

Comments received on the 19J (DR16-202)  
Sustainable Communities Environmental Assessment

**From:** [Steve Johnson](#)  
**To:** [Scott Johnson](#)  
**Subject:** FW: Comments on the Initial Study for the 19th and J Mixed Used Project (SCH# 2016102017)  
**Date:** Monday, October 17, 2016 4:20:43 PM  
**Attachments:** [image003.png](#)

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Now, this has to be yours

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**From:** Sheya, Tanya@Wildlife [mailto:Tanya.Sheya@wildlife.ca.gov]  
**Sent:** Monday, October 17, 2016 4:19 PM  
**To:** Steve Johnson <sjohnson@cityofsacramento.org>  
**Cc:** Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>  
**Subject:** Comments on the Initial Study for the 19th and J Mixed Used Project (SCH# 2016102017)

Dear Mr. Johnson,

Thank you for speaking with me today. As I stated on the phone, the California Department of Fish and Wildlife (Department) has reviewed the Initial Study for the 19th and J Mixed Used Project (SCH# 2016102017).

As a trustee for California's fish and wildlife resources, Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Department may also act as a Responsible Agency (Cal. Code Regs., § 21069) for a project where it has discretionary approval power under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) and the Lake and Streambed Alteration Program (Fish & G. Code, § 1600 et seq.). Department also administers the Native Plant Protection Act, Natural Community Conservation Program, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

The proposed project is located in the City of Sacramento on approximately 0.29 acres at 1827 and 1831 J Street. The project would include the construction of a 173-unit, 11-story housing complex with a ground floor commercial component and a second-story parking garage.

Department is primarily concerned with the project impacts to nesting raptors and other migratory birds. Raptors and other migratory birds are protected under the Migratory Bird Treaty Act (MBTA) and section 3503.5 of the Fish and Game Code; therefore, potential impacts would be considered potentially significant unless mitigation is incorporated. The Department recommends that the proposed project is constructed outside of nesting season. If the nesting season cannot be avoided, then a biologist should conduct pre-construction surveys to identify nests in the vicinity of the project activities. An appropriate avoidance or mitigation plan should be provided in the CEQA document for if nests are found.

All measures to protect nesting birds should be performance-based. While some birds may tolerate disturbance caused by construction activities, other birds may have a different disturbance threshold and "take" (FGC §2081 and §3503.5) could occur if the temporary disturbance buffers are not

designed to reduce stress to that individual pair. The Department recommends conducting pre-construction surveys for nesting raptors or migratory birds and the inclusion of performance-based protection measures for avoiding all nests protected under the MBTA and FGC §3503.5. A 200-foot exclusion buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance. An example of a performance-based protection measure is provided:

If construction activities cause the nesting migratory bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then increase the exclusionary buffer such that activities are far enough from the nest to stop this agitated behavior by the raptor. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

Thank you for considering our concerns for the proposed project and providing the opportunity to comment. I am available for consultation regarding biological resources and strategies to minimize impacts. If you have questions please contact me by e-mail at [Tanya.Sheya@wildlife.ca.gov](mailto:Tanya.Sheya@wildlife.ca.gov) or by phone at (916) 358-2953.

Sincerely,

**Tanya Sheya**

**Environmental Scientist**



[North Central Region | Habitat Conservation](#)  
1701 Nimbus Road | Rancho Cordova, CA 95670  
Phone 916.358.2953 | Fax 916.358.2912  
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## Central Valley Regional Water Quality Control Board

1 November 2016

Scott Johnson  
City of Sacramento  
Community Development Department  
300 Richards Boulevard  
Sacramento, CA 95811

CERTIFIED MAIL  
91 7199 9991 7035 8421 5326

### COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF AVAILABILITY/INTENT TO ADOPT A SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, 19J (DR16-202) PROJECT, SCH# 2016102017, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 7 October 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Availability/Intent to Adopt a Sustainable Communities Environmental Assessment* for the 19J (DR16-202) Project, located in Sacramento County.

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.

#### I. Regulatory Setting

##### Basin Plan

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. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must 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 quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

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

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

**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 the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” 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. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent 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. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

### **Regulatory Compliance for Commercially Irrigated Agriculture**

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. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

### **Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.



For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

### **NPDES Permit**

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

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit3.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml)

If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



#### Main Office

10060 Goethe Road  
Sacramento, CA 95827-3553  
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8521 Laguna Station Road  
Elk Grove, CA 95758-9550  
Tel: 916.875.9000  
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October 17, 2016

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

#### **Subject: Notice of Availability/Intent to Adopt – Sustainable Communities Environmental Assessment for the 19J Project (DR16-202)**

Dear Mr. Johnson:

Sacramento Regional County Sanitation District (Regional San) has the following comments in regards to the draft Sustainable Communities Environmental Assessment for the 19J Project located at 1827 and 1831 J Street in the City of Sacramento.

The project proposes demolition of the existing buildings located on site and construction of an 11-story mixed-use structure with 173 residential units, 7,000 sq.ft. of ground floor commercial, and a second-story parking garage.

Regional San is not a land-use authority. Projects identified within Regional San planning documents are based on growth projections provided by land-use authorities. Sewer studies will need to be completed to assess the impacts of any project that has the potential to increase flow demands. Onsite and offsite impacts associated with constructing sanitary sewer facilities to provide service to the subject project should be included in this environmental impact report.

Customers receiving service from Regional San are responsible for rates and fees outlined within the latest Regional San ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer and treatment facilities that provide service to new customers. The Regional San ordinance is located on the Regional San website at [www.regionalsan.com](http://www.regionalsan.com).

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via Sump 2, Sump 2A and the Regional San City Interceptor system. Cumulative impacts of the proposed project will need to be quantified by the project proponents to ensure wet and dry weather capacity limitations within Sump 2, Sump 2A and the City Interceptor system are not exceeded.

On March 13, 2013, Regional San approved the Wastewater Operating Agreement between the Sacramento Regional County Sanitation District and the City of Sacramento. The following flow limitations are outlined in this agreement:

<i>Service Area</i>	<i>Flow Rate (MGD)</i>
<i>Combined Flows from Sump 2 and Sump 2A</i>	<i>60</i>
<i>Combined flows from Sumps 2, 2A, 21, 55, and 119</i>	<i>98</i>
<i>Total to City Interceptor of combined flows from Sumps 2, 2A, 21, 55, 119, and five trunk connections</i>	<i>108.5</i>

[www.srcsd.com](http://www.srcsd.com)



The SRWTP provides secondary treatment using an activated sludge process. Incoming wastewater flows through mechanical bar screens through a primary sedimentation process. This allows most of the heavy organic solids to settle to the bottom of the tanks. These solids are later delivered to the digesters. Next, oxygen is added to the wastewater to grow naturally occurring microscopic organisms, which consume the organic particles in the wastewater. These organisms eventually settle on the bottom of the secondary clarifiers. Clean water pours off the top of these clarifiers and is chlorinated, removing any pathogens or other harmful organisms that may still exist. Chlorine disinfection occurs while the wastewater travels through a two mile "outfall" pipeline to the Sacramento River, near the town of Freeport, California. Before entering the river, sulfur dioxide is added to neutralize the chlorine. The design of the SRWTP and collection system was balanced to have SRWTP facilities accommodate some of the wet weather flows while minimizing idle SRWTP facilities during dry weather. The SRWTP was designed to accommodate some wet weather flows while the storage basins and interceptors were designed to accommodate the remaining wet weather flows.

A NPDES Discharge Permit was issued to Regional San by the Central Valley Regional Water Quality Control Board (Water Board) in December 2010. In adopting the new Discharge Permit, the Water Board required Regional San to meet significantly more restrictive treatment levels over its current levels. Regional San believed that many of these new conditions go beyond what is reasonable and necessary to protect the environment, and appealed the permit decision to the State Water Resources Control Board (State Board). In December 2012, the State Board issued an Order that effectively upheld the Permit. As a result, Regional San filed litigation in California Superior Court. Regional San and the Water Board agreed to a partial settlement in October 2013 to address several issues and a final settlement on the remaining issues were heard by the Water Board in August 2014. Regional San began the necessary activities, studies and projects to meet the permit conditions. The new treatment facilities to achieve the permit and settlement requirements must be completed by May 2021 for ammonia and nitrate and May 2023 for the pathogen requirements.

Regional San currently owns and operates a 5-mgd Water Reclamation (WRF) that has been producing Title 22 tertiary recycled since 2003. The WRF is located within the SRWTP property in Elk Grove. A portion of the recycled water is used by Regional San at the SRWTP and the rest is wholesaled to the Sacramento County Water Agency (SCWA). SCWA retails the recycled water, primarily for landscape irrigation use, to select customers in the City of Elk Grove. It should be noted that Regional San currently does not have any planned facilities that could provide recycled water to the proposed project or its vicinity. Additionally, Regional San is not a water purveyor and any potential use of recycled water in the project area must be coordinated between the key stakeholders, e.g. land use jurisdictions, water purveyors, users, and the recycled water producers.

If you have any questions regarding these comments, please feel free to contact me at (916) 876-6104 or by email: [armstrongro@sacsewer.com](mailto:armstrongro@sacsewer.com).

Sincerely,

Robb Armstrong  
Regional San Development Services & Plan Check

Cc: SASD Development Services

November 8, 2016

SENT VIA E-MAIL ONLY

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

**RE: 19 and J Mixed-Use Project (DR16-202) (SAC201601650)**

Dear Mr. Johnson:

Thank you for providing the Sustainable Communities Environmental Assessment (SCEA) for the 19 J Project for review. The proposed project is an 11- story mixed-use building at the northwest corner of 19<sup>th</sup> and J Streets in midtown Sacramento. The project includes approximately 7,000 square feet of ground-floor retail and 173 residential units. The proposed project would make a valuable contribution to providing affordable housing for Sacramento residents seeking a car-free lifestyle, thus reducing air pollutant emissions and greenhouse gas emissions per capita. The SMAQMD staff is resubmitting design comments written on August 4, 2016, with additional information.

**Bicycle Parking**

Careful consideration should be undertaken to determine whether the 144 long-term bicycle parking spaces located on the first and second floors will be sufficient to meet the needs of both the residents of the 173 dwelling units and the employees of the multiple retail operations on the first floor. Bicycle parking should be designed to enable residents to carry out all transportation functions that would otherwise be undertaken with a car, including bringing home groceries and other larger loads. Long-term bicycle parking spaces should be designed to accommodate the variety of bicycles that might be used by the residents of the building, such as cargo bicycles, bike trailers, bike buggies, tricycles, and electric bicycles. If wall racks are used in the long-term bicycle storage area, there should be other, appropriate accommodations for bicycles that are too heavy to lift or too large for the allotted space. The District recommends that bicycle parking be designed according to guidelines developed by the Association of Pedestrian and Bicycle Professionals.<sup>1</sup> The bicycle parking should ideally be located on the first floor. For long-term bike parking on the second floor, an elevator should be provided nearby, and not at the opposite end of the building as shown in the site plan.

**Street Trees**

With only two shade trees on each 19<sup>th</sup> Street and J Street, the tree canopy coverage of the future sidewalk will be only about 25%. Tree canopy reduces heat island effect, which lowers summertime

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<sup>1</sup> <http://www.apbp.org/?page=publications>

temperatures and reduces the formation of ozone. Shade trees will also reduce emissions of volatile organic chemicals from cars parked on J and 19<sup>th</sup> Streets. It is recommended that additional trees be planted on both J and 19<sup>th</sup> Streets in order to augment existing tree canopy. This would be consistent with policy ER 3.1.6 in the City's General Plan Climate Action Policy, *"The City shall continue to promote planting shade trees with substantial canopies, and require, where feasible, site design that uses trees to shade rooftops, parking facilities, streets, and other facilities to minimize heat island effects."*

#### **Enhanced Indoor Air Filtration**

The proposed project is located 280 feet from an active railroad line, a source of diesel particulates emitted by locomotive engines. Even in healthy young adults, breathing particulate matter lead to blood vessel damage and inflammation.<sup>2</sup> To reduce residents' exposure to particulate matter and toxic air contaminants, the District recommends, as a condition of approval, enhanced indoor air filtration. The filtration for the heating, ventilation and air conditioning system (HVAC) should be certified by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) and equivalent to or greater than that provided by MERV 13 filters (as defined by ASHRAE standard 52.2). A licensed mechanical engineer, or an individual authorized by California Business and Professions Code Sections 6700-6799 to design mechanical ventilation systems, should be consulted. Building permit documents should incorporate all designs and details necessary for the construction of the enhanced ventilation system. The ventilation systems installed should be properly maintained as specified by the manufacturer. A fixed notice should be placed on the filter compartment door of each ventilation unit advising that MERV 13 (or greater) filters shall be used per local law.

All projects are subject to SMAQMD rules at the time of construction. Specific rules that may relate to construction activities are attached. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916-874-4800.

Please contact me at 916-874-4816 or [teriduarte@airquality.org](mailto:teriduarte@airquality.org) if you have any questions regarding these recommendations.

Sincerely,



Teri Duarte, MPH  
Planner/Analyst

Attachment

Cc: Paul Philley, SMAQMD

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<sup>2</sup> Chuang KJ, Chan CC, Su TC, Lee CT, Tang CS 2007: The Effect of Urban Air Pollution on Inflammation, Oxidative Stress, Coagulation, and Autonomic Dysfunction in Young Adults. *Am Jour Resp and Critical Care Medicine* 176(4). <http://www.atsjournals.org/doi/abs/10.1164/rccm.200611-1627OC>

# Attachment

## SMAQMD Rules & Regulations Statement (revised 3/2012)

The following statement is recommended as standard condition of approval or construction document language for all development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the SMAQMD early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a permit include, but are not limited to dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

**Rule 403: Fugitive Dust.** The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

**Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour.** The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

**Rule 417: Wood Burning Appliances.** This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

**Rule 442: Architectural Coatings.** The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

**Rule 460: Adhesives and Sealants.** The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

**Rule 902: Asbestos.** The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

**Naturally Occurring Asbestos:** The developer or contractor is required to notify SMAQMD of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. Asbestos Airborne Toxic Control Measures, Section 93105 & 93106 contain specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.





November 8, 2016

Scott Johnson  
City of Sacramento  
300 Richards Blvd, third floor  
Sacramento, CA 95811

Subject: Draft SCEA Initial Study, 19J

Dear Mr. Johnson,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Draft SCEA Initial Study, 19J. SMUD is the primary energy provider for Sacramento County and the proposed project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

It is our desire that the Draft SCEA Initial Study, 19J will acknowledge any project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on [smud.org](http://smud.org) for more information regarding transmission encroachment:
- <https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm>
- <https://www.smud.org/en/do-business-with-smud/real-estate-services/transmission-right-of-way.htm>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed project. Please ensure that the information included in this response is conveyed to the project planners and the appropriate project proponents.

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on this Draft SCEA Initial Study. If you have any questions regarding this letter, please contact Rob Ferrera, SMUD Environmental Specialist at (916) 732-6676.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Ferrera', with a long horizontal stroke extending to the right.

Rob Ferrera  
Environmental Specialist  
Environmental Management  
Workforce and Enterprise Services  
Sacramento Municipal Utility District

Cc: Rob Ferrera  
Jose Bodipo-Memba  
Pat Durham  
Joseph Schofield



**From:** [Jordan Lang](#)  
**To:** [Scott Johnson](#)  
**Cc:** [Jim Brown](#)  
**Subject:** RE: Notice of 19J (DR16-202) Draft Sustainable Communities Environmental Assessment and Initial Study  
**Date:** Thursday, October 27, 2016 12:14:39 PM

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Hi Scott: Thank you for the opportunity to review this document on behalf of SABA. We support the increase in residential density provided by this project and we appreciate its proposed bike parking in amounts exceeding the City's requirements. We will not be submitting comments on the SCEA itself.

We would like to continue conversations with the applicant to make sure the design of the bike parking racks provides for a wide range of types of bicycles.

Thank you,

Jordan

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**From:** Scott Johnson [mailto:SRJohnson@cityofsacramento.org]  
**Sent:** Friday, October 07, 2016 3:58 PM  
**To:** Scott Johnson <SRJohnson@cityofsacramento.org>  
**Cc:** Tom Buford <TBuford@cityofsacramento.org>; Michael Hanebutt <MHanebutt@cityofsacramento.org>  
**Subject:** Notice of 19J (DR16-202) Draft Sustainable Communities Environmental Assessment and Initial Study

**NOTICE OF AVAILABILITY/INTENT TO ADOPT –  
SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT (SCEA) FOR THE  
19J PROJECT (DR16-202)**

**REVIEW PERIOD:   October 7, 2016 through November 8, 2016**

The City of Sacramento, Community Development Department, Environmental Planning Services has completed the preparation of a draft Sustainable Communities Environmental Assessment (SCEA) for the 19 J (DR16-202) project. Mitigation measures have been identified for air quality, cultural resources, geology, hazards, noise, public services, recreation, and transportation and circulation. The project site is not listed on the Cortese list enumerated under Section 65962.5 of the Government Code.

The document is now available for a 30-day public review and comment period. The comment period is from **Friday, October 7, 2016** through **Tuesday, November 8, 2016**. You may review a copy or obtain an CD copy of the document at the 300 Richards Boulevard, 3<sup>rd</sup> Floor reception desk, Sacramento, CA 95811 between the hours of 9:00 AM and 4:00 PM, Monday through Friday. The draft Sustainable Communities Environmental Assessment is also available at:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.

The proposed project is located at 1827 and 1831 J Street in the City of Sacramento in

Sacramento County, California, and identified as assessor parcel number (APN) 007-0012-011-0000. The project site consists of approximately 0.29 acres north of, and adjacent to J Street, west of and adjacent to 19<sup>th</sup> Street, and south of Improv Alley in the Central City area of Sacramento.

The project proposes demolition of the existing buildings on site, and construction of a 11-story mixed-use structure with 173 residential units, 7,000 sf of ground floor commercial, and a second-story parking garage on the corner of 19<sup>th</sup> Street and J Street. Project architecture would use an articulated design to reduce building massing, and would incorporate multiple materials, including green walls, to create a variable and textured façade.

Written comments regarding the Sustainable Communities Environmental Assessment should be received by the Community Development Department, **NO LATER THAN 5:00 p.m., Tuesday, November 8 2016**. Written comments should be submitted to:

Scott Johnson  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811  
(916) 808-5842  
[srjohnson@cityofsacramento.org](mailto:srjohnson@cityofsacramento.org)

**Michael J. Meniktas, Managing Member**  
**1901 J. Street LLC**  
4096 Piedmont Avenue, #342  
Oakland, CA 94611  
415-939-4950  
[meniktas@mac.com](mailto:meniktas@mac.com)

**November 5, 2016**

**Via Fax:**

[srjohnson@cityofsacramento.org](mailto:srjohnson@cityofsacramento.org)  
[mhanebutt@cityofsacramento.org](mailto:mhanebutt@cityofsacramento.org)

**U.S. Mail**

**Scott Johnson, Associate Planner**  
**Michael Hanebutt, Project Planner**  
**City of Sacramento**  
**Community Development Department Environmental Planning Services**  
**Community Development Dept.**  
**300 Richards Blvd 3<sup>rd</sup> Floor**  
**Sacramento, CA 95811**

**Re: Formal Comments and Requests Pertaining the Notice of Availability/Intent to Adopt- Sustainable Communities Environmental Assessment (SCEA) for 19J Project (DR16-202).**

**Gentlemen:**

**As I indicated previously in my conversation and previous email correspondence to you, I represent the ownership of the shopping center located at 1901 J. Street located across the street from the proposed project.**

**We have completed within the prescribed time frame our review of the SCEA report that I requested and was provided by your office.**

**We are officially requesting the following actions indicated below to be undertaken by the Sponsor-Developer of the project as identified and referenced above as conditions to grant approval of the project;**

- 1. Sponsor – Developer / Contractor(s) at its sole cost and expense to provide similar described process of protection for our property as outlined in the subject SCEA for the “Ellis Garage” location; including and not limited to repairing all damage or degradation of streets, curbs, gutters, utility**

*disturbances during and at completion of construction caused by said project construction and its contractors. A pictured survey catalog of these public assets and our property shall be conducted before any project work begins.*

2. *Assurance that the project's contractor(s) do not employ the use of driven piling method by offering cost savings or time efficiency caveats during the construction phase.*

*Please call me if you have questions.*

*Sincerely,*

***Michael J. Meniktas** (signed)*

*Michael J. Meniktas*

*ApDeskt19JCitySacSCEAResp11.5.2016*