

**IS/MND
ATTACHMENT 1**

**ADVANCED HEALTHCARE OF SACRAMENTO (PR 14-038)
PUBLIC COMMENTS &
RESPONSE TO COMMENTS
DRAFT INITIAL STUDY / MITIGATED NEGATIVE
DECLARATION**

Prepared By:
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

In Consultation With:
HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630

April 2015



EDMUND G. BROWN JR.
GOVERNOR

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



KEN ALEX
DIRECTOR

February 24, 2015

Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Subject: Advanced Health Care of Sacramento
SCH#: 2015012044

Dear Scott Johnson:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 23, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015012044
Project Title Advanced Health Care of Sacramento
Lead Agency Sacramento, City of

Type MND Mitigated Negative Declaration
Description The project proposes the construction of a single-story, 32,106 sf surgical and stroke recovery center and short-term skilled nursing facility. Specific project elements include 40 patient rooms, therapy gymnasium, commercial kitchen and scullery, dining rooms, and 64 surface parking spaces (51 standard, 11 compact, and 2 Americans with Disabilities Act [ADA] accessible spaces). The use of ambulances and associated sirens for this facility is not anticipated. The facility would be functional 24-hours a day with an estimated total staff of 17 therapists, eight certified nursing assistants, six dietary staff, three housekeepers, and 10 nurses and administrative staff. The proposed project would require a development standards deviation due to the existence of an existing private sewer easement.

Lead Agency Contact

Name	Scott Johnson		
Agency	City of Sacramento		
Phone	916 808 5842	Fax	
email			
Address	300 Richards Blvd, 3rd Floor		
City	Sacramento	State CA	Zip 95811

Project Location

County	Sacramento			
City				
Region				
Lat / Long	38° 35' 53" N / 121° 27' 26" W			
Cross Streets	Leisure Lane and Expo Parkway			
Parcel No.	275-0310-008			
Township	9N	Range	6E	Section 21
				Base

Proximity to:

Highways	Hwy 80/99/160
Airports	
Railways	
Waterways	American River
Schools	Woodlake ES
Land Use	GPLU: Suburban Center Z: C-2-LI or General Commercial

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 S; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Statewide Health Planning

Date Received	01/23/2015	Start of Review	01/23/2015	End of Review	02/23/2015
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Note: Blanks in data fields result from insufficient information provided by lead agency.



Letter B

February 11, 2015

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
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Board of Directors

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County of Sacramento

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Karen Stoyanowski

Director of Internal Services

Joseph Maestretti

Chief Financial Officer

Claudia Goss

Public Affairs Manager

www.srcsd.com

Scott Johnson
City of Sacramento, Community Development Department
Environmental Planning Division
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Subject: Notice of Availability/Intent to Adopt the Mitigated Negative Declaration for Advanced Health Care of Sacramento Project (P14-038)
APN: 275-0310-008

Dear Mr. Johnson:

Both the Sacramento Area Sewer District (SASD) and the Sacramento Regional County Sanitation District (SRCSD) have reviewed the Notice of Availability/Intent to Approve the Draft Mitigated Negative Declaration for the subject project and have following comments.

It is noted that this project is proposing the construction of a single-story, 32,106 square foot surgical and stroke recovery center and short-term skilled nursing facility. Specific project elements include 40 patient rooms, therapy gymnasium, commercial kitchen and scullery, dining rooms, and 64 surface parking spaces. The proposed project site is located at the southeast corner of Leisure Lane and Expo Pkwy within city of Sacramento.

The subject property is outside the boundaries of the SASD but within the Urban Service Boundary and SRCSD shown on the Sacramento County General Plan. Sacramento City Utilities Department will be providing local sewage services at the site with SRCSD conveying the sewage from City collector to Sacramento Regional Wastewater Treatment Plant (SRWTP).

SRCSD sewer impact fees will be required. The applicant should contact the Sewer Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

If you have any questions regarding these comments please call me at 916-876-6278, or call Amandeep Singh at 916-876-6296.

Sincerely,

Stephen Moore

Stephen Moore, P.E., M.B.A.
Development Services

B-1



Central Valley Regional Water Quality Control Board

17 February 2015

Scott Johnson
City of Sacramento
300 Richards Blvd, Third Floor
Sacramento, CA 95811

CERTIFIED MAIL
7014 2120 0001 3978 0018

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, ADVANCED HEALTH CARE OF SACRAMENTO PROJECT,
SCH# 2015012044, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 23 January 2015 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 Advanced Health Care of Sacramento 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.

Construction Storm Water General Permit

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

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

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

C-1

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. 97-03-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 (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

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

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.

Clean Water Act Section 401 Permit – Water Quality Certification

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

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

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

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture

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

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; 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 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory

C-1
cont'd

Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

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

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

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

C-1
cont'd

PMND – Advanced Health Care of Sacramento (P14-038)

1. Question A, p 56. “The proposed project would intensify existing development in the project area by adding a recovery center and short-term skilled nursing facility; however, the project would not result in increased demand for fire protection, police protection, or school facilities, beyond that which was analyzed in the City’s General Plan MEIR because the project is consistent with the city’s general plan and won’t require changes to the existing zoning.”

D-1

A. The demand for fire protection, police protection, and schools is not the criteria for zoning classification of a land parcel. Zoning classification is determined by land usage. The proposed “surgery and stroke recovery center” is, in fact, a 40-bed convalescent hospital with a highly-skilled nursing staff and physical therapy staff. It is residential 24/7. It will dispense pharmaceutical narcotics as pain-killers to its patients. It should require an H zoning, and pay taxes accordingly.

D-2

B. This property has undergone earlier zone changes from A to M to the current C-2 with LI and PC overlays. Where is this discussion?

D-3

C. This property, Expo Pakrway Lot 8, has been involved in two previous development schemes which went bankrupt-- Expo-Parkway Office Complex and Canterbury Crossing. These two bankruptcies generated dozens of legal filings including loan defaults and mechanic’s liens against this parcel. It was legally encumbered with Expo-Parkway Lot 3 in these bankrupt developments. What is the current legal status of this parcel? Where is this discussion?

D-4

2. Section II, p 4-5, “The proposed project would require a conditional use permit and development standards deviation due to the existence of an existing private sewer easement located in the southern portion of the property.”

D-5

Where is the discussion of the sewer easement in the PMND? Is this untreated raw sewage? Is it storm water run off? Is it the drain line from the hotel lake? What other legal or private easements encumber this parcel?

3. Section III, Population and Housing, p 6-7. The MIER 2030 General Plan does not sufficiently analyze the current severe drought conditions or the possibility of sustained or increased long-term drought. The population growth projections of MEIR are therefore unreliable and not supportable by the data.

D-6

4. Section III, Environmental Setting, p8. “State Route 160 is located approximately 0.7 mile north of the site . . .”

This statement is not correct. State Route 160 is located less than 500 ft from the site. This misstatement of fact is repeated several times in the PMND. It most seriously impacts Question G, p19, since this project would locate “residences” (convalescent

D-7

hospital beds with particularly vulnerable clients) within 500 ft of State Rt. 160. A Health Risk Assessment (HRA) is called for given this circumstance.

D-7
cont'd

5. Special-Status Wildlife, p 26 “There are no potential wetlands or waters of the United States within this site (Gibson and Skordal 2014)”

D-8

This conclusion is not supported by the evidence. The G&S report is highly flawed.

A. The soil distribution pattern of San Joaquin fine sandy loam and Columbia sandy loam indicate that the Columbia sandy loam is the historical effluvial plume deposit of Woodlake Creek. Fig. 2, Soils Map of the G&S Report demarcates the boundary line of these two soil types on a diagonal arc across this parcel. This boundary indicates the former extent of the riparian wetlands of Woodlake Creek. The Columbia sandy loam is a riverine deposit built up over many centuries prior to 1930 and the subsequent drainage and denigration of Woodlake Creek. The claim that there are no “potential” wetlands or waterways is false both for the future and in the recent historical past. The Jurisdictional Findings of the G&S Report regarding waters/wetlands are flawed. The Wetland Determination Data Form upon which this finding is based has been superficially performed. This is bad science.

D-9

B. The G&S Report does not include a seed bank inventory. At the time of data collection by G&S, the report notes the prevalence of non-native grasses. At present, following winter rains, the site is covered by native vetch, thistle, dandelion and sweet pea which is a different habitat than the one describe in the report.

D-10

C. The site has been regularly disked by the owner, North Sac Land Co. This land management practice has disrupted the native plant and animal habitat. Elderberry bushes did exist at this site within recent memory, and were deliberately eradicated by the owner, thus destroying elderberry beetle habitat. Elderberry seeds exist in the seed bank and would return if the current land management practices were discontinued.

D-11

D. The habitat assessment includes only special-status animal species, that is, animals on the verge of extinction due to habitat destruction by human agency. There are many other animals which range across this site which I have personally observed, including jack rabbit, turkey, deer, coyote, skunk, raccoon, vole, rat, pheasant, possum, feral cat, gopher, and pigeon. While these animals are often grouped as varmint, their habitat deserves protection to keep them off the special status list. Restoration of the pre-1930 riparian habitat of this land is a much better land use option than this proposed development.

D-12

6. Cultural Resources, p 33 “The project site is a vacant lot has not been previously developed.” This statement is false.

D-13

A. This site was included in two previous bankrupted development schemes, Expo-Parkway Office Complex and Canterbury Crossing. This parcel has previously been

D-14

graded, staked, and regularly disked, and includes improvements of sidewalks, fire hydrants, and adjacent paved roadbeds with underground utilities.	D-14 cont'd
B. The Cultural Resources Assessment by Peak & Assoc fails to note that the pre-1930 Marysville Road from the north embarkation of Sutter's Landing likely traversed this site.	D-15
7. Hydrology, p 44. The discussion in this section in regards to storm run off and flood risk to adjacent residential properties is highly flawed. The build out of AHC will roof and pave 80% of 2.05 ac. = 1.65 ac. In the event of a storm surge which drops 3 in. of rain on Woodlake Neighborhood in 30 minutes, this site will need to shed .5 acre foot of water. This water will be dumped into the Woodlake storm runoff catchment system down flow from Woodlake residential neighborhood (and the bottleneck culvert under SR 160), thereby backing up water into the residential neighborhood. Parts of Woodlake neighborhood such as Baxter Rd. are already poorly engineered for runoff drainage. Build out of this site presents an eminent flood risk to residents in Woodlake neighborhood. There should be an on-site catchment basin for this facility. There should be permeable materials used for parking lot paving to allow surface water absorption.	D-16
A. Sump 151 drains a 1000 ac. drainage basin. What is the wisdom of building a convalescent hospital with 40 residents with limited mobility at the lowest point of this basin? Why isn't this facility required to be elevated six feet? And waterproofed construction up to six feet?	D-17
8. Transportation and Circulation, Questions A, B, C, p 66. The calculation used for vehicle trips/peak hours is flawed.	D-18
A. The list of employees on p 4 is confused and adds up to 44 staff per shift. The number 38 employees per shift is claimed "in general." Staff designations such as "doctor," "pharmacist," "orderly," "van driver," or "administrator" are not listed. If there are three shifts per 24 hrs.-- day, swing, and graveyard-- and there is no public transportation near by, and it is presumed that each employee commutes by private vehicle, then each shift change will generate 38 arrival vehicle trips per hour and 38 departure VTH, for a total of 76 VTH at peak commute hours, not 17 VTH as stated in the PMND.	D-19
B. It is likely that the day shift will have more employees on site than either swing or graveyard which will impact VTH both at morning and evening peak commute hours.	D-20
C. Visitors will visit more frequently during day and swing shifts. Is the proposed number of parking spaces (61) sufficient for shift change and for visitors?	D-21
D. Will on-street parking become normal at this intersection? There is currently no on-street parking at any of the four streets of the intersection -- Leisure Lane, Slobe Ave., Expo-Parkway, or Canterbury Overpass. There are some posted prohibitions, but lack of on-street parking is due to lack of demand. On-street parking is rare on surrounding	D-22

streets south of State Road 160, including roads fronting Red Lion Hotel, Costco, REI, Exposition Blvd., Royal Oaks Overpass, Tribute Road and within Johnson Industrial Park. On street parking will transform this intersection.

D-22
cont'd

E. MEIR proposes four additional traffic signals for the 2030 build out of the Expo Parkway commercial corridor: 1) Eastbound SR 160 Exit/Leisure Lane; 2) Canterbury Overpass/Leisure Lane; 3) Westbound SR 160 Exit and Onramp/Canterbury Overpass; Westbound SR 160 Exit and Onramp/Royal Oaks Overpass. These proposed signals would bottle-up Woodlake neighborhood and create a traffic nightmare for residents wishing to travel southward or eastward across SR 160.

D-23

F. The recent increase in the speed limit on SR 160 from 55 to 65 mph has made exiting and entering SR 160 more difficult and more dangerous. Rapid breaking is required at all (4) exits from SR 160 at Royal Oaks Blvd. and Canterbury Rd. All exits require abrupt turns posted at 15 mph. All four onramps both eastbound and westbound onto SR 160 are short, require rapid acceleration to merge with traffic, and do not meet current Caltrans standards. The proposed signals at exit ramps would dangerously back traffic during peak hours onto SR 160. The increased number of vehicle trips resulting from this development proposal is not "less than significant."

D-24

G. The increase speed limit on SR 160 has resulted in significantly higher road noise and sound pollution in Woodlake neighborhood. A sound wall should be constructed for noise abatement.

D-25

9. General Plan Policy ER 2.1.5 -- Riparian Habitat Integrity, "The City shall preserve the ecological integrity of creek corridors . . ." p 29
General Plan Policy ER 2.1.6 – Wetland Protection, "The City shall preserve and protect wetland resources . . ." p 29

These two statements represent a highly intelligent policy, especially in regards to current drought conditions in California and the potential for worsening drought conditions as the consequence of global warming. This policy should be applied to current existing creeks, drainages, and wetlands. When and where possible this policy should also be applied to ancient creek beds and wetlands in the urban area which have been destroyed through prior land development and bad land management practices by private owners.

D-26

Woodlake Creek offers the City a golden opportunity to put the collective wisdom of its ER policy into practice through the restoration of this ancient creek corridor and its wetlands. This opportunity is threatened by the proposed development of the Advanced Health Care, and by an earlier development proposal for the Expo-Parkway Psych Hospital on Lot 3 which was approved by the City Council, but is currently under litigation.

Woodlake Creek and the Woodlake Wetlands is an ancient and small tributary to the American River which has been decimated as a riparian habitat by past misguided public policy and bad land management practices. Woodlake Creek flows above ground for

only a short distance of .25 mi. through Woodlake Neighborhood before it is channeled within concrete to Sump 151. Woodlake Wetlands formerly extended across much of what is now known as the Expo Parkway Commercial Corridor. It was drained in the 1930's under WPA federal land reclamation policies when the Woodlake/Garden Highway levee was raised to protect North Sacramento and Natomas from annual American River flooding. Sump 151 was installed to drain the Woodlake wetlands by pumping water over the levee into Woodlake Slough, the trench created by excavation of fill dirt for the levee. The creek was thus diverted from its original southward flow into the American River. A concrete catchment channel 500 ft. long X 60 ft. wide X 16 ft. deep was also constructed at this time to contain the waters of the two forks of Woodlake Creek.

The North Fork of Woodlake Creek originates at an artesian spring under the American Ice Company ice factory on Del Paso Blvd. It supplies fresh potable water for the commercial ice making operation, the ice rink, and the Woodlake swimming pool. The overflow from this commercial usage exits behind the swimming pool creating Woodlake Creek which bisects Woodlake Neighborhood in a north/south direction from Lockbrae Ave to SR 160. The East Fork of Woodlake Creek surfaces from an artesian spring under the lake at the Red Lion Hotel on Leisure Lane. The flow water from the lake is piped underground directly into the concrete catchment channel of Sump 151.

The waters of both the ice plant well and the hotel well are clear, potable mineral enriched waters that have traveled a long way underground from their source in the upper elevations of the American River. These waters bubble to the surface pure and drinkable through naturally occurring artesian hydrology which is not uncommon due to the subsurface geology of the Central Valley. They are not mixed with local run off waters or ground water until they surface. By legal definition, the waters produced from natural springs are creeks and these creeks and their riparian habitat are protected under the federal Wild and Scenic Rivers Act.

The City Planning Dept. should put the Advanced Health Care development proposal at this location on hold. The Woodlake Creek watershed is a tremendous natural asset to the City. It delivers free of charge pristine alpine waters to North Sacramento and the American River delta. The creek ecosystem should be studied by scientists and policy-makers, and a long-term restoration plan for the creek should be undertaken. This land use at this site would be much more beneficial to the city than commercial land development and infill. Woodlake Creek and Woodlake Wetlands could become a model for urban riparian habitat restoration. It would create a public amenity, a greenbelt connecting the Del Paso Blvd. commercial district to the American River Parkway. Del Paso Blvd. has stubbornly resisted all previous attempts of urban renewal. The restoration of Woodlake Creek and Wetlands and the creation of a green corridor with pools, pathways, bike trails, public vegetable gardens, picnic areas, and wetlands is the public amenity key to turning the Del Paso Blvd. urban blight problem around.

Submitted by Thomas Powell
February 23, 2015

D-26
cont'd

Comment Letter A – Governor’s Office of Planning and Research

Response

The City of Sacramento (City or Lead Agency) submitted the draft Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Advanced Health Care of Sacramento (project) to the State Clearinghouse for circulation to public agencies on January 23, 2015. The 30-day public comment period closed on February 23, 2015. In addition, the City noticed the IS/MND locally through the County of Sacramento’s clerk office. The comment letter confirms the status of review.

Comment Letter B – Regional San

Response

The City acknowledges that Sacramento Regional County Sanitation District (SRCSD) sewer impact fees are applicable to the proposed project. The City of Sacramento will coordinate with SRCSD prior to issuance of a building permit for the proposed project to determine sewer impact fees.

Comment Letter C – Central Valley Regional Water Quality Control Board

Response

The proposed project would result in the disturbance of one or more acres of soil and is thus subject to the Construction Storm Water General Permit as regulated by the Regional Water Quality Control Board (RWQCB). The City is required to adhere to this permit and will have a Storm Water Pollution Prevention Plan prepared per the Construction General Permit. Likewise, the City must require industry standard construction Best Management Practices (BMP) prior to and during construction of the proposed project. Storm water discharges must comply with the regulations outlined in the Industrial Storm Water General Permit as regulated by the RWQCB. The proposed project is subject to neither Section 404 nor Section 401 of the Clean Water Act as there are not identified impacts to waters of the U.S. or waters of the State. No surface water drainage realignment is involved and the project is not subject to the Streambed Alteration Agreement as regulated by the California Department of Fish and Wildlife. The project site will not be used for commercially irrigated agriculture. Construction of the proposed project will not require dewatering.

Comment Letter D – Mr. Thomas Powell

Response D-1

The quotation identified in the comment is located on Page 58 of the Draft IS/MND; no additional response is necessary.

Response D-2

Potential impacts to public services (e.g., fire protection, police protection, and schools) are analyzed in Section 9 of the Draft IS/MND. The City determined that impacts to public services would be less than significant. The proposed project consists of a surgical and stroke recovery center and short-term skilled nursing facility. The General Plan land use designation is “Suburban Center” and the zoning is C-2-LI (General Commercial) which is compatible with the proposed land use. The proposed use meets the definition of a major medical facility per zoning definition. A major medical facility may be allowed in the C-2 zone with the approval of a conditional use permit. A major medical facility also requires a conditional use permit in the H zone. A rezone to Zone H is not required.

Response D-3

As stated in Section II – Project Description (Page 4 of the Draft IS/MND), the project site is located in an urbanized portion of the community, with many commercial and light industrial uses in the near vicinity. It was accounted for in the City’s 2030 General Plan, and Master Environmental Impact Report (MEIR), and the project is consistent with the General Plan land use designation (Suburban Center); additionally, it would not require any change to the current zoning (C-2-LI, or General Commercial). The project is consistent with the 2035 General Plan and MEIR as well.

Per the City’s zoning map book, the subject site has been zoned as General Commercial Labor Intensive Overlay (C-2-LI) since early 2000. On November 18, 1999 the Planning Commission approved entitlements (P99-069) necessary to develop a seven story, 120-room hotel building totaling 84,300 square feet, including 8,100 square feet of exhibit space, on the adjacent site to this project with off-site parking on various parcels including the subject parcel. On January 16, 2002, the Zoning Administrator approved with conditions a Special Permit Time Extension and a Variance Time Extension to construct the aforementioned hotel (Z01-207). On June 20, 2007, the Design Commission approved the project to construct seven single-story buildings ranging in size from 9,510 square feet to 12,881 square feet on multiple parcels totaling 8.84 acres (DR04-187) including the subject site. The subject site is currently vacant with no development.

Response D-4

The Grant Deed and Title Insurance Policy, included as attachments to these responses, include information regarding the legal owner of the subject property. The current legal status of the project site is not relevant to CEQA analysis.

Response D-5

Along the southern portion of the project site there is an existing 15’ private sewer easement running east to west. This easement traverses across the entire width of the project site. The existing sewer line conveys untreated raw sewage through the project site from the adjacent property (APN 275-0260-068) to the east. This sewer line is for the collection of the building sewer only and neither conveys storm runoff nor is a drain line from the adjacent lake. There is also an existing 10’ electrical and communications easement for the Sacramento Municipal Utility District (SMUD) and Pacific Gas & Electric (PG&E) company that runs parallel with the

existing sewer easement mentioned above. Just south of the electrical easement and contiguous to Expo Parkway is a public storm drain easement. At the southeast corner of this property, there is a 10' wide private storm drain easement that comes into the property approximately 33' adjacent to the east property line. The existence of these easements do not affect the impact analysis or conclusions included in the Draft IS/MND.

Response D-6

The City correctly relies on the population projections outlined in the 2030 General Plan MEIR for determining impacts to this environmental topic area in the Draft IS/MND. The proposed project consists of a surgical and stroke recovery center and short-term skilled nursing facility and would not result in an increase in population, or an indirect requirement for new housing, due to project construction and operation. Development of the project site was previously envisioned and analyzed under the 2030 General Plan MEIR for the project's underlying land use designation and zoning; this analysis took into consideration the water demands required by the proposed project. The project is consistent with the 2035 General Plan and MEIR as well.

Response D-7

The Draft IS/MND incorrectly stated that State Route 160 is located approximately 0.7 miles from the project site. State Route 160 is located approximately 400 feet to the north from the northern border of the project site. This inadvertent error neither changes the impact analysis nor conclusions of the Draft IS/MND. The proposed project consists of a surgical and stroke recovery center and short-term skilled nursing facility and does not propose locating residences within 500 feet of a state route. As stated on Page 19 (Question G) of the Draft IS/MND, "CARB's Land Use Handbook recommends that a site specific health risk assessment be performed for projects that would locate residences or other sensitive land uses within 500 feet of a freeway, urban road with 100,000 vehicles per day (or more), or rural road with 50,000 vehicles per day (CARB 2005). The project site is not located near any major freeway but is located near State Route 160, which is classified as an urban road. According to the ... 2030 General Plan MEIR, the Average Daily Trips (ADT) for the segment of State Route 160 in front of the project site would be 45,900 ADT ... with buildout of the General Plan." District 3 State Route 160 Transportation concept Report (California Department of Transportation, 8/8/2014) reported that the segment of SR 160 within the project vicinity has a base year AADDT of 43,500 trips with a projected 20 years horizon to a maximum AADDT of 57,207 trip. As a commercial land use located adjacent to an urban road with less than 100,000 ADT, a Health Risk Assessment is not required or warranted for the proposed project.

Response D-8

A Jurisdictional Delineation and Special Status Species Assessment (Gibson & Skordal 2014) was prepared for the project site and appended to the Draft IS/MND. Based on the results of this report no water features were mapped within the study area. This conclusion is supported by substantial evidence. As the commenter fails to raise any issue regarding the conclusions made in the Draft IS/MND, further response is unwarranted.

Response D-9

The reader is referred to Response D-8 above.

Response D-10

As stated on Page 2 of the Jurisdictional Delineation and Special Status Species Assessment (Gibson & Skordal 2014), as appended to the Draft IS/MND, the [project] site consists of highly disturbed non-native annual grasslands. Plants consisted of soft chess (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), barley (*Hordeum murinum*), yellow star-thistle (*Centaurea solstitialis*), and wild oats (*Avena fatua*). The only woody species present were two valley oaks (*Quercus lobata*).” Surveys were conducted on June 5, 2014 (during the appropriate blooming season).

Response D-11

Please refer to the attached Grant Deed and Title Insurance Policy for information regarding the legal owner of the subject property. The project site is maintained for wildfire suppression and weed abatement purposes, as required by the City, as evidenced by regular mowing operations. As stated on Page 12 of the Jurisdictional Delineation and Special Status Species Assessment (Gibson & Skordal 2014), elderberry (*Sambucus* sp.) habitat is not present on the project site but may be present adjacent to the American River. The proposed project would not impact elderberry shrubs located off the project site.

Response D-12

The commenter implies that restoring the project site to pre-1930 conditions would be a better land use option than the proposed project. This comment does not question the content or accuracy of the Draft IS/MND and further response is unwarranted.

Response D-13

The statement on Page 33 of the Draft IS/MND (“the project site is a vacant lot and has not been previously developed”) is an accurate depiction of the baseline project site conditions.

Response D-14

The reader is referred to Responses D-4, D-5, and D-11 above.

Response D-15

The commenter appears to be concerned about the early historic route from Sacramento to Marysville. On the 1885 map (available on line on the Library of Congress website), the Marysville Road can be seen approximately 0.5 miles north of the project site. This road is the route of Del Paso Boulevard, with Marysville Boulevard splitting off Del Paso Boulevard, showing that this is the former road to Marysville, later renamed. This road course can be clearly seen on both the 1911 Brighton and Official County maps. There is no early roadway within the

current project area. The course of an early roadway appears to have become Del Paso Road/Marysville Boulevard.

Response D-16

The City's 2030 General Plan MEIR analyzed the potential impact on hydrology from development that could occur consistent with the general plan, and concluded that, with implementation of the identified policies individual projects would have no net increase on storm water runoff and impacts were less than significant. Construction of the proposed project would result in approximately 80 percent impervious surface on the project site. Currently the project site has a paved road and turn around area that creates approximately 7 percent impervious surface. The City's design standards require development to design the storm drain system for the 10 year event and overland release for the 100 year event. This drainage discharges into the City's drainage corridor approximately 200 feet to the west. From there, the water drains south to the City's Sump Pump No. 151 approximately 600 feet south. Due to the proximity to the drainage way, the project site's peak runoff will be required to enter the drainage way (pending an approved drainage study per the aforementioned General Plan policies) and reach the City's Sump Pump No. 151 prior to drainage from Woodlake reaching Sump Pump No. 151. The residential areas north of State Route 160 have multiple detention basins that hold the storm runoff in the Charlesgate Detention Basin, Woodlake Detention Basin, and Ice House Detention Basin. The project site is required to provide a permanent water quality BMP system which is consistent with National Pollution Discharge Elimination System (NPDES) permit requirements of the Regional Water Quality Control Board. The stormwater system, as designed and implemented, will meet all the City's standards for water quality and hydrologic control of runoff.

Response D-17

The City's Sump Pump No. 151 was designed to drain a large watershed of which the project site is part. Per FIRM panel 0177H, the project site is located within Zone X (Areas of 0.2 percent annual chance flood). Elevation of the project site and/or proposed project is not required per FEMA regulations nor any City requirement.

Response D-18

The commenter suggests that the calculation used for the proposed project's vehicle trips/peak hours is flawed. However, no additional information is provided and further response is unwarranted. Please refer to Response D-19, below, for additional information about potential traffic impacts associated with the proposed project.

Response D-19

The project trip generation estimate is based on information provided by the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition. ITE 620 for Nursing Home land use was used in the estimation of the peak hour trips using the size of the building as the variable for the calculations. The development project is expected to generate 17 trips during the morning peak hour (7am-9am), 23 trips during afternoon peak hour (4pm-6pm), and 240 daily trips. According to the information about staffing and changing in shifts, the overlap between the

shifts occurs during the off peak hours as discussed below. The trips generated by the project will not have a significant effect on surrounding roadways or intersections.

The proposed project will be staffed continuously over a 24-hour period. However, the number of staff will vary depending on the time of day. In general staff work either from 7am until 3pm (day shift), from 3pm until 11pm (afternoon shift), or from 11pm until 7am (evening shift). However, some of the day and afternoon staff will overlap for about an hour (most likely between 2pm-3pm). During this hour it is possible that there may be as many as 44 employees in the building. The reason for the overlap is to make sure that the nursing staff coming in to work on the afternoon shift know the condition of the patients at that time and are able to communicate with the nursing staff that worked with those patients in the morning. During the evening shift it is anticipated that there may be as few as five staff in the building. Certain staff members, such as the Executive Director and the Director of Nursing, will usually work a normal “business” day, between 8am and 5pm. In summary, between 8am and 5pm (except for the one-hour overlap between 2pm and 3pm) it is anticipated that there will be approximately 38 staff in the building. It is not anticipated that physicians will be spending a significant amount of time in this facility; the staff physician is available on an on-call basis. It is also not anticipated that there will be facility employees with the designation of “orderly”, “pharmacist”, or “van driver.” The Executive Director is the “administrator.”

Response D-20

Please see Response D-19. There may be as few as five employees leaving the facility at 7am and as many as 38 arriving between 6 and 8am (anticipated am peak period of the project). A peak hour on the adjacent street (one hour between 7am and 9 am) does not always coincide with the peak hour of a project (peak hour of trip generator). Most of those who arrive at 7am will be leaving at 3pm (pre-pm peak hour on the adjacent street) and their replacements will be arriving at that time or perhaps a little earlier for those who will be part of the 2pm to 3pm overlap. Only a few employees are anticipated to be leaving the facility between 5pm and 6pm (pm peak hour).

Response D-21

Most visitors at other Advanced Health Care facilities visit during weekend days and on the way to work or in the evening Monday through Friday. It is anticipated that the same visitation pattern will occur at proposed project. Sixty-four parking spaces will be sufficient for the number of guests that are anticipated, as required by City code for commercial operations of this size. During the most likely time guests will visit, staffing is unlikely to be greater than 38.

Response D-22

The proposed project includes dedicated surface parking for 64 vehicles (two parking spaces are Americans with Disabilities Act compliant). Per City code, the applicant is required to provide 61 dedicated surface parking spaces for both project employees and guests. No substantial change to the on-street parking is anticipated with the project.

Response D-23

The City's 2030 General Plan MEIR analyzes the potential impact of the development of the general plan land uses on major roadways and did not analyze intersections within proximity to the project site. The proposed project is consistent with the land uses designated for the project site as reflected in the City of Sacramento General Plan.

The proposed signals mentioned in the comment letter are not proposed with this project. These signals were defined in a traffic impact study prepared in November 2000 by DKS Associates (Traffic Study of Potential Development in the SR 160 Corridor- North Sacramento). The project is required to pay a fair share contribution (to be determined by the City) based on trip generation for a future traffic signal installation at the intersection of Canterbury Road/Expo Parkway and Leisure Lane/ Slobe Avenue. The installation of the traffic signals at the several intersections mentioned in the comment letter shall be subject to further studies which may include roadway and ramp improvements which are not part of the proposed project.

Response D-24

The reader is referred to Responses D-19 and D-23, above.

Response D-25

An Environmental Noise Assessment (J.C. Brennan Associates 2014) was prepared and appended to the Draft IS/MND analyzing the proposed project's potential impacts related to noise. Accordingly, a noise abatement wall has been prescribed as Mitigation Measure NOI-01 (see Page 56 of the Draft IS/MND). As outlined in the Draft IS/MND, implementation of Mitigation Measures NOI-01 and NOI-02 will reduce impacts related to noise to a less than significant level. The Environmental Noise Assessment did not find that noise levels emanating from SR 160 would create significant noise levels impacting the proposed use.

Response D-26

The commenter identifies policies from the City's 2030 General Plan as they related to riparian habitat and wetland protection. As previously stated in several responses (above), the project site does not support riparian or wetland habitat types. Potential project impacts related to hydrology and water quality have been analyzed and presented in Section 7 (Page 44) of the Draft IS/MND. The analysis shows that project construction and/or operation would have no impact on groundwater resources. The project site is required to provide a permanent water quality BMP system which is consistent with NPDES permit requirements promulgated by the Regional Water Quality Control Board. This system is being designed consistent with the City of Sacramento, Department of Utilities; design requirements and final plans will be approved by the Department of Utilities ensuring compliance with City standards for water quality.