

**Responses to Comments**  
**December 2018 Draft Supplemental Environmental Assessment (EA)**  
**Draft Supplemental Initial Study**

**A. Letter from SMUD, dated January 24, 2019.**

1. Comment: It is our desire that any Project Impacts to the following are acknowledged:

- Overhead and underground transmission and distribution line easements in relation to review to two links listed in the letter.
- Utility line routing
- Electrical load requirements
- Energy Efficiency
- Climate Change
- Cumulative impacts related to the need for increased electrical delivery

Response: Comment noted. At this time, effects are not anticipated to some of the items listed in the bullets, since there is minimal excavation to remove two pipes and no heavy equipment would be used with no requirement for extensions reaching as high as the overhead transmission lines. Without final designs and input from the engineer and Contractor, we acknowledge that there could be impacts to the items listed in the bullets above if designs later show their presence. If effects are applicable during construction, overhead and underground and distribution line easements, utility line routing, energy efficiency would be addressed either during the plans and specifications phase and/or prior to construction and coordinated with you at that time. Climate change was adequately addressed on pages 22 – 24 of the draft EA. **A discussion on cumulative effects resulting in the short-term increased electrical delivery from construction activities has been added to the final EA.**

2. Comment: More specifically, SMUD would like to have the following details to the electrical infrastructure incorporated into the project description:

- Existing 21k V facilities adjacent to the projects site along Front St., as well as along the southern property boundary of the 2000 Front St. parcel. Existing SMUD facilities shall remain. If it is determined that SMUD facilities need to be re-located as part of this project then all construction related activities and associated impacts need to be included to the project analysis.

Response: It has been determined that this facility on Front Street is located outside the construction footprint and would be avoided. Based upon this, there is no need to re-locate it as part of the project and be included in the project analysis.

3. Comment: SMUD would like to be involved with discussing the above areas of interest, as well as discussing any other potential issues.

Response: Comment noted. As indicated above, we will include you in any discussion on the above areas of interest during the design and plans and specifications phases of the project.

**B. Letter from California Central Valley Regional Water Quality Control Board, dated January 18, 2019.**

1. Comment: Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state, therefore our comments will address concerns surrounding those issues:

- Regulatory Setting: The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act and contain water quality objectives.

Response: Comment noted. During construction and as stated in the draft EA, the Corps would require the Contractor to develop a plan to use Best Managements Practices (BMPs) to avoid significant impacts on surface water quality. At this time, seepage berm construction work would be done on the landside and most of the work is above ground so no deep subsurface excavation is expected and impact groundwater supplies or runoff into waters of the United States. If it is later determined that it would affect, the Corps would coordinate with you prior to construction in implementing BMPs for the impact.

The Plan would consider the following:

- Antidegradation Considerations: All wastewater discharges would comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contain in the Basin Plan.

As part it states:

- Any discharge of waste to high quality waters would apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water possible consistent with the maximum benefit to the people of the state.
- This information must be presented as an analysis, as measured by background concentrations and applicable water quality objectives.

Response: Comment noted. With the seepage berm work being constructed on the landside and the pipes likely dry during the summer months, there are no anticipated impacts from discharge into high quality waters. **In compliance with the Antidegradation Policy, the two bullets above has been added to the final EA.**

2. Comment: Phase 1 and Municipal Separate Storm Sewer (MS4) Permits: The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using BMPs to the maximum extent practicable.

Response: Comment noted. BMPS would be used by the Contractor during construction to reduce pollutants and runoff flows.

3. Comment: Industrial Storm Water General Permit: Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permits Order No. 2014-0057-DWQ.

Response: Comment noted. If applicable, storm water discharges associated with industrial sites would comply with the regulations contained in the Industrial Storm Water General Permits Order No. 2014-0057-DWQ.

4. Comment: Clean Water Act Section 404 Permit: If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from U.S. Army Corps of Engineers (USACE). If required, the Board will review the permit. If the project requires surface water drainage requirement, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

Response: Comment noted. A 404 permit is not required for this project, since waters of the U.S. or wetlands would be avoided with seepage berm work being done on the landside and having no surface aquatic pathways or drains leading into these habitats. The project is not expected to require surface water drainage, and thereby, there is no need for obtaining a Streambed Alteration Permit.

5. Comment: Clean Water Act Section 401 Permit - Water Quality Certification: If an USACE permit such as a Nationwide Permit or other federal ones such as Section 10 of the Rivers and Harbors Act or Section 9 of the United States Coast Guard is required for this project, then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities.

Response: Comment noted. A 401 Nationwide permit is not required for this project, since waters of the U.S., rivers or harbors, or wetlands would be avoided with seepage berm work being done on the landside and having no surface aquatic pathways or drains leading into U.S. waters or these habitat types.

6. Comment: Waste Discharge Requirements – Discharge to Waters of the State: IF USACE determines that only non-jurisdictional waters of the State are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board.

Response: Comment noted. If designs later indicate that wetlands and other waters of the State including, but not limited to, are subject to State regulation, we would require the Contractor to apply for the WDR permit.

7. Comment: Dewatering Permit: If the proposed project includes construction or groundwater dewatering to be discharged to land, the project may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent (NOI) with the Central Valley Water Board prior to beginning discharge.

Response: Comment noted. It is not expected that the project would include construction or groundwater dewatering to be discharged to land, and thereby, no NOI is required with the Central Valley Water Board.

8. Comment: Regulatory Compliance: If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

Response: Comment noted. The property would not be used for commercial irrigated agricultural, and therefore, the discharger is not required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

9. Comment: Limited Trust General National Pollutant Discharge Elimination System (NPDES) Permit: If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the U.S., the proposed project will require coverage under a NPDES permit. A complete NOI must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

Response: Comment noted. If the design later changes and project includes construction dewatering and it became necessary to discharge the groundwater to waters of the U.S., the proposed project will require coverage under a NPDES permit. A complete NOI would be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

10. Comment: NPDES Permit: If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a NPDES permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES permit.

Response: Comment noted. At this time, the proposed project on the landside of the berm is not expected to affect the quality of surface waters of the State, and thereby, the proposed project will not require coverage under a NPDES permit. A complete Report of Waste Discharge must be submitted. If the design later changes and affects surface waters of the State, then we would require the Contractor to submit a complete Report of Waste Discharge during the plans and specifications phase and to apply for a NPDES permit.

**C. Letter from Sacramento Metropolitan Air Quality Management District, dated January 15, 2019.**

Sac Metro Air District staff comments follow:

1. Comment: Table 1 incorrectly lists the State Status for the SVAB as attainment of the 24-hour and annual PM10 standards. (page 16).

Response: Comment noted. **The State status for PM 10 in Table 1 of the final EA has been revised to be in non-attainment for PM10.**

2. Comment: The Construction Details Section (page 10) describes the removal of a 30-inch diameter outfall pipe as a potential component of the project. If there is a possibility of the pipe containing asbestos, a discussion should be added to the Toxic Air Contaminants/Hazardous Air Pollutants section (page 17) regarding asbestos and the requirement to comply with Sac Metro Air District Rule 902 if applicable.

Response: Comment noted. It is possible that the 30-inch diameter outfall pipe contains asbestos. If we encounter any asbestos on pipes, we would require the contractor to hire a licensed asbestos removal subcontractor to remove the asbestos in accordance with all local and State requirements including prevention of asbestos releases into the air.

**Discussion has been added in the final EA to the Toxic Air Contaminants/Hazardous Air Pollutants section (page 17) regarding asbestos effects on humans and animals and the requirement to comply with Sac Metro Air District Rule 902 by implementing BMPS and measures, if applicable.**

3. Comment: Regardless of the level of emissions, in order to be compliant with the mitigation measures adopted for the American River Common Features General Reevaluation Report (ARCF GRR), the Avoidance and Minimization Measures must require the project contractor to implement the Sac Metro Air District's Enhanced Exhaust Control Practices (link), not consider implementation (page 19).

Response: Comment noted. **The final EA has been revised to read that that the contractor would be required to implement the Sac Metro Air District's Enhanced Exhaust Control Practices. A list of these practices has been added to the Final EA and** would be included in the 100 percent plans and specifications.

4. Comment: The greenhouse gas emissions reported in Table 3 (page 23) are not consistent with the emissions estimates reported in Appendix C.

Response: Comment noted. **Table 3 has been revised to be consistent with the emissions estimates reported in Appendix C.**

5. Comment: Section 5.1.1, indicates "full compliance" with the Clean Air Act and General Conformity Rule (page 53). Although the emissions anticipated from this segment of the overall ARCF GRR are extremely low and do not pose a threat to Federal air quality attainment efforts,

Sac Metro Air District recommends the Army Corps of Engineers complete its general conformity applicability analysis and conformity determination as soon as possible for the overall ARCF GRR project.

Response: Comment noted. The Corps is planning on completing its general conformity applicability analysis and conformity determination as soon as possible once the project alternatives and description are developed for the overall ARCF GRR project.

6. Comment: All projects are subject to Sac Metro Air District rules in effect at the time of construction. The attached Rules Statement provides a list of the most common rules that apply during construction. A complete list is available at [www.airquality.org](http://www.airquality.org).

Response: Comment noted. As it applies during construction, USACE would insert the pertinent rules for the contractor to follow in its 100 percent plans and specifications.

**D. Letter from County of Sacramento, Regional Parks Department, dated Jan 30, 2019.**

1. Comment: Staff reviewed the draft EA and concluded that no impact to Sacramento County Regional Parks facilities or operations is expected at this time.

Response: Comment noted.

**E. Letter from Caltrans (California Department of Transportation), dated January 25, 2019.**

1. Comment: Specific hauling routes have not been identified at this time. Based on this information, we request the following:

- 1) Please notify Caltrans of the specific haul routes for the heavy-duty trucks when identified. Currently, the surrounding corridors of I-5, Interstate 80, (I-80), and US-50 operate at or near capacity during the peak hours on the weekdays. Because of this, Caltrans recommends reducing the number of heavy-duty trucks from 7:00 AM to 8:30 AM Monday through Friday, as well as in the afternoon periods from 3:30 PM to 6:00 PM on Monday through Thursday, and 2:30 PM and 6:00 PM on Friday.

Response: Comment noted. Use of heavy-duty trucks would be limited during the specified periods and noted in the 100 percent plans and specifications.

- 2) The construction for the I-5 High Occupancy Vehicle (HOV) Lanes – Phase 1 project is scheduled to begin in the Summer of 2019 and may overlap with the construction period for this project. We request for the lead agency to keep an open line of communication with the Caltrans project manager about lane closures, detours, and Caltrans/contractor crew construction hours to avoid conflict.

Jess Avila, PE, PMP  
California Department of Transportation

District 3, Project Manager  
[Jess.Avila@dot.ca.gov](mailto:Jess.Avila@dot.ca.gov)

Response: Comment noted. USACE would keep an open line of communication with the Caltrans project manager about lane closures, detours, and Caltrans/contractor crew construction hours to avoid conflict.

Comment 2: Encroachment Permit. An encroachment permit will be required from Caltrans for any work performed on the State ROW, if not previously obtained. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to:

Hikmat Bsaibess  
California Department of Transportation  
District 3, Office of Permits  
703 B Street  
Marysville, CA 95901

Please provide copies of any further actions regarding the project. We would appreciate the opportunity to review and comment on any changes related to this development.

Response: Comment noted. USACE would require the non-federal sponsor to acquire an encroachment permit and include all documentation requested, including copies of any further actions for your review and comment on any changes related to the project.

**F. Letter from City of Sacramento, Transportation Division, dated January 29, 2019.**

1. Comment: The construction Contractor must provide a construction traffic control plan per City Code 12.20.030 to the satisfaction of the City Traffic Engineer. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include:

- The number of truck trips, time, and day of street closures.
- Time of day of arrival and departure of trucks.
- Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting.
- Provision of a truck circulation pattern.
- Provision of driveway access plan so that vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas).
- Maintain safe and efficient access routes for emergency vehicles.
- Manual traffic control when necessary.
- Proper advance warning and posted signage concerning street closures.
- Provision for pedestrian safety.

Response: Comment noted. The contractor would be required to prepare a construction traffic control plan. The plan would include all acceptable operating conditions listed above.

2. Comment: A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways. Please provide our office copies of further actions regarding this project.

Response: Comment noted. These operating conditions and required traffic management plan would be included in the 100 percent plans and specifications. The contractor would be required to submit to the City Traffic Engineer and USACE Contracting Officer. The contractor would also submit a copy of the construction traffic management plan to local emergency response agencies and these agencies would be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways. USACE would provide your office copies of further actions regarding this project as needed.

**G. Letter from Sacramento Regional County Sanitation District, dated January 15, 2019.**

1. Comment: The subject will have no significant impacts on Regional San facilities.

Regional San Advisory:

- Regional San is the owner of an existing easement within the proposed project's boundaries. The subject easement is for the City Of Sacramento's Sump 1 Sewer Outfall to the Sacramento River. Regional San is the owner of the subject easement; however, the City owns and operates the facilities associated with the subject easement.

Response: Comment noted. Prior to construction activities, our Engineering and Real Estate staff will be notified about the owner of the easement.