-Site)  | 5%        | 5%        |   |      |     |     |
| Living units are built in a jurisdiction that has a Big and Tall ordinance similar to Marin County's except sized for [1,500] SF   | 100%      | NA        | <i>Note: County action required for this one. This is an "environmental justice" concept which requires larger homes to be more efficient</i> |      |     |     |
| Living units are built in a jurisdiction that has a Residential Energy Conservation Ordinance that meets State requirements        | 100%      | NA        | <i>Note: State and County action required for this one</i>  |      |     |     |
| Living units are built in a jurisdiction that has a Commercial Energy Conservation Ordinance that meets State requirements         | 100%      | NA        | <i>Note: State and County action required for this one</i>  |      |     |     |

|  |           |           |  |  |  |  |
|--|-----------|-----------|--|--|--|--|
| Percent of electric operating power provided to project over the next 30 years that is above and beyond State Renewable Portfolio Standard (RPS) requirements (to include on-site solar electric, but not energy efficiency) |           |           | <i>Note: Need to work with SMUD, this is not an existing program. This would be similar to a long-term Greenergy program</i> |  |  |  |
| 10%  | Mandatory | Mandatory | <i>Note: County action required for this one to beat State RPS</i>   |  |  |  |
| 20%  | 60%       | 60%       |  |  |  |  |
| 40%  | 30%       | 30%       |  |  |  |  |
| Carbon Neutral (Off-Site)  | 5%        | 5%        |  |  |  |  |
| Natural gas fired cogeneration, minimum thermal/electric efficiency of 55% serves at least 10% of project electrical needs (solar pv ok)   | 1 each    | 1 each    |  |  |  |  |
| x% of annual fuel use is renewable   | 25%       | 25%       |  |  |  |  |
| x% of annual fuel use is renewable   | 50%       | 50%       |  |  |  |  |
| x% of annual fuel use is renewable   | 75%       | 75%       |  |  |  |  |
| Percent of living units equipped with solar domestic hot water that provides minimum of 60% annual needs (* PG&E approval of system design)  | 100%      | NA        |  |  |  |  |
| PG&E monitors Smart meter and has method to notify customer if solar system appears to need maintenance  | 100%      | NA        | <i>Note: Similar line items could be developed for SMUD and solar pv systems</i>   |  |  |  |
| * PG&E offers monthly fee for service for maintenance  | 100%      | NA        |  |  |  |  |
| Percent of living units that are pre-plumbed for solar photovoltaic  | 100%      | NA        |  |  |  |  |
| Percent of living units equipped with solar electric that provides minimum of 25% annual needs, relatively evenly spaced, facing street  | 10%       | NA        |  |  |  |  |
| Percent of traffic intersections that utilize LED signal lighting  | 100%      | 100%      | <i>Note: County action required for this one</i>   |  |  |  |
| Percent of street lighting that uses dual-level LED lighting with occupancy sensor control   | 50%       | 50%       | <i>Note: County action required for this one; consider maintenance feedback and 911 feed-forward</i>                         |  |  |  |
| Percent of fire stations, police stations, restaurants and fitness centers equipped with solar domestic hot water that provides minimum of 60% annual needs  | NA        | 100%      | <i>Note: County action required for this one to require solar for fire, police</i>   |  |  |  |
| Percent of businesses (by square foot) equipped with solar electric that provides minimum of 10% annual needs  | NA        | 10%       |  |  |  |  |

|  |           |           |   |  |  |  |
|--|-----------|-----------|---|--|--|--|
| For living units that are provided with such (e.g. apartments), percent and number of refrigerators, washing machines, dishwashers, TV's that are Energy Star "Silver" compliant | 100%      | NA        | <i>Note: Energy Star "Silver" may not yet be available. Coordinate with Federal EPA</i> |  |  |  |
| Percent of homes that are pre-wired for plug-in hybrids and NEV's  | 100%      | NA        |   |  |  |  |
| Percent of living units with access to natural gas in back yard for future BBQ and electric outlets for electric grounds maintenance equipment                                   | 100%      | NA        |   |  |  |  |
| Percent of living units that have heating and cooling systems and electric dryers controlled remotely by utility for demand response through use of Smart meters                 | 100%      | NA        |   |  |  |  |
| <b>WATER (Stationary Source)</b>   |           |           |   |  |  |  |
| Percent of living units and commercial that use no more than x% of business as usual potable water   |           |           |   |  |  |  |
| <= 80%   | Mandatory | Mandatory | <i>Per CalGreen effective 7/1/11</i>  |  |  |  |
| <= 60%   | 50%       | 50%       |   |  |  |  |
| <= 40%   | 25%       | 25%       |   |  |  |  |
| <= 25%   | 10%       | 10%       |   |  |  |  |
| Water purveyor offers voluntary carbon neutral water services  |           |           | <i>Note: Need to work with water purveyors to develop program</i>                       |  |  |  |
| Purveyor offers service  | Y/N       | Y/N       | <i>Note: Surcharge approximately 2%, therefore enrollment requirements are HIGH</i>     |  |  |  |
| Percent enrolled   | 25%       | 15%       |   |  |  |  |
| Percent of living units and commercial meeting State approved drought resistant landscaping standards  | 100%      | 100%      | <i>Note: State action required for this one to identify planting benchmark</i>          |  |  |  |
| Percent of living units utilizing recycled water for irrigation  | 80%       | NA        |   |  |  |  |
| Percent of living units utilizing gray water for irrigation  | 20%       | NA        | <i>Note: County action may be required to allow gray water use</i>                      |  |  |  |
| Percent of businesses (by acres) utilizing recycled water for irrigation   | NA        | 80%       |   |  |  |  |
| Percent of roof space that has a "living" roof   | NA        | 25%       |   |  |  |  |
| Percent of project acreage that utilizes low-impact storm water management (to include retention basins?)  | >= 80%    | >= 80%    |   |  |  |  |
| Percent of project acreage that utilizes high-impact conventional storm sumps (to include detention basins?)   | <= 20%    | <= 20%    |   |  |  |  |

|  |      |      |   |  |  |  |
|--|------|------|---|--|--|--|
| Local water purveyor has adopted a water resources loading order; if City operated, resolution has been passed similar to the attached | Y/N  | NA   |   |  |  |  |
| <b>WASTE (Stationary Source)</b>   |      |      |   |  |  |  |
| Project achieves exemplary construction and demolition recycling under City and County ordinance                                       | 100% | 100% | <i>Note: County (and City) action required to identify "exemplary"</i>                    |  |  |  |
| Solid waste provider offers carbon neutral solid waste services  |      |      | <i>Note: Need to work with solid waste providers to develop program</i>                   |  |  |  |
| Provider offers service  | Y/N  | Y/N  | <i>Note: Surcharge approximately 25%, therefore enrollment requirements are LOW</i>       |  |  |  |
| Percent enrolled in any program  | 10%  | 3%   |   |  |  |  |
| Percent of emissions sequestered due to local, "ARB additional", tree planting program   | 25%  | 25%  |   |  |  |  |
| Percent of restaurants (>1,000 SF) that have agreed to not use Styrofoam food containers for period shown                              |      |      | <i>Note: Some jurisdictions ban Styrofoam</i>   |  |  |  |
| 6 month pilot  | NA   | 50%  |   |  |  |  |
| Permanent  | NA   | 25%  |   |  |  |  |
| Percent of shops (>1,000 SF) that have agreed to not use disposable plastic or paper bags for specified term                           |      |      | <i>Note: Some jurisdictions ban or impose fees on disposable bags</i>                     |  |  |  |
| 6 month pilot  | NA   | 50%  |   |  |  |  |
| Permanent  | NA   | 25%  |   |  |  |  |
| Percent of shops (>1,000 SF) that sell fountain drinks or coffee to go, that offer deep discount to those that use their own cup       |      |      |   |  |  |  |
| 6 month pilot  | NA   | 50%  |   |  |  |  |
| Permanent  | NA   | 25%  |   |  |  |  |
| Percent of apartment houses provided with first class recycling facilities   | 100% | NA   | <i>Note: County (and City) action required to identify "first class"</i>                  |  |  |  |
| Percent of commercial space (>1,000 SF) provided with first class recycling facilities   | NA   | 50%  | <i>Note: County (and City) action required to identify "first class"</i>                  |  |  |  |
| Percent of living units signed up to NOT receive junk mail from the post office  | 50%  | NA   |   |  |  |  |
| Percent of annual green waste delivered to local distribution site (<10 miles) for residential and business use                        | 25%  | NA   | <i>Note: This could go under GOODS MOVEMENT and is similar to program in Berkeley, CA</i> |  |  |  |
| Green waste is used to provide power and nutrients to grow fruits and vegetables in a greenhouse                                       | NA   | 1 ea |   |  |  |  |
| Percent of homes provided with mulching/composting/ worm bins  | 25%  | NA   | <i>Note: This could go under GOODS MOVEMENT</i>   |  |  |  |
| <b>AWARENESS</b>   |      |      |   |  |  |  |

|  |      |   |   |    |    |    |
|--|------|---|---|----|----|----|
| Percent of utility accounts provided with Smart electric, gas and water meters and have one-site web accessible usage and comparison data by parcel and also neighborhood aggregated data  | 100% | 100%  | <i>Derived from Curtis Park Energy Stars program</i>    |    |    |    |
| Website to include neighborhood scale data regarding solid waste, updated once per year  | 100% | 100%  | 0%  | 0% | No | No |
| Website to include neighborhood scale data regarding transportation, updated once per year   | 100% | 100%  | 0%  | 0% | No | No |
| Website to include innovative neighborhood scale data (e.g. Goods Movement) regarding greenhouse gas emission data for other sectors, updated once per year  | 100% | 100%  | 0%  | 0% | No | No |
| Website to include neighborhood scale data regarding greenhouse gas emissions, updated once per year   | 100% | 100%  | 0%  | 0% | No | No |
| Percent of shops (>1,000 SF) that agree to provide educational materials (central location in mall ok) for a period shown on products that have high global warming potential (e.g. computer dusters, Styrofoam, virgin copy paper, incandescent bulbs, disposable batteries, bottled water, etc.)           |      |   |   |    |    |    |
| 6 month pilot  | NA   | 50%   |   |    |    |    |
| Permanent  | NA   | 25%   |   |    |    |    |
| Number of businesses that provide bid preferences to vendors that operate per requirements of City of Sacramento sustainability preference program and achieve at least 20 points  | NA   | 10%   | <i>Note: Coordinate with City of Sacramento program</i> |    |    |    |
| Percent of living units sold that are provided with a welcome basket that includes educational materials and a selection of "green" items as noted to right, (valued at say \$1,000)<br><br><i>Higher cost items would have line item entry- e.g. NEV, raised bed garden, electric mower, solar pv, etc.</i> | 100% | <i>Note: Items that might be included in welcome basket are-several compact fluorescent (and LED?) light bulbs, reusable coffee mug, reusable drink mug, canvas shopping bag, rechargeable batteries and charger, BBQ chimney charcoal starter or natural gas BBQ, clothes line, fruit and vegetable seeds, 90 day free car share program gift certificate, 90 day free bus pass gift certificate and 2 years subsidized at 50% bus pass gift certificate, occupancy sensor controlled plug strip</i> |   |    |    |    |

---

**LETTER 10: Environmental Council of Sacramento, Jonathan Ellison****Response to Comment 10-1**

The comment expresses general support for the infill nature of the project and provides an introduction to the comments presented in the remainder of the letter. See responses below.

**Response to Comment 10-2**

The comment states that the General Plan Update and the Sustainability Master Plan (SMP) are in conflict with respect to the greenhouse gas emissions projections. See Master Response #3 regarding the City's Greenhouse Gas Emission analysis. The SMP targets were policy targets set in 2007 intended to guide future action with regard to climate change. However, no inventory or CAP was included in the SMP. Since the SMP was adopted, additional new local information has developed in reference to these policy targets: 1) As referenced in the comment, the City completed a new general plan and certified a Master EIR which set a baseline and estimated emissions from General Plan buildout; and 2) In 2009, a county-wide inventory for the 2005 baseline year was completed in accordance with protocols, in which the City's emissions were more specifically defined. The City intends to use this information to set the baseline in the CAP process currently underway.

The Master EIR estimate referenced in the comment was the result of a business-as-usual, unmitigated estimate, except for the effect of transportation and land use. No specific analysis was conducted on the effect of all the mitigation measures and it was assumed that preparation of the CAP would more clearly determine what levels of reduction would be possible to meet the City's targets.

Finally, the targets set by the SMP will be superseded by the outcomes of the CAP analysis that is currently underway.

**Response to Comment 10-3**

The comment states that basing the thresholds of significance for GHG analysis on Business as Usual (BAU) Assumptions is flawed. The comment argues that the use of the BAU scenario is an undefined worst-case scenario that is not supported by substantial evidence; disregards evidence that more stringent GHG thresholds are required to be effective; avoids project applicant's duty to adopt feasible measures within the project applicant's control; compares the project to a hypothetical No Action Taken Scenario; and fails to account for longer-term emission reduction targets.

The implementation of AB 32 requires a reduction of GHG emissions to 1990 levels by 2020, which represents a reduction of approximately 29% from BAU levels. The NWLP project did not use the 29% below BAU reduction as a threshold for determining the significance of the project with respect to greenhouse gas (GHG) emissions. The BAU quantification of project emissions and proposed project emissions were included in the analysis to provide additional quantified characteristics of GHG emissions generated by the project and allow evaluation of the potential of project

characteristics to help or impede implementation of AB 32. As discussed in detail in Response to Comment 10-4, the NWLP project analysis compared project generated emissions with the climate change analysis in the General Plan Update Master EIR to determine significance. The Northwest Land Park project has adopted this 29% reduction specifically for analyzing the project's compliance with AB 32 goals.

The Draft EIR defined BAU as the net project without accounting for emission reductions from project design features, mitigation, or state mobile reductions such as Pavley I and II, and the Low Carbon Fuel standard beyond what was anticipated for 2010. The net project emissions are defined as emissions anticipated from project buildout minus the emissions from the existing industrial lands uses on the site. As reported in the Draft EIR, emissions for the 2010 BAU and NWLP project emissions were 9,551 MT CO<sub>2</sub>e and 6,690 MT CO<sub>2</sub>e respectively. This represented a 29.95% reduction from BAU.

To provide an existing plus project evaluation, the analysis included quantification of project generated emissions that would occur in year 2010 (2010 is the CEQA baseline year for this project) assuming existing regulations and project buildout in 2010 (2010 BAU) scenario. However, updates to the 2010 BAU scenario have been made to better characterize state regulations in 2010 and a project buildout year (2019) BAU scenario has been added to demonstrate that the project can meet the AB 32 reduction requirements long-term in 2019 and beyond.

The City updated the methodology used in the determination of BAU slightly from the calculations in the Draft EIR. The BAU scenario used in the analysis of the project emissions shown here is defined as the net project implemented in 2019 under the laws and regulations currently in place but without the incorporation of the project design features or mitigation. The state mobile reductions are included in the 2019 BAU scenario as well as the proposed project scenario, which includes emission reduction characteristics.

The 2019 BAU and the NWLP project analysis incorporate AB 939, which requires a 50% reduction of solid waste sent to landfills; Title 24 part 11, which requires a 20% reduction in water use; and revised the emission factor for pounds of CO<sub>2</sub>, to reflect the most recent SMUD emission factor as reported by the Climate Action registry published in late 2010.

The change in emission factors and incorporation of AB 939 have been changed for the 2010 BAU scenario as incorporated herein; however, Title 24 part 11 was not included, as it did not go into effect until January of 2011 and, therefore, was not a requirement under the 2010 BAU scenario.

Based on the revised analysis, the net annual 2010 BAU emissions are 9,765 MT CO<sub>2</sub>e, while the 2019 BAU emissions are 8,306 MT CO<sub>2</sub>e. The NWLP project emissions are 6,127 MT CO<sub>2</sub>e without the incorporation of the additional reduction commitments from the applicant. With the incorporation of the further reductions, the NWLP project emissions would be reduced to 5,806 MT CO<sub>2</sub>e annually. These reductions include the introduction of a renewable energy system requirement of 400 KW and the increase in energy efficiency from 25% to 30%. These measures are detailed in Response to Comment 11-9. The percent reduction from the updated 2010 BAU scenario would be 37.25%

without the additional reduction measures and 40.54% with their incorporation. The percent reduction from the 2019 BAU scenario would be 26.33% without the incorporation of the additional reductions and 30.10% with their incorporation. The Draft EIR text is amended, as shown below, to reflect the results of the revised calculations. The results of the revised calculations do not alter the findings of the Draft EIR.

The text and table beginning with the last paragraph on page 5.4-25 of the Draft EIR is amended as follows:

Table 5.4-1 shows emissions from the proposed project without the incorporation of PUD guidelines or project design features. ~~any reductions, as well as with project design features and reductions quantified in the AQMP.~~ As shown, the proposed project would result in a net increase of ~~9,542~~ 8,308 metric tons CO<sub>2</sub>e annually ~~over as compared to~~ the existing land uses without incorporated project features ~~or reductions.~~ ~~After the incorporation of all appropriate project features and reductions,~~ the proposed project would result in an increase of ~~6,690~~ 5,806 metric tons CO<sub>2</sub>e annually, or a reduction of ~~29.95~~ 30.10 percent from 2019 BAU. Business-As-Usual (BAU) is defined as the emissions generated without the incorporation of proposed federal, state, and local reductions that may be proposed but are not currently in place. BAU further does not take into account any design features beyond current laws and regulations that a project implements. The only 2030 General Plan measures with a specified reduction, Policy U 6.1.5, requires the reduction of energy usage by 25 percent. The project achieves a reduction of 30% as accounted for in the emissions inventories. Detailed calculations of emissions inventories and reductions are included as Appendix L.

|  | <b>Existing Industrial CEQA Baseline</b> | <b>2010 BAU<sup>1</sup></b> | <b>Net-BAU Emissions 2019 BAU<sup>2</sup></b> | <b>With Project Design</b> | <b>% Reduction from 2010 BAU<sup>3</sup></b> | <b>% Reduction from 2019 BAU<sup>3</sup></b> |
|--|--|-----------------------------|---|----------------------------|--|--|
| Amortized Construction                   | -  | 415                         | 415   | 415                        | 0.00%  | 0.00%  |
| Vehicular Use                            | 2,525                                    | <del>7,932</del> 7,932      | <del>5,407</del> 6,502                        | <del>3,434</del> 5,308     | 30.02%                                       | <del>36.40</del> 30.02                       |
| Electricity                              | <del>0.15</del> 0.19                     | <del>1,015</del> 1,223      | <del>1,015</del> 1,223                        | <del>747</del> 899         | 41.99%                                       | <del>26.40</del> 41.99                       |
| Natural Gas and Other Fuels              | 161                                      | 2,643                       | <del>2,482</del> 2,643                        | <del>1,862</del> 1,982     | 31.93%                                       | <del>24.98</del> 31.93                       |
| Solid Waste                              | 21                                       | <del>445</del> 128          | <del>424</del> 128                            | <del>424</del> 128         | 0.00%  | 0.00%  |
| Water Use                                | <del>43</del> 16                         | <del>422</del> 147          | <del>409</del> 117                            | <del>408</del> 117         | 0.00%  | 0.00%  |
| <i>Gross Total</i>                       | <del>2,720</del>                         | <del>12,271</del> 12,477    | <del>9,554</del> 11,029                       | <del>6,690</del> 8,850     |  | <del>29.95</del> %                           |
| <i>CEQA Baseline<sup>4</sup></i>         | -  | <del>(2723)</del>           | <del>(2723)</del>                             | <del>(2723)</del>          |  |  |
| <i>Sub Total</i>                         | -  | <u>9,765</u>                | <u>8,306</u>                                  | <u>6,127</u>               | <u>37.25%</u>                                | <u>26.23%</u>                                |
| <i>Additional Reductions<sup>5</sup></i> | -  | -                           | -   | <del>(321)</del>           |  |  |
| <b>Net Total</b>                         | <b>2,723</b>                             | <b>9,765</b>                | <b>8,306</b>                                  | <b>5,806</b>               | <b>40.54%</b>                                | <b>30.10%</b>                                |

Note:

- BAU stands for business as usual which 2010 BAU is an indication of emissions without the incorporation of proposed federal, state, local reduction measures, and project specific features that would reduce emissions in comparison to typical construction and design. the net project without accounting for emission reductions from project design features, mitigation, or state mobile reductions such as Pavley I and II, and the Low Carbon Fuel standard.
- 2019 BAU is the net project implemented in 2019 under the laws and regulations currently in place but without the incorporation of the project design features or mitigation.

3. In both instances the % reduction for each source category represents the reduction from the net Project including the additional design features. These values are not shown in this table but are included in Appendix L.
4. CEQA Baseline is the emissions from the industrial land uses currently operating at the NWLP site.
5. The additional reductions are the design features added between the DEIR and the FEIR to increase emission reductions from the Project.

Source: PBS&J 2010<sup>1</sup>. Detailed calculations are included as Appendix L

Business-As-Usual is defined as expected project emissions as calculated accounting for current regulatory standards but without the incorporation of project design features or mitigation. As shown in Table 5.4-1, once the reduction from all project design features are taken into account, the NWLP Project will reduce emissions 30.10% from what was anticipated under the 2019 BAU scenario.

The comment also states that some of the quantifications of GHG emissions are in error, specifically the subtracting 15% from 2005 Title 24 to assume 2008 Title 24, and reducing 15% for hydroelectric generation.

With respect to Title 24, the efficiency requirements established in 2008 are 15% more stringent than those required in 2005. The URBEMIS program calculated natural gas emissions using emission factors based on 2005 Title 24 efficiency requirements. Subtracting the 15% from a portion of natural gas emissions calculated from URBEMIS calculates the emissions anticipated under the 2008 efficiency standards. The text in the DEIR indicated that 15% was taken from all of the natural gas use. Because the energy requirements under the SMP reduces overall energy use, the revised analysis provides a more conservative estimate of natural gas use and does not adjust the natural gas emissions calculated by URBEMIS. The emissions of natural gas from the revised analysis are detailed in the changes to the DEIR presented below.

The City acknowledges that the way the text was presented in the Draft EIR leads to a misunderstanding of how these assumptions were applied. The text under the heading “Natural Gas and Other Fuels” on page 5.1-19 of the Draft EIR that discusses the reduction from 2005 levels is not necessary to the understanding of how the emissions were calculated and, therefore, was removed to eliminate the misunderstanding. The removal of the text does not alter the findings of the analysis in any way.

~~The default energy efficiency of buildings and resulting natural gas use assumed in the URBEMIS 2007 model uses the 2005 Title 24 building standards, which over-predicts emissions, as more stringent requirements for natural gas consumption were adopted in 2008. To compensate for this, proposed project emissions are reduced by 15 percent to account for the increased efficiency requirements.~~

The Draft EIR included the reference to hydroelectric generation to acknowledge that some of the electricity consumed by the project would in fact have a renewable source through SMUD’s emission reduction efforts. The calculations used the emission factor of 524 lbs CO<sub>2</sub> per MWh to determine emissions from electrical consumption, which accounted for the use of hydroelectric generation. While the text in the Draft EIR implied that a 15% reduction was taken in addition to the use of this emission factor an additional 15% reduction was not applied to the DEIR calculations. The discussion of hydroelectric power supplied by SMUD is not necessary to the understanding of how

the emissions were calculated and, therefore, was removed to eliminate further misunderstanding. The revision of the Draft EIR text does not alter the findings or conclusions of the Draft EIR.

The text under the heading “Electricity Use” on page 5.4-20 of the Draft EIR is amended as follows:

Public utility providers use a variety of methods to generate electricity, including burning coal and oil. By using electricity, the proposed development would contribute to the indirect emissions associated with its production. Estimated emissions for the consumption of electricity ~~were~~ was based on the total number of residential units and the total square footage of commercial space and associated consumption rates.<sup>28</sup> The annual consumption of electricity is then multiplied by the appropriate emission factors for CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O to estimate emissions from electrical consumption. ~~The Sacramento Municipal Utilities District supplies 15 percent of the City's electrical demand through hydroelectric generation. Since the generation of electricity through hydroelectric plants is considered to be renewable, there are no emissions associated with this type of electrical generation. Therefore, a 15 percent reduction in emissions from electricity is included in the emissions inventory.~~

#### **Response to Comment 10-4**

The comment states that a reasonable significance threshold has not been identified within the Draft EIR. The commenter disputes the project's use of a qualitative threshold to determine significance because they believe there are ways to determine a quantitative threshold. The comment includes Statewide estimates of population and emissions to develop a “fair share” emissions threshold for subsequent development years. While this may be appropriate for determining emission per service population for a City and State level, the goals are not appropriate for a project level analysis where the project is consistent with general plan policies intended to reduce global emissions independent of the larger community. The majority of emissions in California are associated with vehicle miles traveled and energy consumption. While projects have the ability to influence reductions from both of these sources, their control is limited by the project boundaries. Therefore, the suggested method has the potential to unfairly burden a project with extensive emission reduction requirements.

While projects can provide upgrades to existing alternate transportation modes existing within the project area and incorporate extensive bicycle and pedestrian features to the design of the project, the amount of vehicle traffic reduction is limited to the types of transit available near the project site, and the capacity of the transit system.

The comment states that as emissions thresholds become more stringent, newer developments will have to be more energy efficient to compensate for the existing development. While this may be true to a degree, in the case of electrical generation, the energy efficiency of buildings is not the only place where emissions can, and should be reduced. The state has already mandated that energy providers increase electricity generated by renewable energy to 33%. This will in turn reduce the emissions per service population for the state. This does not negate a project's responsibility to

---

28 For consistency, electrical consumption rates utilized in Sacramento's 2030 General Plan were utilized.

reduce consumption and increase the use of renewable sources (either through onsite implementation or buying into the funding of provider renewable sources). However, any thresholds should take into account that the existing environment's emissions can be reduced by increasing the renewable sources used to generate electricity at the source.

The commenter's assertion of a "fair share" emissions reduction schedule is acknowledged: attaining the 2050 reduction goal will require the combined effort of State, City, and development project reduction efforts to successfully reach the 2050 emission thresholds to avoid unfairly burdening a development project with reducing emissions that could be more economically and efficiently reduced by the larger community.

The threshold as implemented by the NWLP project was developed based on CEQA guidelines and guidance from the Sacramento Metropolitan Air Quality Management District (SMAQMD). CEQA updated its guidelines with respect to Global Climate Change in December of 2009. Specifically with respect to thresholds for climate change analysis, the amended guidelines state: "A lead agency shall have discretion to determine, in the context of a particular project, whether to:

(1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

(2) Rely on a qualitative analysis or performance based standards."

The CEQA guidelines also provide the following guidance for determining project significance. A project would be significant if it:

- Generates GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Would conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

The SMAQMD CEQA Guide, updated in December 2009, suggests that local agencies adopt a threshold that considers whether an individual project's GHG emissions would substantially hinder the State's ability to attain the goals identified in AB 32 (CEQA Guide, page 6-11).

### **Response to Comment 10-5**

The comment suggests that projects should attempt to reach a per-service population emissions rate of 2.5 metric tons, and sets this threshold in the absence of known or anticipated reductions that can be anticipated from the state- and/or city-wide reductions. The commenter recognizes this and suggests that the emissions reduction threshold be set equal to that of the Bay Area Air Quality Management District's (BAAQMD) 4.6 MT per service population. The City does not recognize this as a threshold because the threshold was developed specifically for the Bay Area Air Quality Management District and is based on their inventory and a gap analysis specifically tailored to that District. While the City does not recognize this as a threshold, the project reductions described in the

Draft EIR analysis results in 4.64 MT per service population. The following demonstrates the quantification of per service population (SP) emissions from the emissions as stated in the Draft EIR.

Gross<sup>4</sup> reduced emissions anticipated from the NWLP = 9,410 MT CO<sub>2</sub>e per year.

Service population (1,936 residents and 91 employees) = 2,027.

Annual emissions per service population =  $9,410 / 2,027 = 4.64$  MT CO<sub>2</sub>e per SP.

The comment states that the project's emissions rate is excellent, assuming the PUD Guidelines are enforced as mitigation measures. PUD Guidelines requirements are enforced in the City Code, and confirmation by the Planning Director of compliance is required prior to the issuance of a building permit for any building or structure. See City Code section 17.080.120B. In addition, the PUD Guidelines, as detailed in Master Response #3, have been incorporated into the Mitigation Monitoring Plan.

The emissions calculations were revised in response to the comments as well as the implementation of the renewable energy commitment, and Title 24 part 11 reduction requirements. As discussed in Response to Comment 10-3, the gross unreduced project emissions would be 11,029 MT CO<sub>2</sub>e, and gross reduced project emissions are 8,529 MT CO<sub>2</sub>e annually. The expected service population is 2027 (1,936 residents plus 91 employees). Therefore, the per service population emissions of the NWLP project would be 5.44 and 4.21 MT CO<sub>2</sub>e for the unreduced project and the NWLP project, respectively.

### **Response to Comment 10-6**

The comment suggests a methodology for determining a net emission rate per service population that could be used to compare the NWLP project's net contribution to climate change impacts. This comment supports the use of the BAAQMD's 4.6 metric tons per service population threshold and suggests a way to take into account the fact that the project will be removing emission sources from the City in addition to those it is generating. While the methodology discussed by the commenter is sound, the service population of the existing industrial land use was not determined for the purpose of the analysis. The analysis of the NWLP project compares project generated GHG emissions impacts with those climate change impacts already evaluated in the General Plan Update Master EIR. Therefore, it is important to be consistent with the analysis that was done in the General Plan Update Master EIR. The NWLP project analysis did not provide GHG emissions in terms of metric tons per service population because that type of analysis could not be compared to the General Plan Update Master EIR. The derivation of a net emission rate per service population was not warranted or meaningful in the comparison. Therefore, the derivation of the service population for the existing industrial land uses is also not warranted.

---

4 Gross emissions are the anticipated project before subtracting the emissions from sources that will be eliminated by implementation of the project.

### **Response to Comment 10-7**

The comment acknowledges that the “fair share” significance threshold may not be life cycle cost effective in 2011 and may be viewed as anti-competitive when implemented in a vacuum. The comment therefore recommends that the NWLP project meet the BAAQMD thresholds at a minimum. Please see Response to Comment 10-4, which concludes that appropriate thresholds were applied for the project and that applying the BAAQMD’s service population emission rates to the project is not required. Regardless, the NWLP project, as shown below, would result in an annual 4.21 MT CO<sub>2</sub>e per service population through the implementation of all project design features. Although not the project threshold, this demonstrates that the project with the additional reductions would be below the BAAQMD’s threshold of 4.6 MT CO<sub>2</sub>e, which the commenter suggested as a quantitative threshold for determining project significance.

Determination of emissions per SP revised analysis:

Gross<sup>5</sup> reduced emissions anticipated from the NWLP = 8,529 MT CO<sub>2</sub>e per year.

Service population (1,936 residents and 91 employees) = 2,027.

Annual emissions per service population = 8,529 / 2,027 = 4.21 MT CO<sub>2</sub>e per SP.

### **Response to Comment 10-8**

The comment recommends that the City adopt the Bay Area Air Quality Management District’s annual 4.6 MT CO<sub>2</sub>e per service population threshold as an interim threshold for CEQA analysis. Please refer to Response to Comment 10-3, 10-4 and 10-5. The City is in the process of preparing a CAP, its plan for the reduction of greenhouse gas emissions. Once the City adopts the CAP, and completes environmental review and adopts the CAP, it may be used in a cumulative impacts analysis for future projects and may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the CAP. (CEQA Guidelines, § 15183.5, subd. (b).) In the interim, the City is guided by the 2030 General Plan and Master EIR, including Appendix K to the Master EIR, which includes climate change policies designed to ensure City compliance with AB 32. See also Master Response 3.

### **Response to Comment 10-9**

The comment states that the analysis with respect to impacts from GHG emissions is inadequate as presented in the Draft EIR. The commenter asserts that the NWLP fails to achieve Sustainability Master Plan (SMP) 2020 and 2050 reduction targets; fails to adequately mitigate project impacts; and skirts its obligation to adopt effective mitigation for project impacts.

The SMP targets were policy targets set in 2007 intended to guide future action with regard to climate change. However, no inventory or CAP was included in the SMP. See Response to Comment 10-2. The City committed to meeting the policy intent of AB 32 for 1990 levels based on

---

5 Gross emissions are the anticipated project before subtracting the emissions from sources that will be eliminated by implementation of the project.

Executive order S-3-05. However, they will be superseded by the CAP currently under development by the City.<sup>6</sup> As discussed in Response to Comment 10-3 above, the NWLP project analysis exceeds the 2020 goal under AB 32 and the SMP.

While the AB 32 legislation commits the State to achieving 1990 levels by 2020 and acknowledges that further long term reductions will be necessary, it does not set quantitative goals by which to measure State, City, or project level reductions. Executive order S-3-05 identifies a 2050 target of 80 percent below 1990 levels but does not provide feasible methods to meet this goal; the entire State of California would have to be carbon neutral in order to achieve this goal. Because the 2050 goal set by Executive Order S-3-05 is technologically infeasible, it is not viewed as a threshold. By deferring to “other state or jurisdictional accords” in the 2030 and 2050 goals, the SMP acknowledged that the goals were beyond achievement at present.

The 2050 goal is the ultimate point that needs to be achieved in order to keep climate change at a 2° Celsius rise. Because it is unachievable at present, stair-step goals that can be achieved such as the 2020 goal of reaching 1990 levels, have been implemented. These goals would continue to decrease emissions as the new technology becomes available.

The NWLP project recognizes the need to increase efficiencies as technology increases. As described below, the project has implemented numerous measures that will be able to grow with technology and further City-implemented transit improvements.

The NWLP project has implemented extensive measures to reduce energy consumption and vehicle miles traveled by project residents. Reductions to vehicle miles traveled are anticipated from the incorporation of higher density land uses, project proximity to existing transit, enhancement of accessibility and convenience of the existing transit system, the improvement and incorporation of bicycle path/lanes and facilities, and the incorporation of education and availability of outlets for electric vehicles. Currently, the Sacramento Regional Transit Route 038, P/Q Streets (the University/65th - Downtown – River Oaks 9 line) runs adjacent to the project site’s northern and eastern borders along Broadway and 5th Street. This bus route has existing stops at 5th Street and Broadway and at 5th Street and Seavey Circle, which are within ¼ mile of the entire project site. The project includes enhanced transit stops, shelters and improved pedestrian access along Broadway and 5th Street as part of the overall streetscape improvement plan in the project’s adopted design guidelines. The project proposes two additional bus stops adjacent to the project; one on the south side of Broadway at 3rd Street and the other one on the west side of 5th Street at Festival Way. The reductions afforded the project for vehicle reductions are based on interconnectivity with the existing networks and do not provide for additional reductions that will occur as City-wide transit systems are improved and extended.

Further, energy efficiency measures to reduce electricity and natural gas consumption have been included in the project design features that will provide potential for further reductions after project buildout, including the incorporation of electrical outlets in garages and the incorporation of

---

6 City of Sacramento, *Creating a Sustainable City: 2011 Implementation Plan*, City of Sacramento, February 2011, p. 11.

infrastructure to support future solar generation onsite beyond what is being implemented as part of the project. These features will allow future tenants/owners to easily add additional solar generation or adopt the use of electric vehicles.

Reducing GHG emissions to reach the 2050 goal will be a community-wide process and cannot be accomplished by development projects taken outside of the community setting. Reductions will be achieved by a combined effort of State, City, and development measures which will work jointly to reach the 2050 target. As detailed above, the NWLP project has incorporated project design features which not only provide reductions from immediate project implementation, but provide opportunities for further emission reductions as residences change hands and as electric and other alternative fueled vehicles are further integrated into the project vehicle fleet. Therefore, the reductions anticipated by the NWLP project exceed the SMP's short-term 2020 goal and furthers the City's ability to reduce long-term reduction goals that will be set with the implementation of the CAP.

### **Response to Comment 10-10**

The comment states that the Draft EIR fails to require enforceable measures to mitigate impacts of the project. The City disagrees. Refer to Master Response 3 regarding the adequacy of Master EIR mitigation measures.

### **Response to Comment 10-11**

The comment states the Northwest Land Park project undermines the community-wide effort to achieve the 2050 target. Please refer to Response to Comment 10-9 regarding the 2050 target. While the 2050 goal is not a threshold, the NWLP project incorporates design features that foster a reduction in residential vehicle trips, incorporate the use of solar energy, and reduce utility consumption and waste generation. Further, the NWLP project incorporates features that will enable continued emission reductions as the cost effectiveness of existing technologies increases and newer technologies are developed. These include the incorporation of infrastructure to support solar use, the commitment to a project-wide, 400 KW renewable energy system, and the inclusion of 110v outlets in the garage units to support use of electric vehicles. Therefore, as detailed in Response to Comment 10-9, the NWLP project would not undermine the community-wide effort to meet the 2050 reduction targets.

### **Response to Comment 10-12**

The comment expresses concerns regarding the economics of water supply, infrastructure financing, and the extent of discussion of demand side management (DSM) in the EIR.

The City of Sacramento certified the Master EIR for the 2030 General Plan in March 2009. The Master EIR evaluated the potential environmental effects that could occur as a result of growth in the community consistent with the goals and policies of the 2030 General Plan. The discussion of water supply in the Master EIR includes water infrastructure, the City's distribution and water treatment systems, sources of water and agreements that affect water supply, such as the Water Forum Agreement, groundwater, recycled water, and water conservation (including specific programs in

operation, such as Demand Management Measures (DMM)). (See Master EIR, pages 6.11-1 to 6.11-22.) To the extent the comments relate to environmental effects that should be covered in an environmental document, they address cumulative effects in large part, and the Master EIR has identified and evaluated such effects.

The issue to be considered in the context of the Northwest Land Park project is whether the project would result in any new significant environmental effects that were not addressed as significant in the Master EIR. To that end, the EIR discusses water supply, first noting that the Master EIR included an extensive analysis of public utilities. The EIR appropriately focuses on the project's potential to affect water supply in ways that were not evaluated in the Master EIR, and thereby create the potential for new significant environmental effects. The EIR concluded that the project would not result in any such effects.

While the EIR includes an adequate discussion of the issues raised in the comment letter, the City welcomes comments regarding the potential for improved management of resources, including water. To the extent the comments address economic issues that do not result in environmental impacts, the comments will be directed to, and considered by, staff in the affected departments. The City, in addition, includes the following responses as a matter of public information:

The comment asserts that the City has not attempted to optimize the life cycle cost of water, sewer and storm systems, and that infrastructure and efficiency should be evaluated using integrated resource planning concepts. In fact, the City's Department of Utilities (DOU) uses an asset management system in order to harmonize the many requirements of its infrastructure capital assets to minimize the total cost of owning and operating them, while delivering the service levels ratepayers desire. The DOU has a staff of engineers who run this program and this program is coordinated department-wide.

The comment queries whether increased low-impact stormwater management would reduce the probabilities of sewer system overflows. The Department of Utilities is engaged in a continuing review of low-impact development, which has various practical implications. For example, some low-impact designs require review to ensure that the long-term performance is consistent with City standards, and that it continues to provide design components such as adequate access for fire department vehicles. The City anticipates that these features will be utilized increasingly as design improves, and experience with extended performance allows better evaluation of proposals. While these are good questions as to what the best practices are for the use of LID measures these comments relate to utility management and not on the adequacy of the environmental analysis contained in this EIR.

The commenter asks whether monthly storm water fees should be based on the percentage of parcel that is permeable. This comment concerns the City's rate structure and does not relate to the adequacy of the environmental analysis contained in this EIR. However, the following is provided for informational purposes: The City has adopted a storm drainage rate structure that is broken into two categories, residential and commercial users. Residential users are charged according to the number of rooms in their respective residences, and commercial rate-payers, except cemeteries and

City parks, are charged on the basis of their gross parcel areas (cemeteries and City parks are charged the same commercial rate, but based on impervious area rather than gross parcel area). The City's current rates were established in 1996, shortly before the passage of Proposition 218, which, among other things, limited storm drainage rates to the "costs of service" incurred to provide storm drainage service, and established a new requirement for voter approval prior to the imposition or increase of storm drainage rates. The City's current rates are lawful under Proposition 218, because they do not generate more revenue than is needed to operate, maintain and improve the storm drainage facilities that provide storm drainage service throughout the City in accordance with the various applicable regulatory requirements. Under Proposition 218, any increase of the rates established prior to the adoption of Proposition 218, or any restructuring of the City's current rate schedule (which would be necessary to begin billing other commercial or residential parcels on a different basis, such as impervious area), would require voter approval.

**SENT VIA E-MAIL and HARD COPY**

February 18, 2011

Dana Allen, Associate Planner  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95834

**Subject: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE NORTHWEST LAND PARK**  
**File Number: P10-039**  
**AQMD Number: SAC201001366**

Dear Ms. Allen:

Thank you for providing the Northwest Land Park project to the Sacramento Metropolitan Air Quality Management District (District) for review. The District has comments on the project's design, the Criteria Pollutant Analysis, the Toxic Air Contaminants analysis, and the Global Climate Change analysis. These comments are listed below.

***Project Design***

It is the District's position that the project's density, design, and location are consistent with smart growth principals that will reduce the per capita vehicle miles travelled (VMT) and associated emissions of air pollutants. The project is also consistent with the goals of the SACOG Regional Blueprint and presents Sacramento City Council with an opportunity to approve a project that puts into practice essential policies from the General Plan.

Recognizing that 47 percent of our/the region's ozone precursor emissions come from on-road mobile sources<sup>1</sup>, it is essential that new residential units minimize the need for use of personal motor vehicles. The Northwest Land Park Project has a compact design, minimum parking, and a transit-supportive density proximate to transit and the Sacramento River bike trail - features that have been linked to a reduction in personal motor vehicle use<sup>2</sup>.

The District encourages the City and the project proponents to work with the California Department of Parks and Recreation to ensure that a pedestrian and bicycle pathway is built in the former railroad spur tunnel linking the project site to the Sacramento River trail to the west. District staff would be happy to provide assistance and analysis to support the implementation of this critical link.

11-1

<sup>1</sup> Sacramento Region 2005 Ozone-Precursor Emissions Inventory, available online at: <http://www.airquality.org/>

<sup>2</sup> Online TDM encyclopedia, Victoria Transportation Institute; <http://www.vtpi.org/tdm/tdm81.htm>

**Criteria Pollutants (ROG and NOx)**

The District notes that the project has an endorsed Air Quality Mitigation Plan that is anticipated to reduce the operation emissions of criteria pollutants by 18.99% from a business-as-usual scenario, which exceeds the 15% requirement by 3.99% and will reduce this impact to below the SMAQMD level of significance. The District also notes that the project will comply with General Plan policies E.R. 6.1.11 & 6.1.15; which require the implementation of the District’s standard construction mitigation.

11-2

**Toxic Air Contaminants (TACs)**

The District would like to thank project proponents and City staff for consulting with us early in regards to the SMAQMD expectations for TAC analysis of this project.

The discussion of Standards of Significance on page 5.1-14 states:

*“AAQS have not been established for TACs. TAC exposure is deemed to be significant by the SMAQMD if: TAC exposures create a risk of 10 in 1 million for stationary sources, or Substantially increase the risk of exposure to TACs for mobile sources.”*

11-3

Please note that the District’s CEQA Guide to Air Quality Assessment does not establish a threshold of significance for TAC emissions. While the SMAQMD Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways (Protocol) does include a screening table that establishes an exposure level at which we recommend a site specific health risk assessment (HRA), it does not establish a threshold of significance.

The third bullet point on page 5.1-23 states:

*“The housing constructed at the project site would be multi-family, and would not result in exposure encountered in single family residential including adjacent outdoor recreational space. While multi-family development may include outdoor recreational areas, residents of multi-family development may include outdoor recreational areas, residents of multi-family developments are more likely to utilize either interior recreational or outdoor recreational areas off-site.”*

11-4

Please provide a reference or citation that supports this conclusion.

The forth bullet point on page 5.1-23 describes a plan to include a tiered planting of vegetation, incorporating redwood and/or deodar cedar trees into the landscape area’s adjacent to the freeway. Please augment this discussion with a description of the anticipated implementation schedule for these plantings in comparison to the build-out schedule for the project.

11-5

**Global Climate Change**

**Background:** The NWLP DEIR analyzes the construction and operational GHG emissions of the proposed project and of the current land uses. It determines that the operational emissions of the proposed project, including amortized construction emissions, are 12,271 MTCO<sub>2</sub>e/yr. The analysis then subtracts

11-6

**Northwest Land Park**

Page 3

the GHG emissions from the current land use, 2,720.04 MTCO<sub>2</sub>e/year, to come to a net emissions figure for the proposed project of 9,551 MTCO<sub>2</sub>/year. Finally, the DEIR claims some emissions reductions based on PUD Guidelines and General Plan policies. The DEIR claims these reductions will reduce the project's impact to 6,690 MTCO<sub>2</sub>/year.

The DEIR does not formulate its own GHG Threshold of Significance against which it could judge the 6,690 MTCO<sub>2</sub>e /yr. Instead, it tiers off of the City's General Plan analysis of the City's GHG emissions; it references the City's Sustainability Master Plan and it employs a 29% reduction strategy which we assume is based upon ARB's Scoping Plan's reduction target.

The DEIR then comes to the following two conclusions regarding the construction and operation emissions of the proposed project:

*"the proposed project **would not have any additional significant effect** related to global climate change that was not addressed as a significant effect in the Master EIR."<sup>3</sup>*

*"the proposed project **will not conflict with applicable plans, policies and regulations** adopted by the City of Sacramento and the State of California for the purpose of reducing GHG emissions."*

Because of these conclusions reached by the DEIR, there is no mitigation listed in the Mitigation Monitoring Report for the project.

**Discussion:** SMAQMD has concerns about the treatment of global climate change in the DEIR on several fronts which will be discussed in turn, the most important of which is the last bulleted concern.

- Dependence on the General Plan which still lacks a Climate Action Plan and meaningful mitigation
- Reference to PUD Guidelines for mitigation
- Analysis of emissions reductions claimed in Appendix L
- Lack of adequate, enforceable, GHG mitigation required of this project.

**Dependence on the General Plan:** The DEIR discussion relies heavily on the analysis of the significance determination for GHG emissions foreseen by the General Plan. The General Plan FEIR found the City's GHG emissions to be "significant and unavoidable" and the NWLP project DEIR understandably finds the project's emissions (9,542MTCO<sub>2</sub>e) to be within those anticipated by the General Plan.

The DEIR discussion also relies heavily on the policies of the General Plan for actual mitigation. It states

*"The following 2030 General Plan Policies are specifically outlined here because they are used to quantify emissions reductions for the proposed project."*

<sup>3</sup> NWLP DEIR, Dec 2010, chapter 5.4 Global Climate Change, pg. 5.4-27.

Northwest Land Park

Unfortunately, all six of the referenced relevant General Plan policies use permissive verbs like “encourage,” “shall work,” “discourage,” “shall promote” and “educate.” This policy language is not enforceable or measurable. THE DEIR also states

*“The only 2030 General Plan measures [sic] with a specified reduction, Policy U 6.1.5, requires the reduction of energy usage by 25 percent; that has been accounted for in the emission inventories.”<sup>4</sup>*

11-6  
(cont.)

This is a misstatement: policy U6.1.5 actually states:

**U6.1.5 Energy Consumption Per Capita.** *The City shall encourage residents and businesses to consume 25 percent less energy by 2030 compared to the baseline year of 2005. (SO)*

Again, the policy itself uses the more permissive “shall encourage” which provides no actual prescriptive commitment, and therefore, no quantifiable emission reduction. The policy also speaks to a goal for 2030, which would not necessarily be in place by the project’s build out year. In addition, Appendix K, General Plan Consistency Tables, indicates Policy U6.1.5 is “N/A” (not applicable) for this project. It’s inconsistent that the policy is listed as “N/A” in the Appendix but is relied upon for emissions reductions in Appendix L. The District believes it’s inappropriate to depend on any of the referenced General Plan policies, including U6.1.5, for actual quantifiable emission reductions for subsequent projects, including NWLP. The General Plan’s intent to reduce emissions is stated in the policies, but none of the policies require actual emission reductions.

Unfortunately, The Climate Action Plan which was referenced as mitigation by the General Plan (over a year ago) for the Plan’s significant GHG impact is not yet complete. We believe this constitutes deferred mitigation since there are currently no specific, enforceable GHG mitigation measures for the General Plan but they were committed to by The General Plan’s FEIR. Because of that, it’s inappropriate for the NWLP DEIR to reference any General Plan mitigation.

**Reference to PUD Development Guidelines for mitigation:** The DEIR includes a discussion of project specific PUD Guidelines which address about 21 project “development styles and standards” which could have an effect on the project’s GHG emissions. The DEIR states the guidelines “support GHG emission reduction” and yet the language of the guidelines is not regulatory nor quantifiable. For example, the guideline that addresses how roof areas should be oriented states that “through an aggressive sales program, [the project] shall encourage and provide solar systems as an option with every unit.” Because the guidelines’ language is vague and permissive, the District believes these guidelines cannot be treated as actual mitigation.

11-7

**Analysis of emissions reductions claimed in Appendix L:** The analysis of project GHG emissions and reductions in Appendix L is very difficult to follow and seems to contain some flaws. One of the requirements of CEQA is that CEQA documents be understandable for the reader and especially decision makers who want to be informed. We suggest some additions to Appendix L: an introduction, the use of page numbers and the insertion of more text among the spreadsheets would be helpful. For example,

11-8

<sup>4</sup> NWLP DEIR chapter 5.4 Global Climate Change, pg. 5.4-26.

**Northwest Land Park**

on the page entitled “Northwest Land Park- Greenhouse Gas Emission Worksheet Operational Emissions,” two mitigation measures were included which will affect indirect GHG from electricity use: “reduction for installation of solar” (2.5% of electricity) and “City regulated reduction in consumption” (25%). It is not clear where these two mitigation measures are required of the project such that they can be claimed in this analysis. Reference notes in the spreadsheet would be helpful. If the 25% mitigation is related to Policy U6.1.5, please refer to our prior comment. If the installation of solar mitigation measure is related to the PUD Guideline discussed above, then please justify how 2.5% of the project’s electricity related emissions will be reduced through “an aggressive sales campaign.” On the next page of the analysis, there’s a similar claim for 25% reduction in natural gas indirect GHG emissions. If that reduction is based on General Plan Policy U.6.1.5, we believe that claim would be speculative as well.

11-8  
(cont.)

In addition, there seems to be an oversight in the discounting of the project’s GHG emissions relative to electricity because SMUD’s portfolio of energy contains 15% hydroelectric. The SMUD emission factor should already factor into their portfolio mix.

Regarding the mobile sector emissions, we believe more clarification about the 36.4% GHG emissions reductions is needed. A footnote on the Mobile Emissions Table<sup>5</sup> states “\*reduction included in this spreadsheet is beyond what is accounted for in the URBEMIS model.” We are unclear as to the nature of the additional reductions and how they would be assured. This table includes a column which states “reductions from Energy Efficiency standard.” We do not see where these reductions come from. On one line in the table, it appears the low carbon fuel standard was used to discount the project’s emissions. Would the other unknown reductions be attributable to Pavley? If so, that information should be supplied in the document. It appears no VMT-reducing mitigation was claimed for any project feature such as the dense, walkable nature of the project. Nor was a “pass-by” trip feature employed by the analyst. We believe that it’s an unfortunate oversight.

The construction related emission analysis contained in the URBEMIS run for Appendix L contains mitigation for those pieces of construction equipment. The use of Diesel Particulate Filters, 1<sup>st</sup> Tier reduces the emissions specified in the analysis. However, that mitigation is not specified in the Mitigation Monitoring Report. We believe if a project claims credit for mitigation in the analysis, that the mitigation should be required of those who build the project. Such requirements occur in the Mitigation Monitoring Report.

Finally, Table 5.4-1 shows the project’s annual GHG emissions in terms of the “existing industrial” project, the project’s “business as usual” emissions, the project’s “business as usual” emissions less the existing project and, finally, the project emissions with its “project design” features. The table states that the project’s emissions are reduced by 29.95%. The District believes there are serious issues with the mitigation claimed in the electricity and natural gas sectors. Because it’s unclear how reductions were achieved in the transportation sector, we reserve judgment on that sector but suggest the document provide a more thorough justification of the mitigation. Because of these issues, we question the claim for 29.95% mitigation.

<sup>5</sup> NWLP DEIR Appendix L, “Greenhouse Gas Emission Worksheet, Mobile Emissions,” no page number

## Northwest Land Park

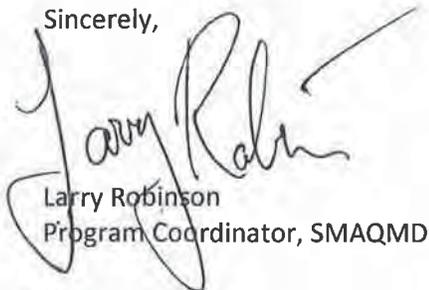
Page 6

**Lack of adequate, enforceable GHG mitigation required of this project:** The DEIR's "Summary of Environmental Effects Table 3-1 states that impact 5.4-1 (*GHG could have significant impact on the environment*) and impact 5.4-2 (*project may conflict with applicable GHG reduction plan*) are both less than significant. The Table also states that no mitigation is required. However, the DEIR's Appendix L clearly states that mitigation is required.<sup>6</sup> The District believes that specific mitigation should be required to support the reductions claimed by the DEIR and that the mitigation should be fully specified in the Mitigation Monitoring Report (MMRP). For example, if the project intends to mitigate 25% of the project's indirect energy emissions, the mitigation should be written in terms of exceeding Title 24 standards. Such a measure would be quantifiable and enforceable. A General Plan policy is not. If the project intends to mitigate indirect electricity related emissions by 2.5% from solar, then there should be a mitigation measure that mandates the installation of solar on a specific number of units. In addition, the construction mitigation measures should also be included. Such mandates need to be included in the MMRP to ensure the actions will occur.

11-9

Please contact Joseph James Hurley at (916) 874-2694 or [jjhurley@airquality.org](mailto:jjhurley@airquality.org) if you have any questions regarding the District's comments on this project. SMAQMD looks forward to the projects successful implementation.

Sincerely,



Larry Robinson  
Program Coordinator, SMAQMD

Cc: Joseph James Hurley, Air Quality Planner/Analyst  
Jeane Berry, Climate Change coordinator  
Tim Taylor, Division Manager

<sup>6</sup> NWLP DEIR Appendix L, "Greenhouse Gas Emission Worksheet, Project Summary- New Land Use," no page number

## LETTER 11: Sacramento Metropolitan Air Quality Management District, Larry Robinson

### Response to Comment 11-1

The Sacramento Metropolitan Air Quality Management District (SMAQMD) acknowledges the project's density, design, and location are consistent with smart growth principals that will reduce the per capita vehicle miles traveled. The comment is noted; no further response required.

The SMAQMD encourages the City and the project proponents to work with the California Department of Parks and Recreation to ensure that a pedestrian and bicycle pathway is built in the former railroad spur tunnel to link the project site to the Sacramento River trail. The comment is noted and forwarded to the decision-makers for their consideration.

### Response to Comment 11-2

The comment acknowledges that the SMAQMD endorsed the Air Quality Mitigation Plan and that the project will comply with General Plan policies E.R 6.1.11 and 6.1.15 to implement the District's standard construction mitigation. The comment is noted; no further response required.

### Response to Comment 11-3

The comment notes that the District has not established a threshold of significance for toxic air contaminants. The SMAQMD guidelines for stationary source impacts on existing receptors (SMAQMD *CEQA Guidelines* December 2009) should have been clearly separated from the threshold established in the Draft EIR for impacts on future development from existing high volume roadways. The text is amended, as shown below, to clarify the association of the SMAQMD with the significance thresholds applied.

The text under the heading "Standards of Significance" on page 5.1-14 of the Draft EIR is amended as follows:

AAQS have not been established for TACs. TAC exposure is deemed to be significant ~~by the SMAQMD~~ if:

- TAC exposures create a risk of 10 in 1 million for stationary sources (as indicated by the SMAQMD); or
- The project ~~s~~Substantially increases~~s~~ the risk of exposure to TACs ~~for~~ from mobile sources

### Response to Comment 11-4

The comment requests that the City provide a citation or reference to support the statement on page 5.1-23 of the Draft EIR that states "residents of multi-family developments are more likely to utilize either interior recreation space or outdoor recreation areas off-site."

The following describes the assumptions for the TAC analysis, including time spent indoors versus outdoors, as described in more detail in the Health Risk Assessment prepared for the project (see Draft EIR Appendix E). The calculation of risk from TAC exposure is conservative by nature. The methodology assumes that a resident is at the receptor location 24 hours per day, 7 days a week for 70 years with full exposure to the TAC source. The proposed analysis does not change the assumption that residents will be at the project area 24 hours per day, 7 days per week for the 70 years. However, it does incorporate some assumptions to more accurately present the risk at the NWLP site. The NWLP project is incorporating MERVE 8 or higher rated filters on all dwelling units in Phases 3 and 4 of the project. The MERVE 8 filter is a designed to remove up to 70% of particulates from the ambient air that is introduced to the system.<sup>7</sup> Conservatively, the risk assessment assumed the filter would operate at a lower efficiency rate of 65%. The risk assessment assumed that residents would be indoors for two-thirds of the day where the impacts from emission sources would be reduced by the filter. This is a conservative assumption based on average Americans spending the majority of their time indoors and/or away from home rather than outside their home.<sup>8</sup> In quantifying risk, the assessment assumed that if a resident was not indoors, they were outside their residence and fully exposed to the TAC source.

The data provided by the U.S. Department of Labor, Bureau of Labor Statistics regarding indoor versus outdoor time, indicate that in general Americans spend more time indoors rather than outside with respect to daily activities. Access to outdoor recreational areas is not as abundant for multi-family residences in comparison with single family residences that have individual and often secured yards. Further, the project incorporates a park that is in the proximity to, but outside the boundaries of phases 3 and 4. It is anticipated that while the multi-family residences located in phases 3 and 4 would include courtyards for limited recreational use, the majority of residents will either use the park or other offsite recreation area or follow the American standard of indoor recreation (television, reading, etc). While it is assumed that risk will be further reduced from residents opting to participate in indoor or offsite recreational activities, the quantified risk as presented in the Draft EIR does not account for this assumption. Therefore even if all of the recreational activities were located within the courtyards the quantified risk would not change and the Draft EIR findings will remain the same with respect to TACs.

### **Response to Comment 11-5**

The comment requested that the anticipated implementation schedule of the tiered landscaping adjacent to the freeway be clarified in comparison to the build-out schedule. The project applicant does not currently hold title to the land in phases 3 and 4 of the project and the existing uses would continue to operate until construction of these phases begins. The Draft EIR indicated on page 5.1-23 that the vegetation would be planted “early in development” which was intended to be subsequent to grading of the respective phasing. In order to ensure that the vegetation is not

---

7 National Air Filtration Association. *User Guide for ANSI/ASHRAE Standard 52.2 – 1999 Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size*. [http://www.filterab2b.com/businessfilters/PDFfiles/NAFA\\_Filter\\_Guide.pdf](http://www.filterab2b.com/businessfilters/PDFfiles/NAFA_Filter_Guide.pdf), Accessed July 15, 2010.

8 U.S. Department of Labor, Bureau of Labor Statistics. *American Time Use Survey – 2009 Results*, USLD-10-0855. Released June 22, 2010.

damaged during grading activities, the tiered vegetation planting would occur immediately following grading and prior to beginning building construction on phases 3 and 4.

### **Response to Comment 11-6**

The SMAQMD states that it is inappropriate for the Draft EIR to reference the General Plan's Final EIR (read as referring to the Master EIR) because the policies in the General Plan include permissive language, which makes them unenforceable. The comment also questions the use of the 29% reduction strategy and the enforceability of the project's PUD Guidelines. Please refer to Response to Comment 10-3 regarding the use of the 29% reduction strategy and Response to Comment 10-5 regarding the enforceability of the project's PUD Guidelines. While the City acknowledges the concerns stated, the comment reflects insufficient consideration for the City's stated goals of changing future development patterns in a long-term effort to reduce vehicle miles traveled (VMT), one of the major contributors to GHG emissions in the Sacramento region. The project itself is a demonstration of the success of the general plan approach in encouraging re-use of property in locations that will result in locating residences in closer proximity to employment and retail uses, thus necessarily reducing VMT.

Please refer to Master Response 3 regarding enforceability of the General Plan policies.

### **Response to Comment 11-7**

The SMAQMD believes that the measures contained in the Planned Unit Development (PUD) Guidelines cannot be treated as actual mitigation because the language is vague and permissive. The City acknowledges the stated concerns, but has adopted the PUD Guidelines to ensure that development on the site retains flexibility in achieving good design. To the extent the project incorporates design features that make it attractive and functional, it will have a better chance of success, thus not only achieving usefulness on its own, but encouraging similar development elsewhere in the community. This approach is, the City believe, the starting point for real and substantial changes in lifestyle and commuting patterns.

The comments with respect to enforceability of the PUD guidelines are addressed in Master Response 3. As noted in the Master Response, the applicant has a commitment to enforce project design features through the project's MMRP.

### **Response to Comment 11-8**

The SMAQMD is unclear as to how the reductions were achieved, and the underlying project design features that afford these reductions. The commenter suggests that additions to Appendix L be included such as an introduction, the use of page numbers, and the insertion of more text among the spreadsheets. As suggested Appendix L has been updated to re-order the appendices (placing the GHG emissions reduction calculations before the modeling output); include an introduction: include page numbers for the calculation sheets; and text has been added or revised within the individual spreadsheets to provide further clarification.

The comment states that the analysis included an additional 15% reduction to account for hydroelectric generation of electricity, which should have already been included in SMUD's portfolio mix. As discussed in Response to Comment 10-3, the calculations do not reduce electrical emissions to account for hydroelectric generation; the Draft EIR text erroneously implied that a 15% reduction was taken in addition to the use of this emission factor. The emissions calculations and Draft EIR text were revised as detailed in Response to Comment 10-3. These edits do not alter the analysis or conclusions of the Draft EIR.

In the revised analysis for natural gas, the emission factor for pounds of CO<sub>2</sub> per MWh was changed to from 524 lbs to 632.43 lbs of CO<sub>2</sub> per MWh of electricity consumed to reflect the most recent SMUD emission factor as reported by the Climate Action registry in 2010. This change is reflected in all of the emission calculations including both BAU scenarios, the reduced project, as well as the CEQA baseline emissions inventories.

The following text has been added as an introduction to Appendix L to help clarify the reductions taken and the assumptions behind those reductions.

### **NWLP Introduction to GHG Calculations**

This introduction has been added in its entirety to the Final EIR in Response to Comment 11-9 received from the SMAQMD during the Draft EIR comment period. This introduction, along with the revised emissions presented in the following calculation worksheets, serves to clarify the assumptions and reductions applied in the calculation of GHG emissions for the project. No changes to the conclusion in the Draft EIR result from the revised calculations or the incorporated clarifications.

1. "Mitigation" as used in the appendices for the Draft EIR represents reductions from the PUD Guidelines and project design features and was not intended to indicate that the project required mitigation. In the Final EIR the term "mitigation" has been replaced with "reduction" or "project design feature" as appropriate to the context in which it is applied.
2. CO<sub>2</sub> emissions for construction are obtained directly from the URBEMIS model. While mitigated construction activities are included in the URBEMIS outputs, the mitigation included reduces criteria pollutants only and does not reduce GHGs. Therefore, mitigation for construction activities is discussed in the Air Quality section of the Draft EIR. No mitigation or reductions are quantitatively included within the Climate Change section with respect to construction. However, the following PUD Guidelines measures will reduce emissions with respect to construction.
  - Reuse and Recycling - The project shall re-use at least 50% of the salvageable materials in the existing improvements on-site, as measured by weight. This can take the form of re-use of entire structures, re-use or repurposing of significant elements, such as beams or trusses, and recycling materials within the new project such as grinding paving and asphalt for use

as base material at the site. These activities will increase the sustainability of the site through reduced waste materials from demolition, reduced need for new materials on-site, and reduction of the ancillary transportation impacts from off-haul and delivery of materials to the site. Additionally, the project will evaluate brick, wood, metal, and masonry materials from the demolition to be re-manufactured into a “heritage” line of finishes to be offered as upgrades to the units. As an example, wood timbers would be converted into flooring material to provide the character and cache of “distressed” lumber underfoot. These efforts will increase the amount of on-site materials reused sustainably within the project.

3. Reductions applied on the “Operations Emissions” sheet (pages A11 – A22 of Appendix L)

**Reductions applied to electricity:**

Reduction from renewable system, 730,000 kWhs annually

Reduction from installation of solar 2.50% (from residential uses and is included in the renewable energy system reductions).

City regulated reduction in consumption 30.00%

The 30% reduction is applied based on the design features implemented to meet the City’s General Plan Policy U6.1.5 and the energy efficiency reduction stated in the Sustainability Master Plan. The 2.5% reduction the renewable system is in addition to the 30%, making the total electrical reduction 41.99%. The renewable energy system and the PUD Guidelines that outline these reductions are listed below under the Project Design Features heading.

**Applied to Natural Gas:**

Additional reduction 30.00%

The 30% reduction is applied based on the project design features implemented to meet the City’s General Plan Policy U6.1.5 and exceeds the energy efficiency reduction stated in the Sustainability Master Plan. The PUD Guidelines are outlined below under the Project Design Features heading.

**Applied to Water & Wastewater Emissions:**

There were no reductions applied to water or wastewater emissions in the Draft EIR. However, the revised analysis presented in the Final EIR, includes a 20% reduction is for the implementation of Title 24, part 11 which went into effect as of January 1, 2011. Compliance with this reduction was included in the 2019 BAU and project emissions inventories, however was not included in the 2010 BAU inventory as the reduction requirement was not in effect at that time. The inclusion of this reduction revises the calculations as presented in the following tables but does not change the conclusions of the Draft EIR.

**Applied to Solid Waste Emissions:**

There were no reductions applied to solid waste emissions in the Draft EIR. However, the revised analysis presented in the Final EIR, to include implementation of AB 939 which requires a 50% reduction in solid waste sent to landfills. Compliance with this reduction was included in the calculations for the BAU scenarios as well as the project. The inclusion of this reduction revises the calculations as presented in the following tables but does not change the findings of the Draft EIR.

**Project Design Features**

The following guidelines will reduce emissions from project operational emissions. While these features will specifically be incorporated, this list is not an exhaustive list of measures that can be implemented to reach the reduction goals.

- Efficient Floor Plans - The Northwest Land Park community will be developed with compact efficient floor plans. In addition the majority of units will share wall/floor space, and thus thermal mass, with at least one other unit.
- Insulation – Building shall be designed with high-efficiency thermal shell for the units with exterior walls at or above R25 for walls and R40 for ceilings.
- Climatization – Residential buildings shall use small high efficiency heating and cooling units.
  - Lighting - Buildings shall use a LED or fluorescent lighting system throughout the units, allowing for energy efficient lighting.
- Exterior Lighting. Exterior HOA maintained lighting, including pathway lights, accent/landscaping lights, motor-court lights, and private street lights shall use LED lighting technologies
- Water Heaters - The project shall provide high efficiency tank-less hot water heaters to provide for the most energy efficient delivery of hot water. Nothing in this provision shall preclude installation of high efficiency alternative energy source hot water heating and storage units.
- Electrical vehicle accommodations – The project shall incorporate 110v electrical outlets in the garage units such that they are readily accessible for use with electric vehicles.
- Renewable Energy Commitment - The project shall incorporate a 400 KW renewable energy system to reduce the amount of energy purchased by the Project. The renewable energy will be incorporated over the life of the project such that a minimum of 100 KW will be incorporated into phase 1 with an aggregate total of 100 KWs per phase through the buildout of phase 4. The 400 KW system will result in an annual reduction of 730,000 kWh of purchased electricity at full project buildout. This is equivalent to the emissions from electrical consumption of approximately 188 dwelling units. The renewable energy system may include solar, wind, fuel cells, or other new technology that becomes available over the implementation of the project.

The following are the commitments already made by the project to foster this renewable commitment.

- Photovoltaic Design - The project shall be planned to orient at least 40% of the roof area of a minimum of 50% of the buildings to the west, south or southwest so that photovoltaic panels and collector systems can provide maximum benefit when installed. The project shall work with the local utility and, through an aggressive sales program, encourage and provide solar systems and/or alternative energy systems as an option.
- Solar Orientation – The majority of the project's buildings shall be designed to orient the roof tops with strong solar capture opportunities for photovoltaic panels throughout the community. The orientation of at least 40% of the roof area of at least 50% of the buildings shall be west, southwest, or south.
  - Solar Energy – As indicated in the AQMP (measure M28), the NWLP Project has committed to the implementation of a solar energy system that will offset a minimum of 2.5% of the residential needs of the project.

4. Reductions applied on the “Mobile Emissions” sheet (page A23 - A24 of Appendix L)

The following Project Design Features were accounted for in the Traffic Study and are represented in the reduction calculations as “Reduced” URBEMIS emissions.

- AQMP measure M4 – Proximity to bike path/bike lanes
- AQMP measure M5 – Pedestrian network
- AQMP measure M6 – Pedestrian barriers minimized
- AQMP measure M7 – Bus shelter for existing transit service
- AQMP measure M13 – Pedestrian pathway through parking
- AQMP measure M14 – Off street parking
- AQMP measure M18 – Residential density
- AQMP measure M23 – Suburban mixed-use

Emissions have been labeled throughout the appendix calculation to represent 2010 BAU (Existing plus project), 2019 BAU, and Reduced Project emissions. The Draft EIR defined BAU as the net project without accounting for emission reductions from project design features, mitigation, or state mobile reductions such as Pavley I and II, and the Low Carbon Fuel standard beyond what was anticipated for 2010. The net project is defined as emissions anticipated from project buildout minus the CEQA Baseline, or the emissions from the existing industrial lands uses on the site. The BAU scenario used in the revised analysis of the project emissions is defined as the net project implemented in 2019 under the laws and regulations currently in place but without the incorporation of the project design features or mitigation. The state mobile reductions are included in the revised BAU scenario as well as the project reduced scenario.

### **Response to Comment 11-9**

Commenter believes that there is a lack of enforceable mitigation required of the project because general plan policies and requirements in the PUD Guidelines are too vague and permissive to be considered mitigation. The comment also asserts that reliance on the General Plan EIR constitutes deferred mitigation because the City's CAP, referenced as mitigation in the 2030 General Plan, is not yet complete. The commenter appears to argue that the CAP must be completed before projects such as Northwest Land Park can rely on the analysis in the Master EIR.

The Draft EIR found that the proposed Northwest Land Park project would not result in any new significant impacts not previously identified in the Master EIR; therefore, no mitigation measures beyond those in the Master EIR would be required. The Master EIR includes specific, enforceable programmatic mitigation measures for the general plan's greenhouse gas contributions, including completion of the CAP by July 2011, adoption of a Green Building Ordinance by July 2012, and update to the City's residential energy conservation ordinance by July 2012. The Master EIR was certified by the City in March, 2009.

The City recognizes the commenter's desire for the City to adopt its CAP. At this time, however, no draft CAP has been released; the CEQA process for the CAP has not commenced; and no schedule is in place for adopting the CAP. The City is not required to delay the certification of the Northwest Land Park EIR or approval of the project pending an update of the CAP. "Adoption of an EIR need not be indeterminably delayed to include results of works in progress..." (*Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671, 681.) The sufficiency of an EIR as an informative document is judged in light of what is reasonably feasible. (CEQA Guidelines, § 15204.) An EIR need not analyze a project's impact on draft planning documents, or speculate about an agency's consistency with plans that have yet to be adopted. (*Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1144-1146.) Rather, it is appropriate for an EIR to focus on a project's consistency with "applicable" plans; a draft plan is not "applicable." (Ibid. at p. 1145, fn. 7; CEQA Guidelines, § 15125, subd. (b); Appendix G, ¶ IX.) In this case, it is infeasible for the Northwest Land Park EIR to discuss consistency with, or otherwise implement, a CAP that has yet to be adopted.

In addition, as discussed above, the project's PUD Guidelines that were identified in the Draft EIR as providing mitigating effects on climate change have been added to the project's Mitigation Monitoring and Reporting Program to ensure their implementation. See Master Response 3.



**SACRAMENTO AREA  
BICYCLE ADVOCATES**

909 12<sup>th</sup> Street Suite 116 • Sacramento CA 95814 • (916) 444-6600 • [www.sacbike.org](http://www.sacbike.org)

February 15, 2011

Dana Allen, Associate Planner  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Boulevard, 3<sup>rd</sup> Floor  
Sacramento, CA 95834  
[dallen@cityofsacramento.org](mailto:dallen@cityofsacramento.org)

Board of Directors

**Charles McCann**  
*President*

**Ryan Sharpe**  
*Vice President*

**Matt Kuzins**  
*Treasurer*

**Dennis Wade**  
*Secretary*

**Lea Brooks**

**Chris Dougherty**

**Joseph Larzelere**

**Stanley Leff**

**Sue Teranishi**

RE: Draft Environmental Impact Report (DEIR) on Northwest Land Park Project (P10-039)

Dear Ms. Allen:

This letter transmits our comments on the subject DEIR. Thank you for the opportunity to submit them.

Under revisions to the California Environmental Quality Act (CEQA) adopted in December 2009, an EIR must examine the effects of a proposed project on the level of service for bicyclists as well as for other transportation modes.

Bicycle level of service can be represented by the following question: Will the project now or in the future fail to provide safe, comfortable, and desirable access for bicyclists of all ages and abilities? When considering level of service we examine both internal level of service which applies to access to other project features such as the mixed use buildings as well as external level of service which applies to employment, school, shopping, and recreational destinations.

Bicycle level of service is greatly affected by conditions at intersections, by the directness and continuity of bicycle routes, and by the adequacy of bicycle parking for customers and employees at businesses.

Thus, we believe the Northwest Land Park Project fails to provide safe, comfortable, and desirable bicycle access in a number of ways and therefore causes these significant adverse impacts:

1. Internal level of service: The project does not provide adequate connectivity within the project because of the incompleteness of the proposed street grid. We request that connectivity be improved by:
  - a. Extending 3<sup>rd</sup> Street southward to the southern property line where it would meet a westward extension of Tailoff Way that would continue westward to Log Pond Loop. These additional

12-1  
12-2

- over -

streets would provide route options between the eastern and western portions of the project and would greatly enhance connectedness to and from Log Pond Loop, otherwise isolated similarly to a cul-de-sac. These additional streets also would enhance security in the public park by providing more "eyes on the park."

- b. Box Avenue and Crate Avenue should be aligned at 3<sup>rd</sup> St so that they intersect in a four-way crossing. This direct connection would enhance connectivity and safety for bicyclists traveling east-west within the project.

12-2  
(cont.)

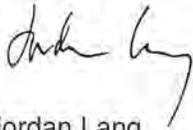
- 2. The DEIR recommends restriping the north- and south-bound 5<sup>th</sup> St approaches to Broadway to add turning lanes from 5<sup>th</sup> St onto Broadway. 5<sup>th</sup> Street will constitute the primary route for bicycle commuters and shoppers from the project into downtown Sacramento. Therefore, adding protected bike lanes to 5<sup>th</sup> St at Broadway is the only way to provide an adequate level of service for bike access to the project. Preventing the addition of such bike facilities would be a significant adverse impact of the project.

12-3

Thank you again for considering our comments. If you have any questions or concerns please do not hesitate to contact me. I can be reached at (916) 444-6600 or [jordan@sacbike.org](mailto:jordan@sacbike.org).

SABA works to ensure that bicycling is safe, convenient, and desirable for everyday transportation. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

Sincerely,



Jordan Lang  
Project Assistant

**LETTER 12: Sacramento Area Bicycle Advocates, Jordan Lang****Response to Comment 12-1**

The comment states that CEQA requires an EIR to examine the effects of a proposed project on the level of service for bicycles and describes bicycle level of service. Appendix G (Environmental Checklist Form) of the CEQA guidelines (adopted on March 18, 2010) includes a question regarding potential for conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities. However, CEQA does not require that an EIR analyze the level of service for bicycle facilities. On page 5.9-58, the Draft EIR found that the project would not remove existing bicycle facilities or conflict with implementation of any facility that is planned in the 2010 City of Sacramento Bikeway Master Plan. Any bicycle facilities constructed by the project would be required to meet City standards. Therefore, the project would not conflict with adopted policies, plans, or programs related to the provision of bicycle facilities.

**Response to Comment 12-2**

The comment states that the Northwest Land Park project fails to provide safe, comfortable, and desirable bicycle access and references the lack of a complete street grid within the project site. The bicycle circulation plan for the proposed project is attached (see Appendix V). On residential streets, bikes are allowed without any bike lane striping or bike route signs. While the changes to the circulation system suggested in the comment would change the bicycle access in the project site, it is unclear whether these changes would result in significant improvements in circulation or safety for cyclists. In addition, because the cul-de-sac is limited in its circulation, it would likely carry only local automobile and bicycle traffic. Altering the circulation system to allow greater through-traffic for automobiles could result in more conflicts with local bicycle traffic.

**Response to Comment 12-3**

The comment expresses concerns that the recommendation in the Draft EIR of adding turn lanes at the Broadway/5<sup>th</sup> Street intersection would potentially adversely impact bicycle facilities. The segment of 5<sup>th</sup> Street between Broadway and McClatchy Way does not currently have on-street bicycle lanes, but, on page 4.9-61, the Draft EIR recommends 5<sup>th</sup> Street be restriped to include Class II bicycle lanes along the project frontage consistent with the 2010 City of Sacramento Bikeway Master Plan. As conditions of approval, the project applicant would be required to restripe 5<sup>th</sup> Street along the project frontage to include Class II bicycle lanes and restripe the northbound 5<sup>th</sup> Street approach to Broadway. The design of the 5<sup>th</sup> Street and Broadway intersection shall consider the continuity of the bicycle facilities at the time the off-site improvements plans are reviewed for implementation.

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 3 – SACRAMENTO AREA OFFICE

2379 GATEWAY OAKS DRIVE,

SUITE 150

SACRAMENTO, CA 95833

PHONE (916) 274-0627

FAX (916) 263-1796

TTY 711



*Flex your power!  
Be energy efficient!*

March 14, 2011

03SAC0017

03-SAC-005 PM 22.018

Northwest Land Park Project

Draft Environmental Impact Report

SCH #2010052011

Ms. Dana Allen

City of Sacramento

300 Richards Boulevard

Sacramento, CA 95811

Dear Ms. Allen,

Thank you for the opportunity to review and comment on the proposed Northwest Land Park Project.

The Project is located at 3<sup>rd</sup> Street and Broadway and includes a mix of multi-family residential and mixed-use buildings, with commercial uses on the lower floors and residential uses above. The Project will be served by Interstate 5 (I-5) and US 50 and is adjacent to the I-5 and US 50 freeway-to-freeway interchange. Plans include a 3.7 acre public park with a bike and pedestrian trail that will extend under I-5 to Miller Park. The new green space would combine a foot path/bike path, stormwater quality management components, and newly planted trees. A community center is an optional project element that will be analyzed in the Environmental Impact Report (EIR).

Our comments are as follows:

- Caltrans concurs with the mitigation measures listed below:
  - The proposed project would contribute to unacceptable peak hour operations at the I-5 NB Off-Ramp/Broadway intersection and vehicular queuing that extends onto the freeway mainline.
  - The project applicant shall contribute its fair share toward the installation of a traffic signal at the I-5 NB Off-Ramp/Broadway intersection.
- Caltrans disagrees with the Level of Significance listed in Impact 5.9-9. Given the fact that the Project could cause potentially significant impacts to the freeway ramps, listing this impact as Less than Significant with no mitigation required is to understate the impact and ignore the required mitigation.

13-1

13-2

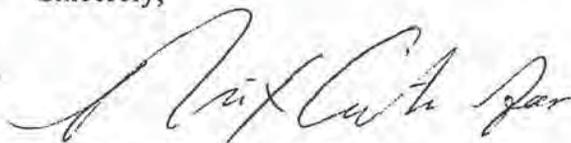
Ms. Dana Allen  
March 14, 2011  
Page 2

- The ramps in question are as follows:
  - I-5 Northbound – Off-ramp to Business 80/US-50 AM LOS F
  - I-5 Southbound – Off-ramp to Business 80/US-50 PM LOS F
  - I-5 Southbound – Business 80/US- 50 to Sutterville Road PM LOS F2
  - Business 80/US-50 Westbound –Off-ramp to W St. (East of 11th St.) AM LOS E
- It is anticipated that this project will contribute to a cumulatively significant impact to I-5 and US 50. The DEIR must determine the incremental contribution of the project to the cumulative conditions and impacts, identify feasible mitigation measures, and calculate the proportionate fair share funding contribution from this project to implement the mitigation.

↑  
13-2  
(cont.)  
|  
13-3  
|

If you have any questions about these comments please contact Larry Brohman at (916) 274-0627 or larry\_brohman@dot.ca.gov.

Sincerely,



ERIC FREDERICKS, Chief  
Office of Transportation Planning – South

---

## LETTER 13: State of California, Department of Transportation

### Response to Comment 13-1

The comment states that Caltrans concurs with the findings of an impact at the I-5 NB Off-ramp/Broadway intersection and the proposed mitigation requiring fair share contribution towards the installation of a traffic signal. The comment is noted, but a response is not required.

### Response to Comment 13-2

The comment expresses disagreement with the level of significance of Impact 5.9-9, and states that since the project could cause potentially significant impacts to freeway ramps, listing this impact as Less than Significant understates the impact.

The four freeway facilities to which the comment specifically refers are the following:

1. I-5 NB Off-ramp to Business 80/US-50 (during AM peak hour)
2. I-5 SB Off-ramp to Business 80/US-50 (during PM peak hour)
3. I-5 SB mainline segment between Business 80/US-50 and Sutterville Road (during PM peak hour)
4. Business 80/US-50 WB Off-ramp to W Street (during AM peak hour)

As discussed below, with the addition of the proposed project, all four of these facilities would continue to operate at the same level of service as under existing conditions. A SimTraffic microsimulation analysis was conducted to confirm that queuing from intersections on W Street would not impact the Business 80/US-50 WB mainline.

The proposed project includes the removal of existing trip generating land uses, mostly industrial, which generate a higher percentage of heavy vehicle trips than the land use that would replace the industrial parcels – primarily residential. The net result of these trip generation changes is that buildout of the proposed project would increase traffic on the facilities in question by the following amounts:

1. I-5 NB Off-ramp to Business 80/US-50 (AM peak hour) – **4 trips (0.1% increase over existing)**
2. I-5 SB Off-ramp to Business 80/US-50 (during PM peak hour) – **35 trips (0.8% increase over existing)**
3. I-5 SB mainline segment between Business 80/US-50 and Sutterville Road (during PM peak hour) – **9 trips (0.1% increase over existing)**
4. Business 80/US-50 WB Off-ramp to W Street (during AM peak hour) – **8 trips (0.7% increase over existing)**

Page 1 of Caltrans' Guide for the Preparation of Traffic Impact Studies (2002) specifies that the existing Measure of Effectiveness (MOE) should be maintained for freeway facilities that operate worse than the targeted LOS. The Guide further identifies freeway density (measured as the

number of vehicles per mile per lane) as the MOE for freeway facilities. According to the information provided in Table 5.9-15 (page 5.9-45 of the DEIR), the project trips would not cause a change in the MOE. The density at locations 1, 3, and 4 above would increase by 0.1 vehicles per mile. The density at location 2 would increase by 0.33 vehicles per mile. The calculated density increases are much lower than the applicable MOE, which is one vehicle per mile.

This clearly demonstrates that, based on Caltrans significance standards, the project-added trips cited above would not change the MOE (see Table 5.9-4 on page 5.9-15 of the DEIR; values are rounded to the nearest integer). Therefore, according to the thresholds of significance, impacts were deemed less than significant.

### **Response to Comment 13-3**

The comment states that the project will contribute to a cumulatively significant impact on I-5 and Business 80/US-50, and the DEIR should determine the incremental contribution of the project, and calculate the proportionate fair share funding contribution of the project as mitigation. As noted in Chapter 1 of the DEIR, Introduction, the project is an anticipated subsequent project identified in the 2030 General Plan Master EIR. The DEIR addresses only the project's additional potentially significant environmental effects and any new or additional mitigation measures or alternatives that were not identified in the Master EIR. As noted in Chapter 9, page 5.9-1 of the DEIR, the cumulative impacts on freeway segments associated with the General Plan were identified and analyzed in the Master EIR. Project impacts on freeway segments were included in the traffic study to determine the project's conformity with the Mobility Element of the 2030 General Plan, to confirm that no substantial new or additional information shows that the impacts on freeway segments are more significant than as described in the Master EIR, and to assist in the implementation of Master EIR Mitigation Measure 6.12-3 by determining the project's fair share contribution to Caltrans ITS improvements to I-5. Furthermore, I-5, Business 80/US-50 are all analyzed in the Master EIR and the project would be required to pay its fair share contribution to implement Master EIR Mitigation Measure 6.12-3 and/ or any other impacts fees that are in effect at the time of issuance of building permits.