

Bell Avenue Warehouses Project (P19-015)
Initial Study/Mitigated Negative Declaration
Revisions to Initial Study
Comments and Responses
December 20, 2019

The Mitigated Negative Declaration for the Bell Avenue Warehouses Project (P19-015) was circulated for public comment from November 6, 2019 to December 6, 2019. Written comments were received as follows:

Date	Commenter
11/15/2019	Robb Armstrong, Sacramento County Sanitation District
11/22/2019	Jordan Hensley, Central Valley Regional Water Quality Control Board
12/4/2019	Nicole Goi, Sacramento Municipal Utility District
12/6/2019	Joseph James Hurley, Sacramento Metropolitan Air Quality Management District

All of the written comments are attached. Each of the comments addressed the project site and conditions as they relate to the particular areas of concern of the respective commenting agency, company, or organization. The comments are acknowledged by the City and have been considered as part of the project planning and its implementation.

The comments received did not identify any new significant effect, increase in severity of an impact identified in the Mitigated Negative Declaration, or provided significant new information. Recirculation of the Mitigated Negative Declaration is not required.

Revisions to the Initial Study/Mitigated Negative Declaration

The City of Sacramento, as lead agency, released the Bell Avenue Warehouses Project (P19-015) Initial Study/Mitigated Negative Declaration (IS/MND) for public review beginning on November 6, 2019, pursuant to CEQA Guidelines Section 15105. The IS/MND and supporting documents were made available at the City of Sacramento, Community Development Department, 300 Richards Blvd., 3rd Floor, Sacramento, California. According to CEQA Guidelines Sections 15073 and 15074, the lead agency must consider the comments received during consultation and review periods together with the mitigated negative declaration. However, unlike the process followed with an Environmental Impact Report, comments received on a mitigated negative declaration are not required to be attached to the mitigated negative declaration, nor must the lead agency make specific written responses to public agencies. Nonetheless, the lead agency has chosen to provide responses to the comments received during the public review process for the IS/MND, as well as revisions to the IS/MND where necessary. The revisions and responses to comments are provided herein as Attachments 1 and 2, respectively.

Attachment 1: Revisions to the Initial Study/Mitigated Negative Declaration
Attachment 2: Responses to Comments

Attachment 1

Bell Avenue Warehouses Project (P19-015) **Revisions to the Initial Study/Negative Declaration** **December 20, 2019**

This document presents, in ~~strike-through~~ and double-underline format, the revisions to the Initial Study/Mitigated Negative Declaration (IS/MND) for the Bell Avenue Warehouses Project (proposed project). The revisions to the IS/MND do not affect the adequacy of the environmental analysis or conclusions in the IS/MND. Because the changes presented below would not result in any new significant impacts or an increase in impact significance from what was identified in the IS/MND, recirculation of the IS/MND is not required (CEQA Guidelines section 15073.5).

Based on the comments received on the IS/MND prepared for the proposed project (released for public review on November 6, 2019), as well as staff-initiated changes, the following revisions have been made to the IS/MND.

The City has determined that the entire project site shall be rezoned to MRD-SPD (Manufacturing, Research and Development Zone – McClellan Heights/Parker Homes Special Planning District). Consequently, both the portions of the project site that are currently zoned R-1A-SPD (Single-Unit or Duplex Dwelling - McClellan Heights/Parker Homes Special Planning District), as well as the portions of the project site that are currently zoned as M-1-SPD (Light Industrial - McClellan Heights/Parker Homes Special Planning District), would be rezoned to MRD-SPD. MRD-SPD allows for both housing and warehouse/distribution center land uses, whereas the M-1-SPD zoning only allows light industrial use. Following the implementation of Senate Bill 330, effective January 1, 2020, a zoning adjustment from residential (R-1A) to industrial (M-1) would not be allowed without concurrent planning to add residential capacity elsewhere throughout the City. As such, a rezone from R-1A-SPD to MRD-SPD is the superior choice for the proposed project. The aforementioned rezone does not affect the analysis within the IS/MND because the proposed site uses are not being changed from what was analyzed, the uses allowed under the proposed MRD-SPD are substantively similar to those allowable under the M-1-SPD zoning, and the proposed land use would remain consistent with the City's General Plan land use designation.

Based on the modification to the rezoning designation, the cover page of the IS/MND is hereby revised as follows:

Bell Avenue Warehouses Project (P19-015) The proposed project is located on a vacant 20.8-acre site at 1690 Bell Avenue, in the City of Sacramento, Sacramento County (APN: 238-0050-011-0000 and 238-0050-012-0000). This project consists of a request to Construct two (2) spec warehouse buildings totaling 339,549 square feet on a 20.8-acre site in the M-1-SPD (Light Industrial - McClellan Heights/Parker Homes Special Planning District) zone and Del Paso Heights Design Review District and a Rezone of the existing zoning of both parcels from R-1A-SPD (Single-Unit or Duplex Dwelling - McClellan Heights/Parker Homes Special Planning District) and M-1-SPD (Light Industrial - McClellan Heights/Parker Homes Special Planning District) to MRD-SPD (Manufacturing, Research and Development Zone – McClellan Heights/Parker Homes Special Planning District)~~M-1-SPD (Light Industrial - McClellan Heights/Parker Homes Special Planning District)~~. Requires City Council-level entitlement review.

The Lead Agency is the City of Sacramento. The City of Sacramento, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment.

Page 8 of the IS/MND is hereby revised as follows:

Rezone

The City of Sacramento zoning currently designates portions of each parcel as R-1A-SPD within the McClellan Heights/Parker Homes Special Planning District. The R-1A zone permits single- unit or duplex dwellings and the purpose of the Special Planning District is to establish procedures for the Planning and Design Commission and City Council to regulate properties under multiple ownership that are in need of general physical and economic improvement, or have special environmental features that standard land use, zoning, and other regulations cannot fully address.² The construction of the proposed warehouse structures associated with the proposed project would not be permitted under the current R-1A-SPD zoning. Thus, the proposed project would require a rezone from R-1A-SPD to MRD-SPD M-1-SPD in order to accommodate the construction of the proposed structures. In addition, the existing zoning of M-1-SPD within the northern portions of both parcels would be rezoned to MRD-SPD as well retained with implementation of the project. The proposed rezone of the entire project site to MRD-SPD M-1-SPD is consistent with the 2035 General Plan designation of Employment Center Low Rise.

Page 10 of the IS/MND is hereby revised as follows:

Project Approvals

The project includes the following entitlement approvals from the City of Sacramento:

- Approval of Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan;
- Rezone for the entire project site eastern parcel from R-1A-SPD to MRD-SPD M-1-SPD; and
- Approval of Site Plan and Design Review.

Page 11 of the IS/MND is hereby revised as follows:

The project is consistent with the City of Sacramento 2035 General Plan, and North Sacramento Community Plan land use designations. The project would not modify the existing land use designation of the site; however, the project would require a zoning amendment to change the designation of the site the southern portion of both parcels from R-1A-SPD and M-1-SPD to MRD-SPD M-1-SPD, in order to accommodate the proposed warehouse structures. Such a change would establish consistency between the land use designations for the entire project site within the 2035 General Plan as well as the North Sacramento Community Plan and the existing zoning designations for the southern portion of the site. Because the project site is designated as Employment Center Low Rise by the 2035 General Plan, development of the site for employment-based uses, rather than residential uses, was analyzed in the City's 2035 General Plan Master EIR. Therefore, the proposed project would be consistent with the type and intensity of uses analyzed for the site in the 2035 General Plan Master EIR.

Page 34 and 35 of the IS/MND is hereby revised as follows:

The proposed project consists of the construction of two warehouse buildings and associated site improvements such as depressed loading docks, on-site drainage infrastructure, and landscaping features. Operations associated with the proposed project would be typical of other warehouses in the City, and would be governed by the uses permitted for the site per the City's Code and General Plan. The project site is designated Employment Center Low Rise by the 2035 General Plan and would require approval of a rezone for the ~~southern portion of the project site~~ from R- 1A-SPD and M-1-SPD to MRD-SPD M-1-SPD. Per Section 17.220.610 of the Sacramento City Code, the MRD designation allows for residential uses, following approval of a conditional use permit, as well as commercial, industrial, and agricultural. ~~Per Section 17.220.110 of the Sacramento City Code, the M-1-SPD designation allows for residential, commercial and institutional, and industrial and agricultural uses such as those associated with the proposed project.~~

It should be noted that the use and storage of hazardous materials is regulated by Section 8.64 of the Sacramento City Code.

Page 76 of the IS/MND is hereby revised as follows:

Project Trip Generation

The number of trips anticipated to be generated by proposed project was approximated using data included in the Trip Generation Manual, 10th Edition, published by the Institute of Transportation Engineers (ITE). ~~As a portion of the project site is proposed to be rezoned to a MRD-SPD M-1-SPD zone~~ which permits various manufacturing, industrial, and warehousing uses, the trips generated by the project are summarized for five (5) land uses, including General Light Industrial (ITE Code 110), Industrial Park (ITE Code 130), Manufacturing (ITE Code 140), Warehousing (ITE Code 150), and High-Cube Transload and Short-Term Storage Warehouse (ITE Code 154). The trips generated by the proposed project are presented in Table 17.

As shown in Table 17, the General Light Industrial land use produces the most trips for all time periods except for the PM peak-hour, during which the Manufacturing land use produces the most trips.

In response to a comment, Mitigation Measure 2-1 on page 30 of the IS/MND is hereby revised as follows:

2-1 *Prior to approval of any grading plans, the project applicant shall demonstrate that emissions from all off-road diesel-powered equipment to be used in the construction of the project (including owned, leased, and subcontractor equipment) shall not exceed 0.1107 tons of PM_{2.5} per year of construction and 85 pounds per day of NO_x. SMAQMD's Construction Mitigation Tool, or another method deemed acceptable by the City, may be used to calculate the anticipated emissions resulting from construction of the proposed project. Emissions estimates for project construction shall be submitted for review and approval to the City of Sacramento Planning Division.*

SMAQMD's Construction Mitigation Tool requires the user to input the type and number of pieces of equipment used, as well as the total amount of time the equipment would be used for each day and throughout the entire construction period. During the course of project construction, should the project contractor determine that changes to the anticipated equipment list are needed, an update to SMAQMD's Construction Mitigation Tool shall be submitted to the City

demonstrating that the proposed changes to equipment usage would not result in project construction emitting in excess of 0.1107 tons of PM_{2.5} per year and 85 pounds per day of NO_x.

~~In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.~~

Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

To ensure compliance with District Rule 403 regarding fugitive dust, the following Basic Construction Emission Control Practices (Best Management Practices) must be noted on grading plans and implemented during project construction:

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads;
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered;
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited;
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph);
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site;
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html; and
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

The foregoing revisions do not affect the conclusions or adequacy of the IS/MND.

Attachment 2

Responses to Comments

RESPONSES TO COMMENTS

This Responses to Comments document contains public and/or agency comments received during the public review period of the Bell Avenue Warehouses Project (proposed project) Initial Study/Mitigated Negative Declaration (IS/MND).

LIST OF COMMENTERS

The City of Sacramento received the following four comment letters on the IS/MND during the November 6, 2019 to December 6, 2019 comment period:

Letter 1 Robb Armstrong, Sacramento Regional County Sanitation District
Letter 2 Jordan Hensley, Central Valley Regional Water Quality Control Board
Letter 3 Nicole Goi, Sacramento Municipal Utility District
Letter 4 Joseph James Hurley, Sacramento Metropolitan Air Quality Management District

RESPONSE TO COMMENTS

The Responses to Comments below include responses to the comment letters submitted regarding the proposed project. The letters are numbered and bracketed with assigned comment numbers. The bracketed comment letters are followed by numbered responses corresponding to each bracketed comment. It should be noted that where revisions to the IS/MND text are required in response to a comment, new text is double underlined and deleted text is ~~struck through~~.

Letter 1

November 15, 2019

Mr. Ron Bess
City of Sacramento – Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento CA 95811

Subject: Notice of Availability/Intent to Adopt - Mitigated Negative Declaration for the Bell Avenue Warehouses Project (P19-015)

Dear Mr. Bess,



Main Office

10060 Goethe Road
Sacramento, CA 95827-3553
Tel: 916.876.6000
Fax: 916.876.6160

Treatment Plant

8521 Laguna Station Road
Elk Grove, CA 95758-9550
Tel: 916.875.9000
Fax: 916.875.9068

Board of Directors

Representing:

County of Sacramento

County of Yolo

City of Citrus Heights

City of Elk Grove

City of Folsom

City of Rancho Cordova

City of Sacramento

City of West Sacramento

Prabhakar Somavarapu

District Engineer

Ruben Robles

Director of Operations

Christoph Dobson

Director of Policy & Planning

David O'Toole

Director of Internal Services

Joseph Maestretti

Chief Financial Officer

Nicole Coleman

Public Affairs Manager

www.regionalsan.com

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1-1

Sacramento Regional County Sanitation District (Regional San) has the following comments pertaining to the Mitigated Negative Declaration for the 1690 Bell Avenue Warehouse project.

The proposed project consists of construction of two spec warehouse buildings totaling 339,549-sq.ft. on a 20.8-acre project site. The proposed project site is located at 1690 Bell Avenue within the Light Industrial Zone of the City of Sacramento.

1-2

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's (City) local sewer collection system. Ultimate conveyance of wastewater from the City collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided by the Regional San Interceptor system.

1-3

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 treatment facilities that provides service to new customers. The Regional San ordinance is located on the Regional San website at: <https://www.regionalsan.com/ordinance>.

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 may need to be completed to assess the impacts of any proposed project that has the potential to increase flow demands.

1-4

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

Sincerely,

Robb Armstrong

Robb Armstrong
Regional San Development Services & Plan Check

**LETTER 1: ROBB ARMSTRONG, SACRAMENTO REGIONAL COUNTY SANITATION
DISTRICT, NOVEMBER 15, 2019**

Response to Comment 1-1

The comment is an introductory statement and does not address the adequacy of the IS/MND.

Response to Comment 1-2

The comment summarizes the wastewater collection and treatment services available to the project site. The comment does not address the adequacy of the IS/MND.

Response to Comment 1-3

The comment discusses the fee program outlined in the Sacramento Regional County Sanitation ordinances. The proposed project is subject to such fees, as noted on page 89 of the IS/MND: the “City has anticipated the need for wastewater services in the project area and requires development impact fees to support buildout demand of their service area (including the project site).” Then, as noted on page 89 of the IS/MND, “As part of the COAs [conditions of approval] for the proposed project, the City’s Department of Utilities will require preparation of a sewer study for the project.”

Response to Comment 1-4

The comment is a concluding statement and does not address the adequacy of the IS/MND.

Letter 2



Central Valley Regional Water Quality Control Board

22 November 2019

Ron Bess
City of Sacramento
Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

CERTIFIED MAIL
7019 0700 0002 0111 5947

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, BELL AVENUE WAREHOUSES PROJECT, SCH#2019119019,
SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 5 November 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Bell Avenue Warehouses 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

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

2-1

Letter 2
Cont'd

Bell Avenue Warehouses Project
Sacramento County

- 2 -

22 November 2019

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/

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 Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.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:

2-1
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Bell Avenue Warehouses Project
Sacramento County

- 3 -

22 November 2019

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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/

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

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

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 (USACE). If a Section 404 permit is required by the USACE, 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 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 USACE at (916) 557-5250.

¹ 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.

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Letter 2
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Bell Avenue Warehouses Project
Sacramento County

- 4 -

22 November 2019

2-1
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Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE 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. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE 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 Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

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:

Bell Avenue Warehouses Project
Sacramento County

- 5 -

22 November 2019

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

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:
https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at 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 11-100 acres are currently \$1,277 + \$8.53/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.

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 *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain

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Letter 2
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Bell Avenue Warehouses Project
Sacramento County

- 6 -

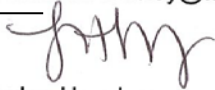
22 November 2019

coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

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 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:
<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento (via email)

**LETTER 2: JORDAN HENSLEY, CENTRAL VALLEY REGIONAL WATER QUALITY
CONTROL BOARD, NOVEMBER 22, 2019**

Response to Comment 2-1

The comment provides a summary of the Regional Water Quality Control Board's standard requirements related to water quality regulations and permitting and does not specifically address the adequacy of the IS/MND.

Letter 3

Powering forward. Together.



Sent Via E-Mail

December 4, 2019

Ron Bess, Assistant Planner
City of Sacramento, Community Development Department
300 Richards Blvd
Sacramento, CA 95811
rbess@cityofsacramento.org

Subject: **Bell Avenue Warehouses Project / MND / 2019119019**

Dear Mr. Bess:

3-1

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Mitigated Negative Declaration (MND) for the Bell Avenue Warehouse Project (Project, SCH 2019119019). 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.

3-2

It is our desire that the Project MND 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 for more information regarding transmission encroachment:
- <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>
- <https://www.smud.org/en/Corporate/Do-Business-with-SMUD/Land-Use/Transmission-Right-of-Way>
- Utility line routing
- PUE's along the frontage of the property.
- Electrical load needs/requirements
- Energy Efficiency
- Climate Change
- Cumulative impacts related to the need for increased electrical delivery
- The potential need to relocate and or remove any SMUD infrastructure that may be affected in or around the project area

**Letter 3
Cont'd**

3-3

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 MND. If you have any questions regarding this letter, please contact SMUD's Environmental Management Specialist, Rob Ferrera, at rob.ferrera@smud.org or 916.732.6676.

Sincerely,



Nicole Goi
Regional & Local Government Affairs
Sacramento Municipal Utility District
6201 S Street, Mail Stop B404
Sacramento, CA 95817
nicole.goi@smud.org

Cc: Rob Ferrera

LETTER 3: NICOLE GOI, SACRAMENTO MUNICIPAL UTILITY DISTRICT, DECEMBER 4, 2019

Response to Comment 3-1

The comment is an introductory statement and does not address the adequacy of the IS/MND.

Response to Comment 3-2

Page 12 of the IS/MND states the following regarding energy use:

The Master EIR concluded that implementation of State regulations, coordination with energy providers, and implementation of General Plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level. The proposed project would be consistent with the type and intensity of development anticipated for the site in the General Plan, and meet the energy efficiency standards required by Title 24; therefore, the project would not result in the inefficient, wasteful, or unnecessary consumption of energy.

Based on the above, the proposed project would not result in any significant impacts related to electrical load needs/requirements, energy efficiency, or cumulative need for increased electrical delivery.

It should be noted that a public utility easement (PUE) exists along the western border of the project site, along Bell Avenue. The project would involve connection to the existing electrical infrastructure within the PUE, and would not require the relocation or removal of SMUD infrastructure. In addition, as noted in Section 2, Air Quality, of the IS/MND, the proposed renovation would not conflict with the City's Climate Action Plan; thus, significant project impacts related to climate change would not occur.

Response to Comment 3-3

The comment is a conclusion statement that does not address the adequacy of the IS/MND.

Letter 4



December 6, 2019

Submitted Via Email

Ron Bess
City of Sacramento
Community Development Department
Environmental Planning Services
300 Richards Blvd. 3rd Floor
Sacramento, CA 95811
Rbess@cityofsacramento.org

Subject: SMAQMD Comments Mitigated Negative Declaration (MND) for the Bell Avenue Warehouses Project (P19-015)

Mr. Bess,

4-1

The Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) thanks the City of Sacramento for the opportunity to comment on the proposed 1690 Bell Avenue Shell. This project consists of a request to construct two (2) spec warehouse buildings totaling 339,549 square feet on a 20.8-acre site in the M-1-SPD (Light Industrial - McClellan Heights/Parker Homes Special Planning District) zone and Del Paso Heights Design Review District and a Rezone of the existing zoning from R-1A-SPD (Single-Unit or Duplex Dwelling - McClellan Heights/Parker Homes Special Planning District) to M-1-SPD (Light Industrial - McClellan Heights/Parker Homes Special Planning District). Staff comments follow.

California Environmental Quality Act (CEQA) Comments:

4-2

Construction (Short-term) Emissions: District staff note that the DEIR for the project concludes that construction activities would not result in emissions that would exceed Sac Metro Air District-recommended thresholds of 85 lb/day for NOX, 80 lb/day or 14.6 tons/year for PM10, and 82 lb/day or 15 tons/year for PM2.5.

4-3

Due to the nonattainment status of the Sacramento air basin with respect to ozone, PM10, and PM2.5, the Sac Metro Air District recommends that all projects with construction activities implement a set of Basic Construction Emission Control Practices¹ as best management practices (BMPs) regardless of the significance determination. District staff recommends that mitigation measure 2-1, described on page 30, include the Basic Construction Emission Control Practices.

4-4

Operational Emissions: District staff note that the project is not anticipated to exceed the Sac Metro Air District threshold of significance for operational emissions.

Design Comments:

¹ The District has a list of Basic Construction Emission Control Practices that are considered feasible for controlling fugitive dust from a construction site. They can be downloaded at:
<http://www.airquality.org/LandUseTransportation/Documents/Ch3BasicEmissionControlPracticesFINAL9-2010.pdf>

**Letter 4
Cont'd**

4-5

The District recommends the inclusion of Electrical Vehicle Charging stations for use by employees and site visitors per the City of Sacramento's 2035 General Plan Policy M 1.5.5: Support Zero- and Low-Emission Vehicle Adoption. Parking spaces with EV chargers should have appropriate signage to ensure the spaces remain available for electric vehicle charging.

The project should install trees and vegetative barriers on the site periphery to minimize potential impacts to surrounding residential uses. Vegetative barriers should be consistent with the Sac Metro Air District's [Landscaping Guidance for Improving Air Quality near Roadways](#)². All parking areas should comply with City's parking lot shade ordinance.

4-6

General Comments:

All projects are subject to Sac Metro Air District rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling (916) 874-4800.

The District thanks the City of Sacramento for the opportunity to comment on this project. If you have additional questions or require further assistance, please contact me at jhurley@airquality.org or (916) 874-2694.

Sincerely,

-JJ Hurley

Joseph James Hurley
Planner/Analyst
Sacramento Metropolitan Air Quality Management District
916.874.2694

Attachments: SMAQMD Rules & Regulations Statement

² The Sac Metro Air District *Landscaping Guidance for Improving Air Quality near Roadways* is available at <http://www.airquality.org/LandUseTransportation/Documents/SMAQMDFinalLandscapingGuidanceApril2017.pdf>

Letter 4
Cont'd

ATTACHMENT

Sac Metro Air District Rules & Regulations Statement (revised 6/2018)

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 (Sac Metro Air District):

All projects are subject to Sac Metro Air District rules in effect at the time of construction. A complete listing of current rules is available at 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 Sac Metro Air District prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the Sac Metro Air District early to determine if a permit is required, and to begin the permit application process. 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.

4-7

Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower is required to have a Sac Metro Air District permit or a California Air Resources Board portable equipment registration (PERP) (see Other Regulations below).

Rule 402: Nuisance. The developer or contractor is required to prevent dust or any emissions from onsite activities from causing injury, nuisance, or annoyance to the public.

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 453: Cutback and Emulsified Asphalt Paving Materials. This rule prohibits the use of certain types of cut back or emulsified asphalt for paving, road construction or road maintenance activities.

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.

**Letter 4
Cont'd**

**4-7
Cont'd**

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

Other Regulations (California Code of Regulations (CCR))

17 CCR, Division 3, Chapter 1, Subchapter 7.5, §93105 Naturally Occurring Asbestos: The developer or contractor is required to notify the Sac Metro Air District of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. The developer or contractor is required to comply with specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

13 CCR, Division 3, Chapter 9, Article 5, Portable Equipment Registration Program: The developer or contractor is required to comply with all registration and operational requirements of the portable equipment registration program such as recordkeeping and notification.

13 CCR, Division 3, Chapter 9, Article 4.8, §2449(d)(2) and 13 CCR, Division 3, Chapter 10, Article 1, §2485 regarding Anti-Idling: Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes. These apply to diesel powered off-road equipment and on-road vehicles, respectively.

**LETTER 4: JOSEPH JAMES HURLEY, SACRAMENTO METROPOLITAN AIR QUALITY
MANAGEMENT DISTRICT, DECEMBER 6, 2019**

Response to Comment 4-1

The comment is an introductory statement and does not address the adequacy of the IS/MND.

Response to Comment 4-2

The comment summarizes conclusions presented in the IS/MND and does not address the adequacy of the IS/MND.

Response to Comment 4-3

Page 22 of the IS/MND states the following:

It should be noted that all projects under the jurisdiction of SMAQMD are required to comply with all applicable SMAQMD rules and regulations (a complete list of current rules is available at www.airquality.org/rules). Rules and regulations related to construction include, but are not limited to, Rule 201 (General Permit Requirements), Rule 402 (Nuisance), Rule 403 (Fugitive Dust), Rule 404 (Particulate Matter), Rule 414 (Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 British Thermal Units per Hour), Rule 417 (Wood Burning Appliances), Rule 442 (Architectural Coatings), Rule 453 (Cutback and Emulsified Asphalt Paving Materials), Rule 460 (Adhesives and Sealants), Rule 902 (Asbestos) and California Code of Regulations (CCR) requirements related to the registration of portable equipment and anti-idling. Furthermore, all projects are required to implement SMAQMD's Basic Construction Emission Control Practices (BCECP). Compliance with SMAQMD rules and regulations and BCECP would ensure that construction emissions are minimized to the extent practicable.

Project construction is assumed to include compliance with the Basic Construction Emission Control Practices as required per Rule 403. The following excerpt from page 24 of the IS/MND lists the required fugitive dust control Best Management Practices (BMPs):

The control of fugitive dust during construction is required by SMAQMD Rule 403, and enforced by SMAQMD staff. The BMPs for dust control include the following:

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads;
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered;
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited;
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph);
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Minimize idling time either by shutting equipment off when not in use or reducing

the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site;

- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html; and
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Compliance with the foregoing measures is required per Rule 403, and project construction is assumed to include compliance with the foregoing measures.

Based on the above, the proposed project would be required to follow all SMAQMD rules, including the Basic Construction Emissions Control Practices, as outlined in the IS/MND. Nonetheless, based on the comment, Mitigation Measure 2-1 on page 30 of the IS/MND is hereby revised as follows:

- 2-1 *Prior to approval of any grading plans, the project applicant shall demonstrate that emissions from all off-road diesel-powered equipment to be used in the construction of the project (including owned, leased, and subcontractor equipment) shall not exceed 0.1107 tons of PM_{2.5} per year of construction and 85 pounds per day of NO_x. SMAQMD's Construction Mitigation Tool, or another method deemed acceptable by the City, may be used to calculate the anticipated emissions resulting from construction of the proposed project. Emissions estimates for project construction shall be submitted for review and approval to the City of Sacramento Planning Division.*

SMAQMD's Construction Mitigation Tool requires the user to input the type and number of pieces of equipment used, as well as the total amount of time the equipment would be used for each day and throughout the entire construction period. During the course of project construction, should the project contractor determine that changes to the anticipated equipment list are needed, an update to SMAQMD's Construction Mitigation Tool shall be submitted to the City demonstrating that the proposed changes to equipment usage would not result in project construction emitting in excess of 0.1107 tons of PM_{2.5} per year and 85 pounds per day of NO_x.

~~*In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off Road Diesel Fueled Fleet Regulation as required by CARB.*~~

Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

To ensure compliance with District Rule 403 regarding fugitive dust, the following Basic Construction Emission Control Practices (Best Management Practices) must be noted on grading plans and implemented during project construction:

- *Water all exposed surfaces two times daily. Exposed surfaces include,*

but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads;

- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered;
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited;
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph);
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site;
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html; and
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Response to Comment 4-4

The comment summarizes conclusions presented in the IS/MND and does not address the adequacy of the IS/MND.

Response to Comment 4-5

As discussed in Section 2, Air Quality, of the IS/MND, the air quality and greenhouse gas emissions were below threshold; thus, additional measures are not required to further reduce emissions. Nonetheless, the site plan notes designated spaces for clean air vehicles and electric vehicle charging stations. The existing trees along the southern and eastern boundaries of the project site would remain, and landscaping strips along borders, in the parking areas, and along the rear of Building B would be included as part of the project. Additionally, the project would be required to comply with all City standards, which would be verified during the Site Plan and Design Review. The commenter's suggestion has been forwarded to the decision-makers for their consideration.

Response to Comment 4-6

See Response to Comment 4-3 above regarding compliance with SMAQMD rules. The comment does not specifically address the adequacy of the IS/MND.

Response to Comment 4-7

The comment provides a summary of SMAQMD's recommended standard conditions of approval related to construction and does not address the adequacy of the IS/MND.