

Comment 102: Paul Helman (January 13, 2019)

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January 13, 2019

Tom Buford  
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email to: tbuford@cityofsacramento.org

Re: Additional Comments on the Draft EIR for the Del Rio Trail Project (K15165100)

Dear Mr. Buford,

Please find below my additional comments on the Draft EIR for the Del Rio Trail Project. These comments are additional to those made in a letter dated January 3<sup>rd</sup>, 2019. I have carefully reviewed the Areas of Controversy and general topics contained in the DEIR. Comments will focus on the adequacy and completeness of the Del Rio Trail DEIR dated November 2018. The comments will center on the potential impacts, the level of severity, the mitigation measures being proposed and project alternatives being considered.

The summary of **Potential Impact and Proposed Mitigations**, pages xxvii-xxxi is in error as several statements concerning various listed impacts are understated. This comment record will detail those errors and correctly state the impacts. From these correctly stated impacts this comment record will propose improved and enhanced mitigation measures.

**Summary of Inadequacies and Incompleteness in Effects determined to be Significantly important**

Comments contained in this letter will show that the findings associated with these **Impacts** are inadequate and incomplete and incorrect which result in inadequate mitigations.

<b>Potential Impacts</b>	<b>Impact Studied</b>	<b>Necessary or potential finding</b>
Population and Housing	POP-1 to POP-3	Incomplete as not fully studied, may be found as Less than Significant with Mitigation Incorporated
Public Services	PUB-1	Incomplete as not fully studied, additional mitigations needed to remain Less than Significant with Mitigation Incorporated
Transportation and Traffic	TRANS-2	Incomplete as not fully studied, additional mitigations needed to remain Less than Significant with Mitigation Incorporated plus Project scope is misstated.
Land Use and Planning	LAND-2	Incomplete as not fully studied, may be found as Less than Significant with Mitigation Incorporated
Visual (VIA)	Unnumbered	Significant Unmitigated Impact

### Summary of Comments regarding DEIR Sections 3 & 4.

The selection of the proposed Project as the Environmentally Superior Alternative is inaccurate due to an incomplete set of Alternatives studied. The initial project scoping process employed an incomplete Conceptual Design Phase and possible Alternatives that met Project objectives were not developed, listed and subsequently not studied.

Stating the Project is Less than Cumulatively Considerable is inaccurate due to the incompleteness of many Impact studies and incomplete mitigations.

### Errors and inconsistencies in the DEIR

Two items were found to be either an error or an inconsistency which leads to a conclusion this DEIR is incomplete.

A

1. It is stated a new parking lot will be built at Darnel Way and Riverside Boulevard. Project documents show it at San Mateo Way and Riverside Boulevard.

B

2. TDEIR refers the reader to section 2.13 to locate Mitigation TRA-1. However, there is *no mitigation found* in section 2.13.

### Population and Housing

This DEIR section describes the regulatory and environmental setting for population and housing. It also describes impacts that would result from implementation of the proposed Project and mitigation for significant impacts, where feasible.

Listed in this section are following portions of the City of Sacramento 2035 General Plan and though not necessarily directly connected to Population and Housing it is included in the DEIR. As such it will be commented on here as all findings in this section, **Impacts POP-1 to POP-3** were found as “No Impact” and thus no mitigation proposed which is an incomplete study of this impact which leads to an inaccurate conclusion.

**Goal ED 1.1** Maintain a supportive business climate that increases the City’s ability to retain and expand existing businesses and attract businesses

**Policy ED 1.1.2 City Image.** The City shall continue to promote Sacramento among its citizens and the wider business community as a livable community and an excellent place to do business.

These aspects, *supportive business climate* and *livable community*, of the General Plan were not studied and potential impacts not assessed. Thus, the entire analysis of Population and Housing is inadequate and incomplete.

C

The effects of the new transportation corridor on the adjacent business and residential communities was not studied. One can imagine individuals desiring to avoid downtown parking fees yet with job and recreation needs in downtown Sacramento will use the proposed Project to meet their parking needs. Residential street and small business parking lot access to the proposed Project is abundant. There is the very real potential that Project users will park their bike carrier equipped cars or trucks on

local residential streets or local business concerns parking lots. With no restrictions on non-resident day long parking in residential areas a large percentage of street parking can be taken up by individuals parking, getting on their bikes and using the proposed Project to go to work on a daily basis. The same is possible with local business parking lots. The businesses within several blocks of the proposed Project could potentially lose business based on parking lots full of cars belonging to habitual and occasional Project users. Street and business parking can also be taken by individuals who take the opportunity to just use smaller portions of the Project for personal exercise or to walk a pet.

One data point comes from observations by the author on a recent, January 8, 2019, 30-minute visit to the proposed Project at a location immediately south of Sutterville Road and South Land Park Drive. Two nonconnected individuals were seen parking their cars behind the businesses located at the Southwest corner of South Land Park Drive. One started walking South towards Del Rio Road and the other used the proposed Project area to exercise a pet. In both cases valuable parking spaces, paid for by business tenants, were taken up and thus unavailable to those businesses. With a fully developed trail, it can be seen that much parking, business and residential, will be taken up by Project users. Bicycle clubs, families, youth groups and bicycle vendors will access the Project by using available residential and business parking. The Project has an unstudied and thus unmitigated potential to adversely affect the Sacramento business community and degrade local livable communities.

The findings of Population and Housing is inadequate and incomplete without a study of how the Project affects the available business and residential parking located in the Project area. With proper study this this impact could be found to be "Less than Significant with Mitigation Incorporated" and then coupled with proposed mitigation that must be developed.

#### **Public Services**

This DEIR section describes the regulatory and environmental setting for public services. It also describes impacts on public services that would result from implementation of the proposed Project and mitigation for significant impacts, where feasible.

The "Level of Significance" ascribed to **Impact PUB-1** is understated and inadequately compares the effects of the proposed Project to the environmental setting.

D

**Impact PUB-1** is defined as the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection  
Police Protection  
Schools  
Parks; or  
Other public facilities

This impact was found to be "Less than Significant with Mitigation Incorporated".

This impact finding is inadequate and incomplete since it does not address potential impacts to public services caused by the *new government facilities* built by the Project.

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The City of Sacramento 2035 General Plan states:

**Goal ERC 2.2 Parks, Community and Recreation Facilities and Services.** Plan and develop parks, community and recreation facilities, and services that enhance community livability; improve public health and safety; are equitably distributed throughout the city; and are responsive to the needs and interests of residents, employees, and visitors.

**Policy ERC 2.2.2 Timing of Services.** The City shall ensure that the development of parks and community and recreation facilities and services keeps pace with development and growth within the city.

The Project will be an attractant to activities that generate an unstudied increase in the necessary Public Services that keeps our communities livable, healthy and safe. No mention is made of janitorial and maintenance increase of private and public restrooms, garbage collection and animal waste collection stations. No study was made of the public safety hazards of an unprotected bicycle trail crossing busy roads such as Sutterville nor of any need for bicycle speed control enforcement that potentially would be created by long stretches of unencumbered and straight trail.

E

Mitigation **TRA-1** is inadequate and incomplete. It is noted the DEIR refers the reader to section 2.13 to locate Mitigation TRA-1. However, there is *no mitigation found* in section 2.13 which leads to the conclusion that Impact TRA-1 and proposed mitigation is incomplete as there is none. However, giving the DEIR the benefit of a complex and lengthy document, there is a mitigation labeled TRA-1, found in section 2.14, Transportation and Traffic. This mitigation deals with solutions to traffic flow caused by construction activities only and has nothing to do with the potential impacts of increased Public Services described above and is thus, as it is written, inadequate and incomplete.

F

The DEIR states no short-term or long-term impacts to fire protection, police protection, school facilities, or other governmental services would occur as a result of proposed Project. There is no basis to state this as there is no study to support this. The Project will definitely create a need for increased public services in the area of sanitation, garbage collection and trail speed enforcement

With proper study this these unstudied impacts could found to be "Less than Significant with Mitigation Incorporated" once coupled with proposed mitigations.

### **Transportation and Traffic**

This DEIR section describes the regulatory and environmental setting for transportation and traffic. It also describes impacts on transportation and traffic that would result from implementation of the proposed Project and mitigation for significant impacts, where feasible.

The City of Sacramento 2035 General Plan states:

**Goal M 4.1 Street and Roadway System.** Create a context-sensitive street and roadway system that provides access to all users and recognizes the importance that roads and streets play as public space. As such, the City shall strive to balance the needs for personal travel, goods movement, parking, social activities, business activities, and revenue generation, when planning, operating, maintaining, and expanding the roadway network.

**Policy M 4.1.1 Emergency Access.** The City shall develop a roadway system that is redundant (i.e., includes multiple alternative routes) to the extent feasible to ensure mobility in the event of emergencies.

**Goal M 4.3 Neighborhood Traffic.** Enhance the quality of life within existing neighborhoods through the use of neighborhood traffic management and traffic calming techniques, while recognizing the City's desire to provide a grid system that creates a high level of connectivity.

**Policy M 4.3.1 Neighborhood Traffic Management.** The City shall continue wherever possible to design streets and approve development applications in a manner as to reduce high traffic flows and parking problems within residential neighborhoods

The DEIR in this section states:

"The majority of parking in the study area is associated with residential and commercial developments. The proposed Project is not anticipated to reduce any available parking within the study area. A new trail-head parking lot will be constructed in the northern portion of the Project on the corner of Darnel Way and Riverside Boulevard".

G

Before the unstudied impacts of this new parking lot are commented upon, it is noted that the parking lot shown on Project scope aerial photographs is not at Darnel Way and Riverside Boulevard but at San Mateo Way and Riverside Boulevard. This is a misstatement of Project Scope.

The effects on the neighborhood local to this new proposed parking lot was not studied. No estimates were made of total and frequency of traffic created by Project users coming to the new lot on local residential streets, parking in the lot, and then after using the Project, leaving the new parking lot on the same residential streets. The DEIR does not list any neighborhood traffic management plan for the location of this new parking lot. There are no impacts studied and thus no proposed mitigations and is there for incomplete and inaccurate. The DEIR in this section or any other section study the impacts of parking on Residential Streets and local small business parking lots. This was discussed by the author above, is referenced as mentioned, and will not be repeated here.

However, this section does include this impact:

**Impact TRANS-2: Potential to conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.**

Long-term traffic operations and access to public transit would not be adversely affected by the proposed Project. The Project will not create additional vehicle trips. Therefore, no additional volume would be generated and would not result in any new traffic impacts. Short-term traffic operations at intersections would be temporarily affected during construction of the trail crossing; however, one lane in each direction would be kept open for through traffic throughout construction. Short-term construction impacts to traffic operations are anticipated to be minimal. Temporary impacts to traffic flow as a result of construction activities would be minimized through construction phasing, signage and a traffic control plan.

**Level of Significance:** Less than Significant with Mitigation



**Mitigation Required: TRA-1**

H

The analysis of **Impact TRANS-2** is tremendously incomplete and inaccurate as there is no study of vehicular traffic flow and volume caused by the Project. The statement that “the Project will not create additional vehicle trips. Therefore, no additional volume would be generated and would not result in any new traffic impacts” is an inaccurate and there are no studies to support this conclusion. It is pointed out that a new parking lot is proposed as part of Project scope. Clearly there will be vehicle trips through a residential area to use this new parking lot which allows access to the Project.

A more complete study of these impacts could yet be found to be “Less than Significant with Mitigation Incorporated” however new mitigations need to be proposed.

**Land Use and Planning**

The “Level of Significance” ascribed to **Impact LAND-2** is understated and inadequately compares the effects of the proposed Project to the environmental setting. **Impact LAND-2** is defined as the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

This impact was found to be “No Impact”.

The City of Sacramento 2035 General Master Plan, Goal LU 9.1 Open Space, Parks, and Recreation is intended to protect open space for its recreational, agricultural, safety, and environmental value and provide adequate parks and open space areas throughout the city. The Old Sacramento State Historic Park Master plan includes property that is included in the Project boundaries and scope. This property is currently used by a unit of the Old Sacramento State Historic Park for recreational purposes that help explain and interpret the historic nature of the railroad background of the Project. The effects of the Project on the recreational and historic programs must be studied and any impacts mitigated.

I

This finding is inadequate since the effects of this project on the California State Parks Master Plan for Old Sacramento State Historic Park were not studied. This is a master plan adopted by the State, currently in use and must be fully incorporated into the Project. This has not been done and must be for **Impact LAND-2** to be considered complete.

This section of this comment letter above is a repeat of the author’s letter of January 3, 2019. Upon reflection it was felt by the author that additional discussion was appropriate. **Impact LAND-2** must consider any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project. As stated above an applicable plan is the California State Parks Master Plan for Old Sacramento State Historic Park. Included in this Master Plan is operation of the Sacramento Southern Railroad Excursion line to a location just north of Sutterville Road. This excursion is extremely popular during the regular season of April through September with special operations in October, November and December. Ridership for these combined trains approach 90,000 per year. Included in this total are State wide school groups that use the excursion for teaching California History.

The Project has potential serious impacts on the current operation of the Sacramento Southern Railroad. These operations are approved by the State's adoption of the Master Plan. The Project has not studied these impacts which leads to LAND-2 being found inadequate and incomplete.

Only through the necessary future study will any impacts be determined and mitigations proposed. Until then Impact **LAND-2** remains inadequate and incomplete.

### Visual

This unnumbered impact is discussed in the Visual Impact Assessment prepared by the California Department of Transportation. This document is listed as App-J\_5-Visual\_Impact\_Assessment. This document states "The lead agency for CEQA compliance is the City; the federal lead agency for NEPA compliance is Caltrans."

This document and its conclusion are inaccurate and incomplete. Important visual items were not studied and the document is not compliant with appropriate language for this type of study. The study contained, though using non-compliant language, is found as inaccurate and incomplete.

J

The study completely misses the points discussed in the author's letter of January 3, 2019, and will not be repeated here. The DEIR Impacts, AES-3 and CUL-1, were found to be incomplete and inaccurate for the same reasons the unnumbered visual impact is found as incomplete and inaccurate. The visual impact study does not address Sacramento having a Unique Sense of Place that is damaged by the removal of track at grade crossings. The loss of this track will definitely degrade the visual character of each grade crossing. The Roadway User that crosses locations where historic Walnut Grove Branch rail line was removed will have a response. Mitigations for AES-3, described in the DEIR, is found to be inaccurate and incomplete. The visual study also does not address diminished integrity of the historic Walnut Grove Branch rail line's **feeling** or **association** which the project may not do.

K

The stated Mitigation Required, **CR-1**, is basically to follow the Action Plan of Table 10. This action plan in itself is incomplete as detailed in the author's previous letter, thus so is mitigation **CR-1**.

It is noted that the document in question is dated and signed in January 2018, and does not contain any benefit from public comments now listed in Appendix C of the DEIR.

The VIA concludes "the proposed project would result in a moderate visual impact due to the proposed multi-use trail. The recommended Mitigation, Avoidance/Minimization Measures VIA-1 through VIA-4 would reduce any potential visual impacts to neighbors and roadway users"

L

This conclusion which is presumed to mean Less than Significant with Mitigation Incorporated is found to be incorrect due to the incompleteness and inaccuracies noted above. The finding must be changed to "**Significant Unmitigated Impact**" since the loss of sense of place, association and feeling cannot be mitigated.

### Comments on DEIR Sections 3, Alternatives, and 4, Other CEQA Considerations

M

An incomplete set of Alternatives was studied which leads to the conclusion that the selected Alternative as the Environmentally Superior Alternative is inaccurate. It could be construed that the initial Project scope was such that removal of rail and the elimination of possible future use was deemed essential. This boxed in thinking did not allow for an Alternative that had no rail removal and thus, with the absence of such an Alternative, the selected Alternative is found to be inaccurate and incomplete.

Section 3.0 of the DEIR describes alternatives to the proposed Project that were considered but rejected for further consideration. This section also says that Comments received during initial public outreach were considered (see Appendix C). Appendix C contains those collected comments.

N

The Alternatives studied is incomplete due to the omission of the oft mentioned alternative of "Rails with Trails". Rails with Trails is a viable option and it being off the studies list implies that the comments submitted were not read, not considered or not studied thus leading to the conclusion of the DEIR being Incomplete and Inadequate. The comments that were studied are these three listed bullet points:

- Encourage complete analysis of alternatives
- Consider a No-Walking Trail Alternative; and
- Consider reducing the amount of track removal

As stated above, not studied and not listed are the comments in Appendix C requesting a project of "Rails with Trails"

It is possible that "Rails with Trails" was studied under the listed comment of "Encourage complete analysis of alternatives". However, this is not the case as the only defined alternatives listed as studied and then subsequently rejected were:

- Reduced Tree Removal
- No Walking Path
- No Project Alternative (a standard CEQA requirement)

As stated above, not studied and not listed is an Alternative of Rails with Trails, even though numerous comments were made referencing such an alternative.

It could be construed that the Reduced Tree Removal Alternative addresses, in a convoluted backwards method, the omitted Rails with Trails alternative. The discussion about this alternative attempts to address a comment regarding a concern about removal of track. The DEIR states that due to this comment the Project was modified to remove only 2% of the track however at the expense of an unspecified, unlocated and unidentified number of trees. Thus, the inference is the Reduced Tree Removal Alternative is in conflict with Project modifications done to satisfy the comment and concern about removal of track. It is noted that the DEIR identified this Alternative, the Reduced Tree Removal, as having a more severe Cultural Resources "impact to the Walnut Grove Branch Line of the Southern Pacific Railroad due to 50% of track removal". The DEIR is clearly stating that removal of track degrades this cultural resource. This section also does not explicitly state why this alternative was

O



rejected, presumably it is due to the noted conclusion that removal of track needed to reduce the number of trees removed destroys a cultural resource which has been identified as a more severe Impact.

The referenced comment also asks “whether the Project could be accomplished without separate walking and biking trails, which in the letter were suggested to be redundant and needlessly expensive”.

P

Alternative 2 is apparently linked to the comment referenced above as it is titled “No Walking Path” and also discusses track removal. This Alternative would not include an adjacent 5 to 6-foot wide unpaved walking trail. Not stated in this Alternative analysis is that Alternative 2 also would not be putting the walking trail between the rails, a very much agreed upon poor idea. Teaching the public, children, parents with infants in strollers and impressionable youth that walking between rails is encouraged and acceptable is simply something to be avoided and must not be included in this project.

Alternative 2 supports safe walking conditions and promotes Rail/ Pedestrian safety. This Alternative is listed as rejected since it would not avoid or substantially lessen significant environmental impacts. This is an inaccurate reason for rejection since Alternative 2 would absolutely reduce the damage to a cultural resource, the destruction of and the removal of track. The 2% track removal is stated to be required for safety reasons at locations where the track is crossed by a path. This is inaccurate as pedestrian and bicycle traffic crosses railroad track 1000’s of times a day in Sacramento where Sacramento Regional Light Rail and the Union Pacific Railroad tracks are crossed by bicycle paths and pedestrian crossings. It is also inadequate to state that this Alternative has no Impacts Identified as Less Severe than the proposed Project. The impact of the walking trail between the rails has a significant impact on Walnut Grove branch cultural resource and needs to be noted and considered. This alternative was incorrectly and inaccurately rejected.

Not considered at all as an Alternative is the Combined Walking and Bicycle path. Studying a No Walking path is not the same as a study of a combined Walking and Bicycle path. This leads to a conclusion of incomplete.

Nowhere is it shown the Alternative section satisfied the “Encourage complete analysis of alternatives” comment. The numerous comments requesting a Rails with Trails alternative were not considered. This also leads to a conclusion of Incomplete.

Because the list of studied Alternatives was Incomplete the selection of the Proposed Project as the Environmentally Superior Alternative is Inaccurate. The omitted Alternative of “Rails with Trails” with a combined pedestrian and bicycle path would result in less trees removed and no track removed resulting in a better Superior Alternative.

Q

#### **Discussion of inaccuracies and incompleteness of section 4.2 Significant and Unavoidable Impacts**

This section states that “CEQA Guidelines section 15126(b) requires an EIR to “describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the Project is being proposed, notwithstanding their effect, should be described.”

“Section 2.0 of this EIR provides a description of the potential environmental impacts of the proposed Project and recommends mitigation measures to reduce impacts to a less than significant level, where possible. After implementation of the recommended mitigation measures, all of the potentially significant impacts associated with the proposed Project would be reduced to a less than significant level. Therefore, the proposed Project will not have significant and unavoidable impacts.”

The finding that the Project will not have significant and unavoidable impacts is incorrect due to the incomplete and inaccurate studies of Impacts AES-3, CUL-1, HAZ-2, LAND 2, POP (All), REC-4, PUB-1, TRANS-2 and Visual unnumbered. AES-3, CUL-1 and Visual unnumbered properly analyzed will result in a finding of a Significant Unmitigated Impact. The implementation of DEIR stated mitigations will not reduce the Project to a less than significant level. The statement that the proposed Project will not have significant and unavoidable impacts is thus incorrect.

#### **Discussion of inaccuracies and incompleteness of section 4.5 Cumulative Impacts**

Numerous findings of the cumulative impacts of the Project and other projects being largely “Less than Cumulatively Considerable” is inaccurate due to the incompleteness of the DEIR Impacts and mitigations, no inclusion and study of the State of California approved Master Plan for the Old Sacramento State Historic Park and the fact that the CSO per Appendix G did not approve nor did it concur with any findings listed in the DEIR, it merely stated it had no objection.

Removal of 2% of historic Walnut Grove Branch rail line alone determines the cumulative impacts are “cumulatively considerable”. DEIR Page 299 essentially suggests the removal of this track is a considerable impact and posits the weak argument that since “this impact would be localized to the Del Rio Trail Project and is not considered a cumulative effect in comparison to the overall existing track in the Sacramento area.” Removal of rail is a Significant Unmitigated Impact, is not allowed by NRHP guidelines and is completely avoidable by proper scoping of Project Alternatives.

This section is inaccurate and incomplete. Only once the needed impact studies and mitigations referred to by the author in comments in this letter and the author’s January 3, 2019, first letter can the determination of Less than Cumulatively Considerable be determined.

Sincerely,

Paul A. Helman

R

Response 102A:

The EIR has been updated to correctly state that a new trail-head parking lot will be constructed in the northern portion of the Project on the corner of San Mateo Way and Riverside Boulevard.

Response 102B:

The EIR has been updated to state that TRA-1 can be found in Section 2.14 Transportation and Traffic.

Response 102C:

Pursuant to the CEQA checklist Impacts POP-1 and POP-2, the Project would not create new connections to undeveloped land; therefore, no impacts to growth, economics, or affordable housing are anticipated to occur. The Project would not require acquisition of private property. Therefore, no impact would occur to population and housing. The Project is consistent with the 2035 General Plan Goals ED 1.1 and 1.1.2 referenced in that the trail would result in improved accessibility for surrounding communities to access businesses.

Use of private parking lots for trail users is not an intended outcome of this project; however, the City understands that this could be an unintended result that could impact business use. The City will look into potential options for parking for trail users to alleviate potential illegal use of private property. Furthermore, the City will consider additional measures during final design such as fencing, signage to restrict parking on private property, or other measures to minimize potential future illegal parking activities.

Response 102D:

No public restrooms are proposed along the trail at this time; therefore, analysis of impacts to restrooms are not discussed within the EIR. Further, the new trail would provide maintenance access to the City resulting in regular removal of brush and other debris.

Traffic control would be implemented at all crossings, including Del Rio Road, for cyclist and pedestrian safety. A Technical Memorandum was prepared by Y & C Transportation to summarize the analysis and recommendation for appropriate crossing treatments at each intersection within the project area. This study has been included in Appendix J and is available on the City website for review at <http://www.cityofsacramento.org/delriotrail>.

The project description has been updated in Section 1.0 to reflect implementation of all traffic control components of the project.

Response 102E:

The EIR has been updated to state that TRA-1 can be found in Section 2.14 Transportation and Traffic. TRA-1 is referenced in the Public Services section to address potential impacts to public service response times due to short-term construction impacts to traffic operation. No long-term

impacts to public service response times are anticipated to occur. Additionally, the referenced TRA-2 also addresses potential impacts to public service response times:

**TRA-2:** Emergency public services, local law enforcement agencies, and local businesses will be notified of the Build Alternative and any planned partial intersection closures. This notice shall occur at least one month before construction begins.

Response 102F:

No public restrooms or garbage cans are proposed along the trail at this time; therefore, analysis of use of restrooms or garbage cans as new public facilities are not discussed within the EIR. The existing police and fire stations have capacity to serve any Project-related needs that may arise. No short or long-term impacts to police, fire protection, or other governmental facilities are anticipated to occur other than what was anticipated in the 2035 General Plan and approved City of Sacramento Master Bicycle Plan.

Response 102G:

The EIR has been updated to correctly state that a new trail-head parking lot will be constructed in the northern portion of the Project on the corner of San Mateo Way and Riverside Boulevard.

Response 102H:

Traffic control would be implemented at all crossings, including Del Rio Road, for cyclist and pedestrian safety. To assist in evaluating crossing treatments where the trail intersects roadways, a Path Traffic Volume Memorandum was prepared to estimate how many people are anticipated to use the trail. The results were utilized in a subsequent Crossing Analysis to determine what type of enhancements/facilities, if any, were warranted at each roadway/trail intersection. A Technical Memorandum was prepared by Y & C Transportation to summarize the traffic analysis and recommendation for appropriate crossing treatments at each intersection within the project area. This study has been included in Appendix J and is available on the City website for review at <http://www.cityofsacramento.org/delriotrail>.

The project description has been updated in Section 1.0 to reflect implementation of all traffic control components of the project.

Additionally, as shown in Figure 22 of the EIR, the proposed Project is included within the approved City of Sacramento Master Bicycle Plan (2015). The Project is consistent with the General Plan Master EIR and the City Bikeway Master Plan. The proposed Class I trail would not be constructed within existing roadways thereby reducing effectiveness of the performance of the circulation system. The Project would provide an additional transportation method for the community and would not impact existing public transportation systems within the study area.

Short-term traffic operations at intersections would be temporarily affected during construction of the trail crossing; however, one lane in each direction would be kept open for through traffic throughout construction. Short-term construction impacts to traffic operations are anticipated to

be minimal. Temporary impacts to traffic flow as a result of construction activities would be minimized through construction phasing and signage and a traffic control plan (TRA-1).

Response 102I:

The City acknowledges that there was an approved Final EIR for the Extension of the Steam Excursion Train from Old Sacramento to Hood (1991); however, the approved Old Sacramento State Historic Park General Plan and FEIR (June 2014, SCH: 20100092068) is the current planning document for planned uses of the historic rail corridor. The latter document identifies an extension of the existing excursion train from Old Sacramento to the Sacramento Zoo (at Sutterville Road) as well as a new excursion train line which could run from the Pocket Road/Meadowview Road neighborhood to the town of Hood. The plan and 2014 FEIR specifically exclude the segment of the planned extension of the excursion rail between Sutterville Road and Pocket Road/Meadowview Road (Chapter 4, Page 4-21). As a result, the City of Sacramento has determined that the proposed multi-use trail would not interfere with the approved land use within that segment of the corridor or the planned extension of the excursion rail.

Old Sacramento State Historic Park General Plan and 2014 FEIR Available:  
[http://www.parks.ca.gov/pages/21299/files/osshp%20gp\\_and\\_%20eir\\_final-june%202014.pdf](http://www.parks.ca.gov/pages/21299/files/osshp%20gp_and_%20eir_final-june%202014.pdf)

The Del Rio Trail project is independent of any future proposal for an excursion train, as the project's purpose and need is to advance and complete the planned connection between the Sacramento River Parkway and the Freeport Shores Bikeway in accordance with the City of Sacramento Bikeway Master Plan.

The Land Use section has been updated in the EIR to include the Old Sacramento State Historic Park General Plan as a referenced document in the Local section of the regulatory framework. The proposed Project does not have the potential to conflict with any approved land use plans; therefore, analysis of Impact LAND-2 in the EIR remains accurate.

Response 102J:

The EIR evaluated potential impacts to aesthetics and visual quality. The discussion focused on removal of trees and other large vegetation as those changes would have the greatest potential to be observed by viewer groups. Changes to the abandoned railroad facility were considered to not be a significant change to the overall aesthetics of the corridor when comparing the existing condition with the proposed future condition. This included the minor segments of tracks which would be removed for safety reasons, as well as the visual changes that would occur by putting the decomposed granite walking path between the rails in certain parts of the project.

Based on public comment, and in an effort to further minimize environmental impacts, the proposed Build Alternative in the EIR has been revised to remove the separate walking trail and its use of decomposed granite between existing rails. Removal of the rail would continue to be necessary in select locations for safety purposes, but these changes do not constitute a significant visual impact under CEQA.



Response 102K:

See Section 2.4 of the EIR, Analysis of Adverse Effect, Standard 1. Track removal is only proposed where necessary for safety reasons, particularly when the skew of the proposed bike path against the existing track would create a safety hazard. Two sections of track that require removal for safety or ADA requirements are proposed to be salvaged and reused in adjacent areas where track is already missing, in order to reduce net loss of track resulting from the Project. Other sections of track at certain major intersections will be encased in concrete—leaving the steel rails visible—to increase safety. Use or historical purpose are not protected by the Standards. The majority of the property's features that convey its significance will remain. The ability of a historic property to convey its historic significance is not inextricably tied to its use. The property will retain sufficient physical integrity to convey its original use as railroad line, even if it is no longer used as a railroad line. Similarly, think of a former office building that has been rehabilitated to a hotel use, a very common project type in urban areas. The historic building is no longer used as an office building, but one can still tell it was an office building originally. This type of project is routinely approved by the State Office of Historic Preservation and National Park Service as part of the Federal Rehabilitation Tax Credit which sets a high bar for retaining integrity in rehabilitation projects. The same is true for the proposed project: the historic property may no longer function as a railroad line, but its original use will certainly remain evident and it will retain sufficient integrity to remain eligible for designation. This approach complies with the Standards.

Response 102L:

See Response 102J and 102K.

Response 102M:

The City of Sacramento has developed the Build Alternative and its proposed design by taking into consideration extensive public outreach in an attempt to provide the public with improved multi-modal transportation options consistent with the City's Bicycle Master Plan. Numerous changes to the Build Alternative have been made to best meet the needs and requests of the community and Project stakeholders. The most recent design change is removal of the separate walking trail facility, which was removed as a result of public comments received, and in an effort to further minimize impacts to the historic railroad facility. Full avoidance alternatives were considered during the planning stage; however, none of these alternatives met the purpose and need and/or were considered feasible from an engineering/safety standpoint. Those alternatives are discussed in EIR Section 3.1.3, Alternatives Considered but Rejected for Further Consideration.

As required by CEQA guidelines, the EIR has been updated to also include a full discussion of the No-Build Alternative as a feasible alternative to the Build Alternative.

Response 102N:

The proposed project would construct and operate a 4.8-mile Class I multi-use path. An excursion rail is not a project component; therefore, analysis of a rail project is not included within the EIR

impact analysis. The trail project is not associated with any future excursion train, as the project's purpose and need is to advance and complete the planned bike path connection between the Sacramento River Parkway and the Freeport Shores Bikeway in accordance with the City of Sacramento Bikeway Master Plan. The EIR did not include a potential trail/excursion rail alternative because the excursion rail portion would not assist in meeting any of the project objectives.

The trail project would remove approximately 2% of rails along the route. The project has been revised to eliminate the walking trail (areas in which decomposed granite would be deposited between existing rails as a walking surface) which further eliminates obstacles to future rail services that would result from project implementation.

The project would not preclude operation of an excursion train along the trail alignment in the future. Any such excursion rail proposal would be required to conduct appropriate environmental review.

#### Response 102O:

The Reduced Tree Removal Alternative (50% track removal) would comply with the Secretary of the Interior's Standards. It would not reduce the physical integrity of the historical resource to the degree that it would no longer convey its significance and would no longer be eligible for listing in the National or California Registers. Some change can be considered a "less than significant impact" under CEQA, especially if that change complies with the Secretary of the Interior's Standards. Similar to the proposed Project, this alternative would also comply with the SOI standards and not have a significant impact on the historical resource as defined by CEQA. Section 3.1.3 of the EIR states that the City ultimately rejected this alternative due to public controversy:

"The City received a letter on January 19, 2018, from Cheryl Marcell, President and CEO of the California State Railroad Museum Foundation. In her letter, Ms. Marcell expressed support for the Project and plans for a multi-use trail along the route of the rail corridor. However, Ms. Marcell stated concerns about the removal of the historic property's tracks, and whether the Project could be accomplished without separate walking and biking trails, which in the letter were suggested to be redundant and needlessly expensive. In response to this letter, the City revised the Project alignment which increased the number of trees removed but significantly reduced the amount of proposed track removal to approximately 2 percent. For this reason, the City has concluded that this alternative is not feasible and it is not evaluated further in the EIR."

#### Response 102P:

To further minimize impacts to environmental resources, the proposed project has been revised to remove the separate walking path. Section 3.0 of the EIR has been updated to reflect this change.

#### Response 102Q:

The EIR provides a description of the potential environmental impacts of the Build Alternative and recommends mitigation measures to reduce impacts to a less than significant level, where

possible. After implementation of the recommended mitigation measures, all of the potentially significant impacts associated with the Build Alternative would be reduced to a less than significant level. Therefore, the Build Alternative will not have significant and unavoidable impacts.

Response 102R:

CEQA requires an EIR to include a discussion of cumulative effects of a project when the project's incremental effect is "cumulatively considerable." An effect is cumulatively considerable when it is significant in connection with the effects of past projects, the effects of other current projects and the effects of future Projects (CEQA Guidelines section 15065(a)(3)). There are no current or future plans to remove additional rail in the Sacramento area on this line. The segmented, abandoned rail within the proposed project area is not considered a cumulative impact and is not evaluated as such within the EIR. The removal of approximately 2% of the abandoned rail has been determined by CSO to be localized to the Del Rio Trail Project and Caltrans, as the NEPA lead making decisions for eligible resources on the NRHP, does not consider this a cumulative effect in comparison to the overall existing track in the Sacramento area.