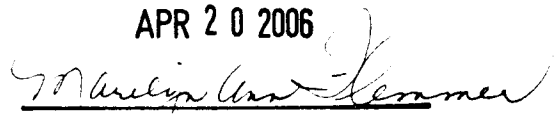


ATTACHMENT A

FINDINGS

APPROVED
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

APR 20 2006


Marilyn Ann Kemmer
Commission Clerk

FINDINGS

AMENDMENT OF THE SPHERE OF INFLUENCE FOR THE SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD) AND ANNEXATION BY SMUD OF THE CITIES OF WEST SACRAMENTO, DAVIS, AND WOODLAND AND PORTIONS OF UNINCORPORATED AREAS OF YOLO COUNTY

I. INTRODUCTION

The Sacramento Local Agency Formation Commission (“Sacramento LAFCo”) hereby adopts the following findings related to its approval of the Amendment of Sphere of Influence for the Sacramento Municipal Utility District (“SMUD”) and annexation by SMUD of the Cities of West Sacramento, Davis, and Woodland and Portions of Unincorporated Areas of Yolo County. Sacramento LAFCo adopts these findings (“CEQA Findings” or “Findings”) as the “Lead Agency” as described in 14 C.C.R. § 15050 for purposes of compliance with the California Environmental Quality Act, Pub. Res. Code §§ 21000 et seq. and the CEQA Guidelines, 14 C.C.R. §§ 15000 et seq. (collectively, “CEQA”).

II. PURPOSE AND BACKGROUND

A. The Program

These Findings relate to the Program described in the Draft Environmental Impact Report dated January 2006 (the “Draft EIR”), which consists of the proposal by SMUD to annex the Cities of West Sacramento, Davis, and Woodland and unincorporated areas of Yolo County, and to provide electric service to these areas. The Program consists of the following components: (1) Amendment of SMUD’s Sphere of Influence/Annexation; (2) SMUD Acquisition of PG&E Equipment/Infrastructure; (3) Execution of Memoranda of Understanding or Other Operating Agreements with Yolo County Interests; (4) Power Inn Road to Hedge Substation Transmission Line Reconstruction; (5) North City Interconnection; (6) Woodland-Elverta Transmission Line; (7) Willow Slough Substation; (8) Upgrades to Existing Distribution System; and (9) Operation and Maintenance of the Existing Electrical System in the Annexation Territory.

Program Components 1, 2, 3, 4, 5 and 9 were analyzed in the Draft EIR at a *project* level, and no environmental analysis (other than the analysis provided in the Draft EIR and the Final Environmental Impact Report dated March 2006 (the “Final EIR”) will be needed for SMUD to proceed with these components. Program Components 6, 7 and 8, on the other hand, were analyzed at a *program* level. These components, including a new transmission line, a new substation, and distribution system upgrades, could be constructed in various locations and designs. SMUD will determine the exact locations and configurations of such facilities only after the preparation of site-specific environmental analyses. The program level analysis of these components reflects the information currently available on these facilities.

B. Purpose of the EIR

Pursuant to CEQA, Sacramento LAFCo prepared the Draft EIR to analyze the potential impacts of the Program on the environment and to disclose any potentially significant impacts of the Program to the public and relevant regulatory agencies. The Draft EIR was distributed to public agencies and other interested parties on January 6, 2006 for a 45-day public review period that continued through February 21, 2006. Sacramento LAFCo prepared responses to comments on the Draft EIR, together with other information, in the form of the Final EIR, which was released to the public, commenters, and agencies with jurisdiction over the resources potentially affected by the Program on March 24, 2006. (These Findings refer to the Draft EIR and the Final EIR collectively as the "EIR.")

C. Procedural Background

Preparation of the Final EIR was the culmination of the following process, which is described in more detail in the Draft EIR at pages II-2 through II-6:

1. Request by Cities and Yolo County

In 2003, the Cities of West Sacramento, Davis, and Woodland (the Cities) and the County of Yolo formally requested that SMUD consider annexing the Cities and unincorporated portions of Yolo County (collectively, the "Annexation Territory") into SMUD's electric service territory (thereby replacing the existing provider, Pacific Gas and Electric Company ("PG&E")), citing the potential for lower rates, the ability to participate in decision-making on energy-related issues at the local level, and the potential for improved reliability and customer service.

2. Due Diligence

In March 2004, the Cities, Yolo County, and SMUD jointly commissioned and paid for an independent technical and financial evaluation of the Yolo annexation concept by R.W. Beck. In January 2005, the study was completed, concluding that annexation was technically and financially viable and would provide economic benefits to both SMUD's existing customers and the Annexation Territory customers. SMUD staff performed its own evaluation of the analysis and confirmed, with minor modifications, the Beck report's conclusions. SMUD also determined that annexation would provide benefits of \$180 million to \$240 million over a 20 year period, to be shared by SMUD's existing customer and the Annexation Territory customers, and would have no negative impact on the level of service or reliability currently enjoyed by SMUD's existing customers. SMUD additionally retained Dr. Sanjay Varshney, Dean of the College of Business Administration at California State University, Sacramento, to perform an independent review of the methodology and assumptions used in the independent report prepared by R.W. Beck and the SMUD staff analysis. Dr. Varshney's report concluded that "Both the Yolo and SMUD customers are likely to benefit from the annexation since the benefits are achievable."

3. Resolution to Seek Annexation

In March and April, 2005, the governing boards of the Cities and Yolo County each unanimously voted to request that SMUD provide electric service in the Annexation Territory instead of

PG&E. On May 19, 2005, the SMUD Board of Directors authorized staff to submit an application to Sacramento LAFCo for annexation and the related amendment to SMUD's sphere of influence needed for annexation.

4. Public Outreach

Sacramento LAFCo has conducted an extensive public outreach program during its review of the potential environmental impacts associated with the implementation of the Program. Sacramento LAFCo initiated this process on September 1, 2005, when it distributed the Notice of Preparation (the "NOP") to over 100 public agencies for review and comment. Sacramento LAFCo received comments on the NOP from 12 agencies. Sacramento LAFCo then released the Draft EIR for public review and comment on January 6, 2006 for a 45-day review period that closed on February 21, 2006. Sacramento LAFCo received over 800 written and oral comments from 33 different parties on the Draft EIR. After reviewing these comments on the Draft EIR, Sacramento LAFCo issued the Final EIR for public review on March 24, 2006.

Throughout the public review process, Sacramento LAFCo has sought public input and comments on the Program and on the analysis of the environmental impacts of the Program set forth in the EIR. To this end, Sacramento LAFCo has provided updates at its monthly meetings and held a public workshops on the Program on December 7, 2005. At this workshop, members of the public had the opportunity to present comments on the advantages and disadvantages of the Program to Sacramento LAFCo. In addition, Sacramento LAFCo held four public meetings to hear public comments on the Draft EIR. These meetings were held at locations in both the Annexation Territory and at a regular meeting of Sacramento LAFCo; at each meeting, members of the public had the opportunity to comment on the Draft EIR. Each comment received at these meetings was responded to in the Final EIR. The contents of the Final EIR were presented to Sacramento LAFCo by its consultant at a public meeting on April 5, 2006 and Sacramento LAFCo heard from 15 different parties at that meeting. The following table summarizes the public outreach conducted by Sacramento LAFCo as part of its evaluation of the Program:

Event	Date	Location
Regular LAFCo Meeting	October 5, 2005	County Board Chambers
Regular LAFCo Meeting	November 2, 2005	County Board Chambers
LAFCo Workshop	December 7, 2005	County Board Chambers
LAFCo Public Hearing	January 18, 2006	Davis
LAFCo Public Hearing	January 25, 2006	Woodland
LAFCo Public Hearing	January 26, 2006	West Sacramento
LAFCo Public Hearing	February 1, 2006	County Board Chambers
Regular LAFCo Meeting	April 5, 2006	County Board Chambers

III. DESCRIPTION OF THE RECORD

For purposes of CEQA and these Findings, the administrative record before Sacramento LAFCo is comprised of all non-privileged documents relating to the Program in Sacramento LAFCo's file on this matter, including, without limitation:

- The application for the proposed annexation and amendment of SMUD's sphere of influence dated July 29, 2005, together with all appendices;
- The Notice of Preparation circulated for public review on September 1, 2005;
- The Draft EIR, including all appendices;
- The Final EIR, including all appendices;
- All reports prepared by Sacramento LAFCo staff and its consultants relating to the Program;
- Transcripts of public workshops held by Sacramento LAFCo to hear public testimony on the Program;
- All written presentations made by SMUD and PG&E to Sacramento LAFCo relating to the Program;
- All documentary and oral evidence received and reviewed at public hearings and workshops relating to the Program, the Draft EIR or the Final EIR;
- All studies referenced by the Draft EIR, the Final EIR or staff reports on the Program prepared for Sacramento LAFCo;
- All other public reports and documents related to the Program and prepared for Sacramento LAFCo or other agencies that were used by Sacramento LAFCo staff or consultants in the preparation of the Draft EIR, the Final EIR or other reports on the Program presented to LAFCo;
- All matters of common knowledge to Sacramento LAFCo's Commissioners, including, without limitation, Sacramento LAFCo's policies and regulations, the history of prior annexations in Sacramento County by SMUD and by other agencies, and the manner in which Sacramento LAFCo has fulfilled its obligations under the Cortese-Knox-Hertzberg statute and CEQA in the past; and
- All other documents, not otherwise included above, required by Public Resources Code Section 21167.6.

IV. GENERAL FINDINGS

A. Certification of EIR

In accordance with CEQA, Sacramento LAFCo considered the environmental effects of the Program as shown in the EIR and the whole of the administrative record prior to approving the Program. The EIR was presented to Sacramento LAFCo's Commissioners on March 24, 2006 and discussed by the Commissioners during a public meeting on April 5, 2006. The Commissioners have reviewed the EIR and concluded, in an exercise of their independent judgment and analysis, that the EIR was prepared in accordance with CEQA. Consequently, Sacramento LAFCo certified that the EIR was prepared in full compliance with CEQA by means

of Resolution No. 1312, which was adopted on April 20, 2006 and is incorporated hereby by reference.

B. Changes to the Draft EIR

In the course of responding to comments received during the public review and comment period on the Draft EIR, certain portions of the Draft EIR have been modified and some new information has been added. The changes made to the Draft EIR do not reveal the existence of:

- (1) A significant new environmental impact that would result from the Program or an adopted mitigation measure;
- (2) A substantial increase in the severity of an environmental impact that is not reduced to a level less than significant by adopted mitigation measures;
- (3) A feasible project alternative or mitigation measure not adopted that is considerably different from others analyzed in the Draft EIR that would clearly lessen the significant environmental impacts of the Program; or
- (4) Information that indicates that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR.

Sacramento LAFCo finds that the amplifications and clarifications made to the Draft EIR in the Final EIR do not collectively or individually constitute significant new information within the meaning of Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5. Recirculation of the Draft EIR is, therefore, not required.

C. Evidentiary Basis for Findings

These findings are based upon substantial evidence in the entire record before Sacramento LAFCo as described in Section III above and set forth in detail for each specific findings in Sections V-IX below. The references to the Draft EIR and to the Final EIR set forth in these Findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these Findings.

D. Findings Regarding Mitigation Measures

1. Mitigation Measures Adopted

Except as otherwise noted, the Mitigation Measures herein referenced are those identified in the Final EIR.

2. Effect of Implementing Mitigation Measures

Except as otherwise stated in these Findings, in accordance with CEQA Guidelines Section 15092, Sacramento LAFCo finds that the environmental effects of the Program will not be significant or will be mitigated to a less than significant level by the Mitigation Measures adopted by Sacramento LAFCo and mandated as part of Sacramento LAFCo's terms and conditions for the approval of the Program. Sacramento LAFCo has substantially lessened or eliminated all significant environmental effects where feasible. Sacramento LAFCo has

determined that any remaining significant effects on the environment are unavoidable and are acceptable due to overriding considerations as described in CEQA Guidelines Section 15093. These overriding considerations consist of specific environmental, economic, legal, social, technological, and other benefits of the Program that justify approval of the Program and outweigh the unavoidable adverse effects of the Program, as more fully stated in Section XI, Statement of Overriding Considerations. Except as otherwise stated in these findings, Sacramento LAFCo finds that the Mitigation Measures incorporated into and imposed upon the Program will not have new significant environmental impacts that were not already analyzed in the Draft EIR.

E. Location and Custodian of Records

Pursuant to Public Resources Code Section 21081.6 and 14 C.C.R. §15091, Peter Brundage, the Executive Director of Sacramento LAFCo, is hereby identified as the custodian of the documents and other material that constitute the record of proceedings upon which the decision by Sacramento LAFCo is based, and such documents and other material are located at Sacramento LAFCo, 1112 I Street, Suite 100, Sacramento, CA 95814.

V. FINDINGS REGARDING LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS OF THE PROGRAM

The Draft EIR identifies the thresholds of significance utilized to determine the impacts in the various resource categories discussed below. The EIR also identifies the following environmental impacts that would result from the implementation of the Program that: (i) are less than significant without the implementation of any best management practice or mitigation measure and therefore do not require mitigation, or (ii) can be mitigated with the implementation of a best management practice or a mitigation measure to a less-than-significant level. These impacts are:

- | | |
|-------|--|
| AES-2 | Conflict with scenic policies of the Yolo County and Sacramento County General Plans |
| AG-2 | Acquisition or easement across adopted agricultural preserve or Williamson Act contract land |
| AG-3 | Conversion of prime farmland, unique farmland, or farmland of statewide importance to non-agricultural uses |
| AG-4 | Conflict with existing zoning for agricultural use or a Williamson Act contract |
| AG-5 | Involve other changes in the existing environment, which, given their location or nature, could result in the conversion of farmland to non-agricultural use |
| AQ-1 | Change existing power plant operations |
| AQ-2 | Conflict with or obstruct applicable air quality plans |

AQ-3	Construction emissions
AQ-4	Operation and Maintenance Emissions
BIO-1a	Temporary impacts to special-status species that use vernal pools and swales
BIO-1b	Temporary impacts to special-status species that inhabit grasslands and agricultural lands
BIO-1c	Temporary impacts to special-status species that inhabit marsh, riparian areas, and woodland
BIO-1d	Permanent loss of habitat used by special-status species
BIO-1e	Loss of special-status bird species from collisions with transmission lines
BIO-2	Impacts to sensitive natural communities
BIO-3	Impacts to wetlands
BIO-4	Interference with fish or wildlife movement
BIO-5	Conflict with local policies or ordinances
BIO-6	Conflict with habitat conservation plans
CR-1a	Cultural resource impacts from reconstruction of the Power Inn Road to Hedge substation transmission line
CR-1b	Cultural resources impacts from construction of the North City Interconnection
CR-1c	Cultural resources impacts from construction of the Woodland to Elverta transmission line
CR-1d	Cultural resources impacts from construction of the Willow Slough substation
CR-1e	Cultural resources impacts from reconductoring in the Annexation Territory
CR-2	Impacts to paleontological resources from construction of Program Components
HAZ-1	Expose people or property to hazardous materials or hazardous conditions
HAZ-2	Conflict with airport comprehensive plans
HAZ-3	Conflict with implementation of emergency response plans

HAZ-4	Cause wildfires
H-1	Impacts on storm water quality
H-2	Impacts to groundwater hydrology
H-3	Conflict with city or county drainage design standards
H-4	Increased risk from flooding
H-5	Place sensitive equipment in a 100-year floodplain
H-6	Conflict with drainage plans and grading ordinances
LU-1	Physical division of an established community
LU-2	Conflict with policies of Sacramento County General Plan
LU-3	Conflict with Measure M, the Natomas Joint Vision Plan, and the Sacramento International Airport Master Plan
NOI-1b	Noise from construction of the North City interconnection
NOI-2a	Noise from operation and maintenance
NOI-2b	Noise from new transmission lines
NOI-2c	Noise from Willow Slough substation
PH-1	Increase population growth
PH-2	Increase housing demand
PH-3	Preempt housing on land planned for housing development
PS-1	Impacts on police and fire service response times
PS-2	Impacts on desired classroom sizes for public schools
PS-3	Provision of desired parkland
REC-1	Direct impacts to public recreational facilities
REC-2	Accelerated deterioration of recreational facilities
TR-1	Construction traffic impacts

- TR-2 Operation and maintenance traffic impacts
- UT-1 Impacts on solid waste disposal facilities
- UT-2 Compliance with statutes and regulations related to solid waste
- UT-3 Increased overall per capita energy consumption
- UT-4 Increased reliance on natural gas and oil
- UT-5 Decreased reliance on renewable energy sources

Sacramento LAFCo finds, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 to 15093, that changes or alterations have been required in or incorporated into the Program in connection with the above-referenced potential impacts of the Program on the environment, as needed, to avoid or substantially lessen the impacts, if any, identified in the Draft EIR to levels below the thresholds of significance identified in the Draft EIR.

A. AESTHETICS

1. AES-2 Conflict with scenic policies of the Yolo County and Sacramento County General Plans
 - a. Potential Impact: A conflict with scenic policies of the Yolo County and Sacramento County General Plans. Potential impacts related to scenic policies of Yolo County and Sacramento County General Plans are discussed in the Draft EIR at pages IV-4 and IV-5.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant.
 - d. Mitigation Measure: None
 - e. Findings:
 - (1) Power Inn Road to Hedge Substation Transmission Line Reconstruction: There are no designated scenic roadways, scenic viewpoints, or similar uses adjacent to the right of way for the Power Inn Road to Hedge substation or in its vicinity. The reconstructed line will have the same visual character in terms of line, form, and color as the existing transmission line.

- (2) North City Interconnection: The proposed North City interconnection will occur within existing rights of way and will not block any important views or alter view from trails to existing vegetation along the river.
 - (3) Willow Slough Substation: For the Willow Slough substation, no scenic roadways or viewpoints have been identified within one mile of the study area, and introduced man-made structures will not be large enough to be visible beyond immediate foreground views that include the substation.
- f. Conclusion: The Program will have less than significant impact in terms of conflicts with scenic policies of the Yolo County and Sacramento County General Plans in relation to the Power Inn Road to Hedge Substation Transmission Line Reconstruction, the North City Interconnection, and the Willow Slough Substation.

B. AGRICULTURAL RESOURCES

- 1. AG-1 Fragmentation of an agricultural preserve
 - a. Potential Impact: The Program could fragment agricultural preserves. Potential impacts related to fragmentation of agricultural preserves are discussed in the Draft EIR at page IV-10 to IV-11.
 - b. Best Management Practice: None.
 - c. Impact Prior to Mitigation: None.
 - d. Findings: The presence of the Woodland-Elverta Transmission line will not preclude farming on lands that it crosses. Even a permanent loss of up to 1.5 acres over the 15- to 18-mile length of the transmission line does not represent a large enough area to fragment agricultural preserves so that they would no longer be viable agricultural preserves. Therefore, the transmission line will not fragment agricultural preserves. The Willow Slough substation will cover 1-3 acres of prime or unique farmland out of the 80 acres in the study area. The substation will likewise not fragment agricultural preserves.
 - e. Conclusion: The Program will have no impact in relation to the fragmentation of agricultural preserves.

2. AG-2 Acquisition or easement across adopted agricultural preserve or Williamson Act contract land.
- a. Potential Impact: The Program will require the acquisition of rights of way for the Woodland-Elverta transmission line, and much of the study area is prime farmland under Williamson Act contract. In addition, a portion of the Willow Slough substation is under consideration for Williamson Act contract. Potential impacts related to agricultural preserves and Williamson Act contract land are discussed in the Draft EIR at page IV-11.
 - b. Best Management Practice: BMP-1 calls for siting all program components to avoid agricultural preserves and land under Williamson Act contract to the extent practicable.
 - c. Impact Prior to Mitigation: Potentially significant
 - d. Mitigation Measure: Mitigation Measure AG-2 requires that SMUD mark the Woodland-Elverta Transmission Line in a manner that complies with FAA requirements and that provides reasonable warning of the transmission line to general aviation pilots. It also requires that SMUD, to the extent feasible, only locate the transmission line on the perimeter of agricultural fields so as not to interfere with agricultural operations. Under this mitigation measure, SMUD must also pay for the relocation of aircraft operations from those airstrips to other nearby airstrips or pay for crop-dusting operations to take place at a new location in the events that the transmission line precludes the use of an airstrip or precludes crop-dusting operations on a field in active agricultural production.
 - e. Findings: Acquisition of rights-of-way for the transmission line across lands under Williamson Act contract and in agricultural preserves will be a significant impact. BMP-1 and Mitigation Measure AG-2 ensure that these lands would be avoided to the extent practicable, and that SMUD will accommodate current agricultural practices in the event that the transmission line precludes the use of an airstrip for crop-dusting activity. By avoiding agricultural preserves and land under Williamson Act contract, this best management practice reduces this impact to a less than significant level.
 - f. Conclusion: The Program will have a less than significant impact in relation to the acquisition or easement across adopted agricultural preserves or Williamson Act contract land.

3. AG-3 Conversion of prime farmland, unique farmland, or farmland of statewide importance to non-agricultural uses
 - a. Potential Impact: Both the Woodland-Elverta transmission line and the Willow Slough substation will have permanent impacts on prime or unique farmland or on farmland of statewide importance. Potential impacts related to conversion of farmland are discussed in the Draft EIR at pages IV-11 and IV-12.
 - b. Best Management Practice: None.
 - c. Impact Prior to Mitigation: Potentially significant.
 - d. Mitigation Measure: Mitigation Measure AG-1 provides that SMUD will enter into a conservation mitigation banking agreement established to preserve land currently in agricultural production at a ratio equal to the estimated loss of prime farmland, unique farmland, or farmland of statewide importance (i.e., 1:1).
 - e. Findings: By mitigating for any losses of farmland, implementation of this mitigation measure will reduce the Program's impact on farmland to less than significant.
 - f. Conclusion: Potential impacts on prime or unique farmland or on farmland of statewide importance will be reduced to less than significant.

4. AG-4 Conflict with existing zoning for agricultural use or a Williamson Act contract
 - a. Potential Impact: A conflict with existing zoning for agricultural use or a Williamson Act contract. Potential impacts related to existing zoning for agricultural use or a Williamson Act contract are discussed in the Draft EIR at page IV-12.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: Mitigation Measure AG-2 provides that in order to avoid impacts to agriculture, SMUD shall mark the Woodland-Elverta Transmission Line in a manner that complies with Federal Aviation Administration requirements and that provides reasonable warning of the transmission line to general aviation pilots. SMUD shall also, to the extent feasible, only locate the transmission line on the perimeter of agricultural fields

so as not to interfere with agricultural operations. SMUD shall, further, pay for the relocation of aircraft operations from those airstrips to other nearby airstrips or pay for crop-dusting operations to take place at a new location in the event that the location of the Woodland-Elverta transmission line precludes the use of an airstrip or precludes crop-dusting operations on a field in active agricultural production.

- e. Findings: The installation of power transmission facilities does not substantially interfere with agricultural practices, but the presence of transmission lines may require a farmer to modify the application of agricultural chemical on a portion of a field from airborne to ground application. Mitigation Measure AG-2 will ensure that impacts to agricultural practices are avoided in a manner consistent with Federal Aviation Administration regulations.
 - f. Conclusion: The Program will have a less than significant impact on agricultural zoning or land under Williamson Act contract.
5. AG-5 Involve other changes in the existing environment, which, given their location or nature, could result in the conversion of farmland to non-agricultural use.
- a. Potential Impact: Changes in the existing environment due to the Program could result in the conversion of farmland to non-agricultural use. Potential impacts related to conversion of farmland to non-agricultural use are discussed in the Draft EIR at page IV-12.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: The presence of transmission lines and facilities will not cause changes in land uses adjacent to those facilities that will affect the use of those lands as farmland. Therefore, the Program will make no changes in the environment that could result in the conversion of farmland to non-agricultural uses.
 - f. Conclusion: The Program will not result in any changes to the environment that could result in the conversion of farmland to non-agricultural uses.

C. AIR QUALITY

1. AQ-1 Change existing power plant operations
 - a. Potential Impact: The change in electric service providers under the Program may change where power for the Annexation Territory is generated. Potential impacts related to existing power plant operations are discussed in the Draft EIR at pages IV-29 and IV-30.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Although sources of power might change once SMUD enters the Annexation Territory as energy provider, SMUD does not plan to change the operations of its gas-fired power plants so that permitted emission levels would be exceeded; nor is SMUD planning to repermit any of these plants to increase output and emission levels. Furthermore, because of conditions imposed by both the CEC and by SMAQMD, any air emissions from the Consumnes Power Plant attributable to the Annexation Territory must be within the limits of the plant's operating permit and already have been accounted for in regional projections of air emissions. CPP is what is known as a "base-load" plant" in that it is intended to run 24 hours/day, 7 days a week, 365 days a year. To the extent that customers within the Annexation Territory require power from CPP, power will be provided to them; to the extent that those customers do not require additional power, the power will be sold on the open marketplace. However, SMUD will operate the plant in exactly the same fashion whether or not the Commission approves the Program. The only difference may be the ultimate purchaser of the power generated by CPP. (It is possible, if the Commission disapproves the Program, that CPP will generate power that SMUD will then sell to PG&E for provision in the Annexation Territory.)Therefore, any impacts on air quality will be less than significant.
 - f. Conclusion: Impacts from the Program related to existing power plant operations will be less than significant.
2. AQ-2 Conflict with or obstruct applicable air quality plans
 - a. Potential Impact: The Program could conflict with or obstruct applicable air quality plans by increasing emissions through changes in

electrical service. Potential impacts related to applicable air quality plans are discussed in the Draft EIR at page IV-30.

- b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Because the Program will result in a 2% reduction in rates, including agricultural rates, it is likely that gradual reduction in air emissions from stationary agricultural sources will continue as there will be incentives to convert groundwater extraction pumps from diesel to electrical. Furthermore, any increase in vehicle emissions will be below de minimis levels, at a level which SMAQMD has determined it can achieve its goals in improving air quality. Therefore, the net effect on air quality of changing electrical service providers in the Annexation Territory will be less than significant.
 - f. Conclusion: The net effect on air quality, in terms of conflicts with applicable air quality plans, of changing electrical service providers in the Annexation Territory will be less than significant.
3. AQ-3 Construction emissions
- a. Potential Impact: Construction of Program Components 4-8 could result in emissions affecting air quality, including fugitive dust emissions and ozone precursors such as NO_x. Potential impacts related to construction emissions are discussed in the Draft EIR at pages IV-30 through IV-34.
 - b. Best Management Practice: BMP-6 incorporates the Yolo-Solano Air Pollution Control District's (APCD) mitigation measures to reduce fugitive dust from construction projects. The practices include: (i) soil stockpiles will be covered or watered twice daily; (ii) exposed soil surfaces will be watered twice daily; (iii) haul roads will be watered twice daily; (iv) dump trucks will be covered securely; (v) to minimize emissions of ozone precursors and diesel particulate matter, non work-related idling of vehicles and equipment will be limited to no more than five minutes.
 - c. Impact Prior to Mitigation: Potentially significant
 - d. Mitigation Measure: Mitigation Measure AQ-1 requires SMUD to prepare a detailed construction schedule and updated emissions inventory to determine whether the emissions from construction will result in the emission of ozone precursors in excess of

threshold levels. If the limit may be exceeded, SMUD will incorporate construction emission mitigation measures as recommended by SMAQMD. These measures involve reducing NO_x emissions from off-road diesel powered equipment, and controlling visible emissions from off-road diesel powered equipment.

- e. Findings: With the implementation of BMP-6 and Mitigation Measure AQ-1, fugitive dust emissions will not exceed the construction threshold adopted by the Yolo-Solano APCD, and construction emissions of ozone precursors will be reduced to a less than significant level.
- f. Conclusion: Any potential impacts related to fugitive dust from construction emissions will be reduced through Mitigation Measure AQ-1 to less than significant.

4. AQ-4 Operation and Maintenance Emissions

- a. Potential Impact: Changes in travel patterns resulting from operation and maintenance activities will increase the number of vehicle miles traveled per day, resulting in emissions of criteria pollutants. Operation and maintenance will occur during construction of Program components, so operation and maintenance emissions will contribute to the short-term emissions associated with construction, which could result in exceedences of the construction significance threshold. Potential impacts related to operation and maintenance emissions are discussed in the Draft EIR at pages IV-34 and IV-35.
- b. Best Management Practice: None
- c. Impact Prior to Mitigation: Potentially significant
- d. Mitigation Measure: Mitigation Measure AQ-1 requires that SMUD prepare a detailed construction schedule and update emissions inventory to determine whether the emissions from this construction, when added to any other infrastructure construction anticipated at the same time, will result in the emission of ozone precursors in excess of 85 lb/day. In the event that the limit may be exceeded, SMUD will incorporate construction emission mitigation measures as recommended by SMAQMD.
- e. Findings: Any increases related to SMUD vehicles serving the area will be at least partially offset by the reduction in PG&E trips of a similar nature. Therefore, the long-term effect of operation and maintenance emissions on criteria pollutants will be less than significant. Additionally, any potential exceedance of the

construction significance threshold will be reduced to less than significant by Mitigation Measure AQ-1.

- f. Conclusion: The Program's impact related to emissions of criteria pollutants will be less than significant.

D. BIOLOGICAL RESOURCES

- 1. BIO-1a Temporary impacts to special-status species that use vernal pools and swales
 - a. Potential Impact: Reconstruction of the Power Inn Road to Hedge substation transmission line and construction of the North City interconnection could temporarily disturb about 2.2 acres of grasslands that contain vernal pools and swales. Vernal pools and swales are also present within the study area for the Woodland-Elverta transmission line. Temporary disturbance of these areas may result in the loss of individuals of special-status species located in these areas. Potential impacts related to special-status species that use vernal pools and swales are discussed in the Draft EIR at pages IV-85 to IV-87.
 - b. Best Management Practice: BMP-2 involves modification of project designs, construction specifications and timing of project implementation in order to avoid impacts to sensitive biological species. Specifically, SMUD has agreed to: have a qualified biologist survey all areas that might be disturbed, and if special-status animals or plants are present, SMUD must avoid impacts to such individuals or implement compensatory mitigation; fence off or clearly mark sensitive habitats that may contain special-status species near Program construction areas; train all construction personnel working in a biologically sensitive area; remove all construction debris after completion of construction activities; restrict Program-related vehicle traffic; and limit construction activities to May 1 through September 30 to avoid impacting vernal pool special-status species.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: Mitigation Measure BIO-1 requires SMUD to engage in active restoration of all habitats affected by the Program.
 - e. Findings: BMP 2 will ensure that Program construction avoids damage to vernal pools and swales and the corresponding impact to special-status species. By incorporating BMP-2 into the Program, SMUD has agreed to meet a performance standard that avoids adverse effects to the maintenance of special-status species populations in the Program study area. Furthermore, SMUD has

agreed to actively restore all habitats affected by the Program. Therefore, impacts in this area will be reduced to a less than significant level.

- f. Conclusion: The effect of the Program with regard to temporary impacts on special-status species that use vernal pools and swales will be less-than-significant.

2. BIO-1b Temporary impacts to special-status species that inhabit grasslands and agricultural lands

- a. Potential Impact: Reconstruction of the Power Inn Road to Hedge substation transmission line and construction of the North City interconnection will temporarily disturb about 2.2 acres of grasslands. The Woodland-Elverta transmission line also crosses grasslands, and the study area for this transmission line is largely used for agriculture. Temporary disturbance of these areas may result in the loss of individuals of special-status species located in these areas. Potential impacts related to special-status species that inhabit grasslands and agricultural lands are discussed in the Draft EIR at pages IV-87 to IV-89.
- b. Best Management Practice: BMP-2 involves modification of project designs, construction specifications and timing of project implementation in order to avoid impacts to sensitive biological species. Specifically, SMUD has agreed to: install temporary erosion devices on slopes where erosion or sedimentation may degrade sensitive biological resources; revegetate temporary disturbance areas in annual grasslands with appropriate native species upon completion of construction; promptly clean up and dispose of all spilled substances to avoid chronic or acute poisoning of wildlife; extend preconstruction surveys in grasslands to suitable habitat for burrowing owls 500 feet from the Program footprint; have a qualified biologist survey all areas that might be disturbed, and if special-status animals or plants are present, SMUD must avoid impacts to such individuals or implement compensatory mitigation; fence off or clearly mark sensitive habitats that may contain special-status species near Program construction areas; and train all construction personnel working in a biologically sensitive area.
- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: Mitigation Measure BIO-1 requires SMUD to engage in active restoration of all habitats affected by the Program.

- e. Findings: BMP 2 will ensure that Program construction avoids damage to grasslands and the corresponding impact to special-status species. SMUD has agreed to meet a performance standard that avoids adverse effects to the maintenance of special-status species populations in the Program study area. Furthermore, SMUD has agreed to actively restore all habitats affected by the Program. Therefore, impacts in this area will be reduced to a less than significant level.
 - f. Conclusion: The effect of the Program with regard to temporary impacts to special-status species that inhabit grasslands and agricultural lands will be less-than-significant.
3. BIO-1c Temporary impacts to special-status species that inhabit marsh, riparian areas, and woodland
- a. Potential Impact: The Woodland-Elverta transmission line study area crosses the Sacramento River and other drainages that support some marsh habitat, riparian woodland, and elderberry savannah. Temporary disturbance of these areas may result in the loss of individuals of special-status species located in these areas. Potential impacts related to special-status species that inhabit marsh, riparian areas, and woodland are discussed in the Draft EIR at pages IV-89 to IV-91.
 - b. Best Management Practice: BMP-2 involves modification of project designs, construction specifications and timing of project implementation in order to avoid impacts to sensitive biological species. Specifically, SMUD has agreed to: postpone clearing and construction around any active nest of a special status species until the nest is vacated and the juveniles have fledged, as determined by a qualified biologist, and there is no evidence of second nesting attempts; and, in the event that construction begins after April 1, conduct preconstruction surveys for nesting Swainson's hawk within 0.5 mile of construction sites, contact CDFG, and monitor the nest.
 - c. Impact Prior to Mitigation: Potentially significant
 - d. Mitigation Measure: Mitigation Measure BIO-1 requires SMUD to engage in active restoration of all habitats affected by the Program.
 - e. Findings: BMP 2 will ensure that Program construction avoids damage to marsh, riparian areas and woodland, and the corresponding impact to special-status species. SMUD has agreed to meet a performance standard that avoids adverse effects to the maintenance of special-status species populations in the Program

study area. Furthermore, SMUD has agreed to actively restore all habitats affected by the Program. Therefore, impacts in this area will be reduced to a less than significant level.

- f. Conclusion: The effects of the Program with regard to temporary impacts to special-status species that inhabit marsh, riparian areas, and woodland will be less-than-significant.

4. BIO-1d Permanent loss of habitat used by special-status species

- a. Potential Impact: Foundations for transmission line facilities could result in the permanent loss of about 0.3 acre for Program Components 4 and 5 and 1.5 acres for Program Component 6. Program Component 7 will require 1 to 3 acres of land. Potential impacts related to loss of habitat by special-status species are discussed in the Draft EIR at pages IV-91 and IV-92.
- b. Best Management Practice: BMP-2 involves modification of project designs, construction specifications and timing of project implementation in order to avoid impacts to sensitive biological species. Specifically, SMUD may mitigate habitat loss by replacement in kind adjacent to Program Components, or it may participate in the Natomas Basin Habitat Conservation Fund or one or more mitigation banks (e.g., Bryte Ranch Conservation Bank, Fitzgerald Conservation Bank, and Clay Station Conservation Bank), depending on the location and type of habitat impacted by the Program.
- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: Mitigation Measure BIO-1 requires SMUD to engage in active restoration of all habitats affected by the Program.
- e. Findings: BMP 2 will ensure that Program construction avoids impacts to special-status species. SMUD has agreed to meet a performance standard that avoids adverse effects to the maintenance of special-status species populations in the Program study area. Furthermore, SMUD has agreed to actively restore all habitats affected by the Program. Therefore, impacts in this area will be reduced to a less than significant level.
- f. Conclusion: The effects of the Program with regard to permanent loss of habitat used by special-status species will be less-than-significant.

5. BIO-1e Loss of special-status bird species from collisions with transmission lines
- a. Potential Impact: The new Woodland-Elverta transmission line could pose a threat to birds when the birds are unable to see the lines. Potential impacts related to bird collisions with transmission lines are discussed in the Draft EIR at page IV-92.
 - b. Best Management Practice: BMP-2 requires SMUD to install visual line enhancers and provide adequate spacing of the conductors to minimize the risk of avian collision and electrocution.
 - c. Impact Prior to Mitigation: Potentially significant
 - d. Mitigation Measure: None
 - e. Findings: BMP-2 will reduce impacts of bird collisions from the new Woodland-Elverta transmission line to less than significant.
 - f. Conclusion: The effects of the Program with regard to the loss of special-status bird species from collisions with transmission lines will be less-than-significant.
6. BIO-2 Impacts to sensitive natural communities
- a. Potential Impact: Program Components 4 through 9 could have temporary construction impacts to a variety of sensitive natural communities, including vernal pools and swales, marsh, and woodland (riparian and elderberry savannah). The maximum area of sensitive natural communities that may be impacted during Program construction is 12.4 acres, including permanent losses of up to 4.8 acres. Potential impacts related to sensitive natural communities are discussed in the Draft EIR at page IV-92.
 - b. Best Management Practice: BMP-2 involves modification of project designs, construction specifications and timing of project implementation in order to avoid impacts to sensitive biological species. Specifically, SMUD may mitigate habitat loss by replacement in kind adjacent to Program Components, or it may participate in the Natomas Basin Habitat Conservation Fund or one or more mitigation banks (e.g., Bryte Ranch Conservation Bank, Fitzgerald Conservation Bank, and Clay Station Conservation Bank), depending on the location and type of habitat impacted by the Program.
 - c. Impact Prior to Mitigation: Less than significant

- d. Mitigation Measure: None
 - e. Findings: BMP 2 will ensure that Program construction avoids impacts to special-status species. SMUD has agreed to meet a performance standard that avoids adverse effects to the maintenance of special-status species populations in the Program study area. Furthermore, SMUD has agreed to actively restore all habitats affected by the Program. Therefore, impacts in this area will be reduced to a less than significant level.
 - f. Conclusion: The effects of the Program with regard to impacts to sensitive natural communities will be less than significant.
7. BIO-3 Impacts to wetlands
- a. Potential Impact: Program Components 4 through 9 may have temporary impacts to wetlands, as defined under Section 404 of the Clean Water Act, including vernal pools and marsh. The Woodland-Elverta transmission line may have a permanent impact on up to 1.5 acres of wetlands. Potential impacts related to wetlands are discussed in the Draft EIR at page IV-93.
 - b. Best Management Practice: BMP-2 requires SMUD to prepare a wetland mitigation plan to compensate for any jurisdictional wetlands lost, at a ratio that has been determined in partnership with the USACE. This mitigation plan will include monitoring and performance standards to ensure successful mitigation.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: Mitigation Measure BIO-1 requires SMUD to engage in active restoration of all habitats affected by the Program.
 - e. Findings: By compensating for wetlands lost by Program Components 4 through 9, BMP-2 will reduce the Program's impacts to jurisdictional wetlands to less than significant. Wetlands would be avoided to the maximum extent possible. Furthermore, SMUD has agreed to actively restore all habitats affected by the Program. In the event that a wetland cannot be avoided, Program impacts would be minimized and compensatory mitigation would be provided.
 - f. Conclusion: The effects of the Program with regard to impacts to wetlands will be less-than-significant.

8. BIO-4 Interference with fish or wildlife movement
- a. Potential Impact: If the new Woodland-Elverta transmission line is positioned next to rice fields that may provide foraging and resting habitat for migratory waterfowl during the winter, migratory waterfowl could collide with the new transmission line. Potential impacts related to fish or wildlife movement are discussed in the Draft EIR at page IV-93.
 - b. Best Management Practice: BMP-2 requires that SMUD install visual line enhancers and provide adequate spacing of the conductors to minimize the risk of avian collision and electrocution.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: With visual line enhancers and adequate spacing of conductors, which both minimize the risk of avian collision, BMP-2 will reduce impacts of bird collisions from the Woodland-Elverta transmission line to less than significant.
 - f. Conclusion: Impacts from the Program in relation to interference with fish or wildlife movement will be less-than-significant.
9. BIO-5 Conflict with local policies or ordinances
- a. Potential Impact: The Woodland-Elverta transmission line could result in the loss of riparian habitat in the Sacramento River, and in the removal of native oak trees. Both the Yolo and Sacramento County general plans call for no net loss of riparian habitat, and the Sacramento County general plan and Tree Preservation Ordinance provide for protection of native oaks. Therefore, the Program could conflict with these local policies. Potential impacts related to local policies or ordinances are discussed in the Draft EIR at page IV-93.
 - b. Best Management Practice: BMP-2 requires SMUD to have a qualified biologist survey all areas that may be disturbed by access routes, laydown areas, and staging areas of all Program Components before any disturbance occurs. This survey will include the identification of all native oaks and riparian habitat. If such areas are present, SMUD must either avoid impacts to them or implement compensatory mitigation in accordance with the Yolo and Sacramento County general plan guidelines and the guidelines set forth in the Sacramento County Tree Preservation Ordinance.

- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None
- e. Findings: The requirements of BMP-2 will result in the avoidance of impacts or the implementation of compensatory mitigation in accordance with the Yolo and Sacramento County general plan guidelines; therefore, there will be no potential conflict with these local policies.
- f. Conclusion: Impacts from the Program related to conflicts with local policies or ordinances will be less than significant.

10. BIO-6 Conflict with habitat conservation plans

- a. Potential Impact: The Natomas Basin HCP, the only adopted HCP in the Program area, has been designed to protect the Swainson's hawk and the giant garter snake, as well as a variety of wetland, upland and vernal pool special-status species. In the event that the Woodland-Elverta transmission line crosses the Natomas Basin, it will require the permanent use of under 1 acre of land for transmission line foundations. Potential impacts related to habitat conservation plans are discussed in the Draft EIR at page IV-94.
- b. Best Management Practice: BMP-2 requires that SMUD install visual line enhancers and provide adequate spacing of the conductors to minimize the risk of avian collision and electrocution.
- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None
- e. Findings: The implementation of BMP-2 will reduce impacts of bird collision, including Swainson's hawk, from the new Woodland-Elverta transmission line to less than significant. A permanent use of 1 acre of land for transmission line foundations will not significantly restrict the use of land within the basin for wildlife habitat consistent with the goals of the Natomas Basin HCP. Therefore, the Program will not conflict with the Natomas Basin HCP.
- f. Conclusion: The Program will not conflict with the Natomas Basin HCP.

E. CULTURAL RESOURCES

1. CR-1a Cultural resource impacts from reconstruction of the Power Inn Road to Hedge substation transmission line
 - a. Potential Impact: Although no significant archaeological resources have been identified in the study area for the Power Inn Road to Hedge substation, there is a potential for intact buried archaeological sites to be present in the study area. Excavation activities associated with this component could impact a buried resource, if present. Potential impacts related to cultural resource impacts from reconstruction of the Power Inn Road to Hedge substation are discussed in the Draft EIR at pages IV-108 to IV-110.
 - b. Best Management Practice: BMP-3 requires all of the following related to cultural resource impacts: training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: There are no known archaeological resources in the study area for the Power Inn Road to Hedge substation, and application of BMP 3 will ensure the recovery of any resources encountered accidentally during construction, reducing any impact to less than significant.

- f. Conclusion: Cultural impacts resulting from the Power Inn Road to Hedge substation transmission line reconstruction will be less than significant.
2. CR-1b Cultural resources impacts from construction of the North City Interconnection
- a. Potential Impact: Although no significant archaeological resources have been identified within the area of potential effect for the North City interconnection, given the proximity to the American River, the potential for buried archaeological resources in the area cannot be ruled out and the Program could impact intact buried archaeological sites. Potential impacts related to cultural resources from construction of the North City Interconnection are discussed in the Draft EIR at page IV-110.
 - b. Best Management Practice: BMP 3 requires all of the following related to cultural resource impacts: training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: There are no known archaeological resources in the study area for the North City Interconnection, and application of BMP 3 will ensure the recovery of any resources encountered

accidentally during construction, reducing any impact to less than significant.

- f. Conclusion: Cultural impacts resulting from the North City Interconnection work will be less than significant.
3. CR-1c Cultural resources impacts from construction of the Woodland to Elverta transmission line
 - a. Potential Impact: Construction of this new transmission line could have significant impacts to known or previously unidentified cultural resources, because of ground-disturbing activity and changes in the setting of a significant built environmental resource. This Program Component also encompasses Reclamation District 1000, a listed NRHP landscape. Potential impacts related to cultural resources from construction of the Woodland to Elverta transmission line are discussed in the Draft EIR at pages IV-110 to IV-111.
 - b. Best Management Practice: BMP 3 requires all of the following related to cultural resource impacts: training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None

- e. Findings: Application of BMP 3 will ensure that in the event of a discovery of archaeological or paleontological resources in the study area for the Woodland-Elverta Transmission line, steps will be taken to recover and archive such resources, reducing any impact to less than significant.
 - f. Conclusion: Cultural impacts resulting from construction of the Woodland-Elverta Transmission Line will be less than significant.
4. CR-1d Cultural resources impacts from construction of the Willow Slough substation
- a. Potential Impact: Although no significant archaeological resources have been identified in the study area for the Willow Slough substation, there is a potential for intact buried archaeological sites to be present in the study area. Excavation activities associated with this component could impact a buried resource, if present. One prehistoric archaeological site has been recorded outside of but proximate to this Program Component, but the study area has not been subject to a formal archaeological survey. In addition, there are two unevaluated built environmental resources within or adjacent to the potential substation location, which could be impacted by construction or a change in the setting. Potential impacts related to cultural resources from construction of the Willow Slough substation are discussed in the Draft EIR at page IV-111.
 - b. Best Management Practice: BMP 3 requires all of the following related to cultural resource impacts: training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program

component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.

- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None
- e. Findings: Application of BMP 3 will ensure that in the event of a discovery of archaeological or paleontological resources in the study area for the Willow Slough substation, steps will be taken to recover and archive such resources, reducing any impact to less than significant.
- f. Conclusion: Cultural impacts resulting from construction of the Willow Slough substation will be less than significant.

5. CR-1e Cultural resources impacts from reconductoring in the Annexation Territory

- a. Potential Impact: The replacement of wires on existing transmission towers will not impact cultural resources, but ground-disturbing activity associated with reconductoring staging areas or pull stations may impact unanticipated archaeological resources. Potential impacts related to cultural resources from reconductoring in the Annexation Territory are discussed in the Draft EIR at page IV-111.
- b. Best Management Practice: BMP 3 requires all of the following related to cultural resource impacts: training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program

component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.

- c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Application of BMP 3 will ensure that in the event of a discovery of archaeological or paleontological resources in the study area for the reconductoring component of the Program, such resources would be properly recovered and archived, reducing any impact to less than significant.
 - f. Conclusion: Cultural impacts resulting from reconductoring in the Annexation Territory will be less than significant.
6. CR-2 Impacts to paleontological resources from construction of Program Components
- a. Potential Impact: Any of the Program Components could be constructed in surficial geologic deposits that contain significant paleontological resources. Any loss of such resources would be considered a significant impact. Potential impacts related to paleontological resources from construction of Program Components are discussed in the Draft EIR at page IV-112.
 - b. Best Management Practice: BMP 3 requires all of the following related to cultural resource impacts: training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program

component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.

- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None
- e. Findings: Application of BMP 3 will ensure that in the event of a discovery of paleontological resources in the study area for any component of the Program, such resources will be properly recovered and archived, reducing any impact to less than significant.
- f. Conclusion: Impacts to paleontological resources from Program-related construction will be less than significant.

F. HAZARDS AND HAZARDOUS MATERIALS

- 1. HAZ-1 Expose people or property to hazardous materials or hazardous conditions
 - a. Potential Impact: The exposure of workers to fuels, fluids, solvents, or other hazardous materials used during construction of Program Components, and exposure of people to electric and magnetic fields. Impacts could come either from hazardous materials and wastes, or from electromagnetic fields. Potential impacts related to the exposure of people or property to hazardous materials or conditions are discussed in the Draft EIR at pages IV-122 through IV-125.
 - b. Best Management Practice: For hazardous materials and wastes, diesel fuel, hydraulic fluid, and other lubricants and solvents will be used during construction, which is common for any building or development project. SMUD will follow all regulations regarding the handling, storing, using and disposing of these materials during all Program Component construction. Transformers and related equipment will not contain PCBs. Sulfuric acid for the Willow Slough substation's backup battery system will be transported in sealed containers, minimizing the potential for releases. SMUD will also follow regular inspection and maintenance procedures, response plans, and regulatory oversight of the handling of such materials. Certain design features, such as remote alarming monitoring equipment, and SPCC Plan and access restrictions, will be built into facilities to reduce the potential for releases. Used equipment will be handled consistently with SMUD procedures and permits related to the use and handling of hazardous materials and wastes. SMUD complies with regulations regarding electric system component handling in addition to RCRA. Any universal

wastes generated by the Program Components will be disposed of property in accordance with SMUD's established policies.

- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None
- e. Findings: Compliance with regulations for the handling, storing, use and disposal of hazardous materials will reduce the potential for uncontrolled releases of hazardous materials into the environment. With no PCBs in transformers and related equipment, the risk of release during transport of such materials will be minimal. Transport of hazardous materials such as sulfuric acid in sealed containers will reduce the potential for rupture and release to a level that is typical for any substation or similar industrial installation. Design features built into facilities will reduce the potential for releases, thereby reducing any impact to less than significant. Compliance with RCRA and other regulations regarding universal wastes and used equipment will prevent releases of hazardous materials, and in the event of a release, SMUD procedures related to clean-up will ensure that people and property are not exposed. SMUD's current hazardous materials handling facilities will be able to handle the minor additional demand created by service to the Annexation Territory. These measures reduce to less than significant the potential for an exposure to people or the environment of hazardous materials.

SMUD has a policy, stated in SMUD Resolution No. 91-04-18, calling for prudent avoidance of residences, schools, hospitals, and other facilities where people may reside when siting and designing electrical transmission facilities. Because the strength of electric and magnetic fields falls off rapidly with distance from the source, a sufficient distance between transmission facilities and residential areas will reduce the potential exposures of people to electric and magnetic fields to a less than significant level. SMUD will also adopt a configuration for its transmission lines that provides the lowest electric and magnetic field levels.

- f. Conclusion: Impacts related to exposures to people or the environment of hazardous materials will be less than significant.
2. HAZ-2 Conflict with airport comprehensive plans
- a. Potential Impact: Transmission tower locations and heights could conflict with airport comprehensive plans for the Sacramento International Airport or the Yolo County Airport. Potential

impacts related to conflicts with airport comprehensive plans are discussed in the Draft EIR at page IV-125.

- b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Transmission lines already existing within the rights of way for the Power Inn Road to Hedge substation transmission line reconstruction and the North City interconnection study areas. For these Program Components, the height of any new transmission towers will not differ from the height of existing towers. The Willow Slough substation study area is not located near an airport, so this component will not have any impact on airports. Program Components 8 and 9 will not alter the location or height of existing transmission facilities, so these components will have no impact on airports. In choosing a location for the Woodland-Elverta transmission line, SMUD will work cooperatively with the administrations of both public-use airports, the owners of private airstrips, and the FAA to ensure that the line is sited outside of protected airspace. If impacts to private airstrips are inevitable, SMUD will pay for the relocation of aircraft operations from those airstrips to other nearby airstrips or pay for crop-dusting operations to take place at a new location. Therefore, there are not expected to be any conflicts with airport comprehensive plans.
 - f. Conclusion: Impacts related to conflicts with airport comprehensive plans will be less than significant.
3. HAZ-3 The Program could conflict with implementation of emergency response plans
- a. Potential Impact: The Program could result in conflicts with implementation of emergency response plans. Impacts related to the implementation of emergency response plans are discussed in the Draft EIR at page IV-125.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: The Program incorporates regular coordination between SMUD and emergency response planning agencies to ensure that its operations are consistent with applicable plans and policies.

This regular coordination will ensure that there will be no conflicts with emergency response plans.

- f. Conclusion: Impacts related to conflicts with implementation of emergency response plans will be less than significant.
4. HAZ-4 Cause wildfires
 - a. Potential Impact: A change in transmission line operations could cause wildfires. Potential impacts related to wildfires are discussed in the Draft EIR at pages IV-125 and IV-126.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: All but two of the Program Components will take place in existing rights of way and will therefore not alter the potential to cause wildfires from existing conditions. Only the Willow Slough substation and the Woodland-Elverta transmission line are expected to alter transmission line operations outside of existing rights of way. Both of these Program Components will take place in irrigated agricultural lands, which are not readily susceptible to wildfires. In addition, SMUD utilizes agency coordination, inspection and maintenance procedures to minimize the potential for wildfires. Therefore, most of the Program Components will have no impact related to wildfires, and the substation and transmission line will have a less than significant impact related to wildfires.
 - f. Conclusion: The Program will have a less than significant impact related to wildfires.

G. HYDROLOGY/WATER QUALITY

1. H-1 Impacts on storm water quality
 - a. Potential Impact: Excessive runoff or erosion from Program sites could result in impacts on storm water quality. Potential impacts related to storm water quality are discussed in the Draft EIR at page IV-133.
 - b. Best Management Practice: BMP 2 requires that SMUD revegetate areas disturbed by Program construction to prevent excessive runoff or erosion from Program sites following the installation of transmission lines.

- c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: SMUD will comply with the statewide Construction Storm Water General NPDES Permit and will prepare a SWPPP in accordance with the permit requirements. The SWPPP will identify specific BMPs and an MRP to ensure the implementation of BMPs that meet the standards contained in the statewide Construction Storm Water General NPDES permit. Implementation of the SWPPP and MRP, as well as the revegetation of disturbed areas under BMP 2, will prevent excessive runoff and erosion due to the Program, and will therefore result in a less than significant impact on storm water quality.
 - f. Conclusion: Impacts on storm water quality resulting from the Program will be less than significant.
2. H-2 Impacts to groundwater hydrology
- a. Potential Impact: The Program could lead to an increased area of impermeable surfaces in the Annexation Territory and reduced rates for electric service, resulting in an increased use of groundwater for irrigation and further drawdown of aquifers. Potential impacts related to groundwater hydrology are discussed in the Draft EIR at page IV-133.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Program facilities will increase the area of impermeable surfaces in the Annexation Territory by a maximum of 4.5 acres, which is too small an area to measurably reduce the recharge area of the Annexation Territory, which covers 212 square miles. 4.5 acres amounts to about 0.003% of the total area of the Annexation Territory. Although the Program will reduce electric service rates in the Annexation Territory, which could reduce the cost of groundwater pumping to farmers, this is not expected to increase the use of groundwater in a way that would cause further drawdown of the aquifers in the North American Subbasin. The savings in production costs for farmers is not large enough to alter current water practices in the Annexation Territory. Increased groundwater pumping occurs in dry years in the Annexation Territory. Even if surface water prices double, they are still roughly equivalent to groundwater pumping costs and will not

result in farmers choosing to pump significantly more groundwater based solely on the price of electricity. Regardless of the amount of additional groundwater pumped in dry years, the groundwater in the Annexation Territory will be recharged in wet years and there will be no long-term impacts to groundwater levels from dry year pumping. Therefore, the Program will have less than significant impacts on groundwater hydrology.

- f. Conclusion: Potential impacts to groundwater hydrology from the Program are less than significant.
3. H-3 Conflict with city or county drainage design standards
- a. Potential Impact: The Program could conflict with city or county drainage design standards. Potential impacts related to city or county drainage design standards are discussed in the Draft EIR at page IV-134.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: SMUD and/or its contractors will obtain grading permits for Program facilities from the appropriate jurisdictions, and these permits will be in compliance with city or county drainage design standards. Therefore, the Program will not conflict with city or county drainage design standards.
 - f. Conclusion: The Program will have no impact regarding conflicts with city or county drainage design standards.
4. H-4 Increased risk from flooding
- a. Potential Impact: The Program could result in an increased risk from flooding. Potential impacts related to flooding are discussed in the Draft EIR at page IV-134.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: Although all of the Program Components except the Willow Slough substation are at least partially located in the 100-year floodplain of the American River, Sacramento River, Yolo

Bypass, or Cache Creek, transmission towers will not occupy more than 0.5 % of the cross-section of any floodplain. The area displaced by transmission towers will not measurably change the elevation of the 100-year flood. Therefore, the Program will not increase flood risks to people or property.

- f. Conclusion: The Program will have no effect on flood risks to people or property.
5. H-5 Place sensitive equipment in a 100-year floodplain
- a. Potential Impact: The Program could place sensitive equipment into a 100-year floodplain. Potential impacts related to the placement of sensitive equipment in a 100-year floodplain are discussed in the Draft EIR at page IV-134.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: Because the design of transmission towers and their foundations will take into account forces generated by floodwaters, any equipment placed into a 100-year floodplain will be designed to withstand the forces of expected floodwaters. It is anticipated that the Woodland-Elverta transmission line would be the only Program component that would place any equipment into a 100-year floodplain and the transmission towers can readily be designed to withstand floodwaters expected in the Yolo Bypass.
 - f. Conclusion: The Program will have no effect regarding the placement of sensitive equipment into a 100-year floodplain.
6. H-6 Conflict with drainage plans and grading ordinances
- a. Potential Impact: The Program could conflict with local drainage plans and grading ordinances. Potential impacts related to local drainage plans and grading ordinances are discussed in the Draft EIR at page IV-134.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None

- e. Findings: Because SMUD and/or its contractors will obtain grading permits from the appropriate jurisdictions for all Program facilities, and those permits will incorporate local drainage plans and grading ordinances, the Program will not conflict with city or county drainage plans or grading ordinances.
- f. Conclusion: The Program will have no impacts related to conflicts with drainage plans and grading ordinances

H. LAND USE/PLANNING

- 1. LU-1 Physical division of an established community
 - a. Potential Impact: The Program could cause a physical division of an established community. Potential impacts related to physical divisions of established communities are discussed in the Draft EIR at page IV-141.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: Program Components 1-3 do not involve physical activities that could divide established communities. Program Components 4, 5, 8 and 9 are located within existing transmission line rights of way, and there are no established communities in the study areas for Program Components 6 and 7. Therefore, none of these Components will have an impact on land use/planning with regard to the physical division of a community.
 - f. Conclusion: The Program will have no effect on land use/planning with regard to the physical division of a community.
- 2. LU-2 Conflict with policies of Sacramento County General Plan
 - a. Potential Impact: The Program could conflict with the Sacramento County General Plan. Potential impacts related to conflicts with the policies of the Sacramento County General Plan are discussed in the Draft EIR at page IV-141.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None

- e. Findings: Transmission facilities proposed for Program Components 4 and 5 will be located within an established community where transmission line facilities are located in existing rights of way. These components will therefore comply with PF-86 of the General Plan, which states that new transmission lines should use existing corridors whenever practical. Siting of all transmission facilities proposed for the Program will meet Sacramento County electric generation policies PF-85 through PF-100. Therefore, the Program will not conflict with the Sacramento County General Plan.
 - f. Conclusion: The Program will have no effect on land use/planning with regard to conflicts with Sacramento County General Plan policies.
3. LU-3 Conflict with Measure M, the Natomas Joint Vision Plan, and the Sacramento International Airport Master Plan
- a. Potential Impact: The Woodland-Elverta transmission line could conflict with Measure M, the Natomas Joint Vision Plan, or the Sacramento International Airport Master Plan. Potential impacts related to conflicts with Measure M, the Natomas Joint Vision Plan, and the Sacramento International Airport Master Plan are discussed in the Draft EIR at pages IV-141 and IV-142.
 - b. Best Management Practice: BMP 1 requires that for siting the Woodland-Elverta transmission line, SMUD use siting criteria provided by the County and City of Sacramento, including the Sacramento County General Plan Public Facilities Element VIII and the *Airport Use Planning Handbook*.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: BMP 1 requires that SMUD utilize siting criteria provided by local government bodies for the transmission line, and SMUD will work cooperatively with the appropriate jurisdictions and landowners to ensure that the transmission line does not conflict with specific development plans. SMUD will also work with the FAA to ensure that the transmission line does not penetrate protected airspace for existing or future facilities associated with the airport. Therefore, the Program will not conflict with Measure M, the Natomas Joint Vision Plan, or the Sacramento International Airport Master Plan.

- f. Conclusion: The Program will not conflict with Measure M, the Natomas Joint Vision Plan, or the Sacramento International Airport Master Plan.

I. NOISE

- 1. NOI-1b Noise from construction of the North City interconnection
 - a. Potential Impact: Construction of the North City interconnection could create a noise impact. Potential impacts related to noise from construction of the North City interconnection are discussed in the Draft EIR at pages IV-156 and IV-157.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: The total duration of construction for the North City interconnection will be about one week. Construction activities will occur during daytime periods. No homes are in the immediate vicinity of the North City Interconnection Study Area, and for nearby offices, construction noise will be attenuated sufficiently as to not reach the relevant threshold of 70 dBA. Recreational users may experience short periods of high noise levels close to the construction area, but due to the short duration of this noise and the reduction of noise levels at the nearest permanent land use to below the threshold of significance, the noise impact of construction for the North City interconnection will be less than significant.
 - f. Conclusion: The noise impact from construction of the North City interconnection will be less than significant.
- 2. NOI-2a Noise from operation and maintenance
 - a. Potential Impact: The Program could result in noise from operation and maintenance of the electrical system in the Annexation Territory. Potential impacts related to noise from operation and maintenance are discussed in the Draft EIR at page IV-158.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None

- e. Findings: Under the Program, operation and maintenance will remain the same as before the Program. Therefore, this Program Component will have no noise impact.
 - f. Conclusion: There will be no noise impact from operations and maintenance of the electrical system in the Annexation Territory.
3. NOI-2b Noise from new transmission lines
- a. Potential Impact: There could be occasional crackling sounds from the new transmission lines under Program Components 4, 5 and 6. Potential impacts related to noise from new transmission lines are discussed in the Draft EIR at pages IV-158 and IV-159.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Operational noise for the new transmission lines under Program Components 4, 5 and 6 will consists of occasional cracking sounds at about 40 dBA. This noise level is at or below ambient noise levels typical of urban and most rural areas. Therefore, this noise impact will be less than significant.
 - f. Conclusion: Noise impacts from new transmission lines will be less than significant.
4. NOI-2c Noise from Willow Slough substation
- a. Potential Impact: The Program could result in noise from transformers (a buzz or hum) and cooling fans operating within the Willow Slough Substation Study Area. Potential impacts related to noise from transformers and cooling fans operating within the Willow Slough Substation Study Area are discussed in the Draft EIR at pages IV-159 and IV-160.
 - b. Best Management Practice: None.
 - c. Impact Prior to Mitigation: Potentially significant
 - d. Mitigation Measure: In determining the final location and developing the final designs for the Willow Slough substation, SMUD will ensure that there are four or fewer transformers, the source noise each transformer is no more than 60 dBA at three feet, and that the minimum distance from transformers to the

property line is 150 feet. These measures will ensure that transformer noise does not exceed 40 dBA L_{eq} at the property line.

- e. Findings: The noise level from construction of the Willow Slough substation, which will consist of a continuous hum and possible noise from cooling fans, will depend upon the number of transformers operating, the distance between the transformers and the property line, and the type of security used at the property line. Based on the assumptions listed at page IV-159 of the Draft EIR, under most circumstances, the substation's contribution to permanent noise levels will be less than significant. If the substation were to occupy a smaller area than two acres, or if the transformers were not centrally located on the property, noise levels might be high enough to influence long-term noise levels. Mitigation Measure NOI-2 will ensure that the contribution of substation noise to the existing daytime and nighttime noise levels are less than 0.5 dBA, reducing the effect of the substation operation on existing noise levels to less than significant.
- f. Conclusion: Impacts from the Willow Slough substation on noise levels will be less than significant.

J. POPULATION/HOUSING

- 1. PH-1 Increase population growth
 - a. Potential Impact: The Program could result in increased population growth in the Annexation Territory. Potential impacts related to population growth are discussed in the Draft EIR at page IV-165.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Because there are contractors and workers in the Sacramento area with experiences in constructing power transmission lines and substation, and Program-related construction is relatively small, construction related to the Program is not expected to result in migration of construction workers into the Annexation Territory. The 79 new jobs created by SMUD are expected to be filled by the labor pool in the Program study area, and SMUD has committed to hire any qualified PG&E employees displaced by the Program. Even if every new job brought a family to the region, the Program would still have a less than significant impact on projected population growth because it would only add

218 people to a regional population expected to grow to 2,326,308 by 2010.

- f. Conclusion: The Program will have a less than significant impact related to population growth.
2. PH-2 Increased housing demand
- a. Potential Impact: The Program could result in an increased demand for housing. Potential impacts related to demand for housing are discussed in the Draft EIR at page IV-165.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: The Program will not create any demand for housing in the Sacramento-Yolo County area; even if all new jobs created by the Program generated the need for housing units, this demand of approximately 79 units would have a less than significant impact on housing in the Sacramento-Yolo County area, which had 28,309 vacant housing units in 2000.
 - f. Conclusion: The Program will have a less than significant impact on housing.
3. PH-3 Preempt housing on land planned for housing development
- a. Potential Impact: The Woodland-Elverta transmission line could have a preemptive effect on housing development planned in Sutter and Sacramento Counties. Potential impacts related to housing on land planned for housing development are discussed in the Draft EIR at pages IV-165 and IV-166.
 - b. Best Management Practice: BMP 1 requires SMUD to work cooperatively with city and county jurisdictions and landowners to attempt to avoid conflicts in siting the Woodland-Elverta transmission line.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Although it is not possible at this time to determine the effect of the transmission line on future community development because the alignment of the line has not yet been determined, the

presence of a transmission line does not preclude residential or commercial development, and BMP 1 ensures that SMUD will work cooperatively with local jurisdictions to avoid siting conflicts.

- f. Conclusion: The Program will have a less than significant impact related to preemptive effects on planned housing in the area of the Woodland-Elverta Transmission Line.

K. PUBLIC SERVICES

- 1. PS-1 Impacts on police and fire service response times
 - a. Potential Impact: Program-related construction could result in increased police and fire service response times. Potential impacts related to police and fire service response times are discussed in the Draft EIR at pages IV-171 and IV-172.
 - b. Best Management Practice: BMP 5 requires that SMUD and its contractors implement a written security plan for construction activities, an Injury and Illness Prevention Plan and Safety Plan in compliance with OSHA/Cal OSHA requirements, and a written fire protection plan to minimize potential fires at construction sites.
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Program construction will not require the modification of any existing roads or the creation of new permanent roads. During construction, vehicles will be parked off of roadways so as not to interfere with police and fire services. The Program Components themselves will not require additional fire or police protection services. However, during construction there may be a short-term need for police and fire protection services, in the event of theft or vandalism of construction materials, or if construction activities result in a fire or medical emergency. The implementation of BMP 5 will eliminate or reduce the need for police and fire responses for construction activities under the Program. Therefore, any impact on police and fire service response times is less than significant.
 - f. Conclusion: The Program's impact on police and fire service response times is less than significant.
- 2. PS-2 Impacts to schools
 - a. Potential Impact: The Program could result in increased classroom sizes for public schools in the area of Program Components.

Potential impacts related to classroom sizes are discussed in the Draft EIR at pages IV-172 and IV-173.

- b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: Because no schools are located within one-quarter mile of any Program Component, even if it were assumed that all jobs created by the Program (see Impact PH-1 for discussion) were taken by people moving to the area for those jobs and were moving two school-aged children into local school (a total of 158 school children), this would still represent a less than significant impact on schools since 178 children is well within the annual turnover rate of children whose families move into or out of a school district in a metropolitan area the size of Sacramento.
 - f. Conclusion: The Program will have a less than significant impact on schools.
3. PS-3 Provision of desired parkland
- a. Potential Impact: The Program could result in impacts on planned or existing parkland. Potential impacts related to planned or existing parkland are discussed in the Draft EIR at page IV-173.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: All Program Components, except components 6 and 7, involve minor modifications to existing transmission facilities and will therefore have no impact on planned or existing parklands. Components 6 and 7, the Woodland-Elverta transmission line and the Willow Slough substation, are not located in areas where parks are proposed. Therefore, no Program Components will have an impact on the ability of Sacramento, Yolo or Sutter Counties to achieve the desired parkland for their jurisdictions.
 - f. Conclusion: The Program will have a less than significant impact on the provision of desired parkland.

L. RECREATION

1. REC-1 Direct impacts to public recreational facilities
 - a. Potential Impact: The Program could result in impacts to public recreational facilities. Potential impacts related to public recreational facilities are discussed in the Draft EIR at page IV-178.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Program Components 4, 6, 7, 8, and 9 will not impact public recreational facilities directly because there are no public recreational facilities in the immediate vicinity of these components. Although the North City Interconnection (Component 5) involves construction of facilities in the American River Parkway, such construction is of such a short duration that it will not result in significant interference with recreational uses of the American River Parkway. The proposed annexation will not result in the use of, or the need to operate, the UARP in a way that differs significantly from the present-day or anticipated relicensed operation regime. For this reason, the Program will not change water flows on the South Fork American River in a way that will impact rafting.
 - f. Conclusion: The Program will have a less than significant impact on public recreational facilities.
2. REC-2 Accelerated deterioration of recreational facilities
 - a. Potential Impact: The Program could result in accelerated deterioration of recreational facilities. Potential impacts related to deterioration of recreational facilities are discussed in the Draft EIR at pages IV-178 and IV-179.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: Even assuming that all 79 jobs created by the Program were filled by people moving to the area for those jobs (see Population/Housing discussion, above), the Program would cause a

maximum population increase of about 218 people. This increase is too small relative to the regional population to have a measurable impact on recreational facilities. Therefore, the Program has no effect on the deterioration of recreational facilities.

- f. Conclusion: The Program has no effect on the deterioration of recreational facilities.

M. TRANSPORTATION/TRAFFIC

1. TR-1 Construction traffic impacts

- a. Potential Impact: Construction of Program Components could result in impacts on traffic. Potential impacts related to traffic are discussed in the Draft EIR at pages IV-185 and IV-186.
- b. Best Management Practice: None
- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None
- e. Findings: The maximum daily trips resulting from Program-related construction is minimal (187 daily trips). A review of impacts on a primary intersection near the SMUD corporate yard (the intersection with the highest level of traffic in the area) reveals that the increase in traffic does not significantly alter the volume to capacity ratio at the intersection. Therefore, construction traffic impacts from the Program are less than significant.
- f. Conclusion: Construction traffic impacts from the Program are less than significant.

2. TR-2 Operations and maintenance traffic impacts

- a. Potential Impact: Operation and maintenance of the Program could result in impacts on traffic, including major interchanges. Potential impacts related to traffic impacts from operation and maintenance of the Program are discussed in the Draft EIR at pages IV-186 and IV-187.
- b. Best Management Practice: None
- c. Impact Prior to Mitigation: Less than significant
- d. Mitigation Measure: None

- e. Findings: Program operation and maintenance will generate less than half of the number of trips (21.2) in a given day than will be generated by Program construction. Even if all of these trips occur during the a.m. peak hour, their impact is less than significant. Therefore, these trips will have a less than significant impact on traffic.
- f. Conclusion: The Program will have a less than significant impact related to operation and maintenance traffic.

N. UTILITIES/SERVICE SYSTEMS/ENERGY CONSERVATION

- 1. UT-1 Impacts on solid waste disposal facilities
 - a. Potential Impact: Program construction could result in impacts on solid waste disposal facilities. Potential impacts related to solid waste disposal facilities are discussed in the Draft EIR at pages IV-192 and IV-193.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Most of the solid waste generated by construction of Program Components will be recycled, with a small volume sent to the Kiefer Landfill and/or the Yolo County Central Landfill. The volume of material going to the landfill will be relatively small, and there is substantial existing capacity in both landfills. More than half of solid waste generated by SMUD employees is recycled, so the impact of increased employment at SMUD of 79 people and the resulting increase in solid waste generated by SMUD employees will be less than significant. Upgrades of electrical transmission and distribution facilities in the Annexation Territory will produce a small volume of waste, most of which will be recycled and the rest of which will go to landfills with a large remaining capacity. For these reasons, the Program will result in a less than significant impact on solid waste disposal facilities.
 - f. Conclusion: The Program will result in a less than significant impact on solid waste disposal facilities.
- 2. UT-2 Compliance with statutes and regulations related to solid waste
 - a. Potential Impact: The Program may not comply with statutes and regulations related to solid waste. Potential impacts related to

compliance with statutes and regulations on solid waste are discussed in the Draft EIR at page IV-193.

- b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: As a matter of policy, SMUD is committed to pollution prevention and compliance with all applicable environmental protection laws and regulations. SMUD's environmental policies and procedures will be extended to the Program; therefore, it will be in compliance with statutes and regulations related to solid waste, and there will be no impact in this area.
 - f. Conclusion: The Program will have no impact related to compliance with solid waste statutes and regulations.
3. UT-3 Increase overall per capita energy consumption
- a. Potential Impact: Proposed changes in demand response, energy efficiency, and energy conservation resulting from SMUD's replacement of PG&E could result in an increased overall per capita energy consumption. Potential impacts related to per capita energy conservation are discussed in the Draft EIR at pages IV-193 to IV-196.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: SMUD has been successful in its demand response and energy efficiency programs, and can also provide lower rates to customers in the Annexation Territory. It is possible that customers will consume more power after annexation, but it is also possible that customers will choose to save energy savings or spend them in other ways. Without additional information, it would be speculative to conclude that the proposed annexation would change per capita energy consumption in any significant degree.
 - f. Conclusion: The Program will have no effect with regard to overall per capita energy consumption.

4. UT-4 Increased reliance on natural gas and oil
 - a. Potential Impact: As a result of the Program, there could be increased reliance on natural gas and oil. Potential impacts related to reliance on natural gas and oil are discussed in the Draft EIR at page IV-197.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: No effect
 - d. Mitigation Measure: None
 - e. Findings: Neither SMUD nor PG&E use significant oil-fired energy resources. Most of SMUD's new energy resources for the Annexation Territory will come from natural-gas fired power plants, including the CPP as well as renewable power supplies. With the change in electric service, it is likely that PG&E will reduce its energy resources currently provided by natural gas-fired power plants and that SMUD will offset this reduction with its proposed new natural gas-fired resources.
 - f. Conclusion: There will be no overall change in reliance on natural gas as a result of the Program.

5. UT-5 Decreased reliance on renewable energy sources
 - a. Potential Impact: As a result of the Program, there could be decreased reliance on renewable energy sources. Potential impacts related to reliance on renewable energy sources are discussed in the Draft EIR at pages IV-197 and IV-198.
 - b. Best Management Practice: None
 - c. Impact Prior to Mitigation: Less than significant
 - d. Mitigation Measure: None
 - e. Findings: Neither SMUD nor PG&E uses significant oil-fired energy resources. Most of SMUD's new energy resources for the Annexation Territory will come from natural-gas fired power plants, including the CPP. With the change in electric service, it is likely that PG&E will reduce its energy resources currently provided by natural gas-fired power plants and that SMUD will offset this reduction with its proposed new natural gas-fired resources. Therefore, there will be no overall change in reliance on natural gas as a result of the Program.

- f. Conclusion: There will be no change in the reliance on renewable energy sources as a result of the Program.

VI. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS OF THE PROGRAM

The Final EIR identified the following five significant impacts on the environment that are deemed to remain significant after adoption of Best Management Practices and all feasible Mitigation Measures and alternatives:

- AES-1 Visual impact to scenic corridors designated in Yolo County General Plan
- AQ-3 Construction Emissions of Ozone Precursors and Diesel Particulates
- AQ-4 Operation and Maintenance Emissions
- NOI-1a Noise from reconstruction of the Power Inn Road to Hedge substation transmission line
- NOI-1c Noise from reconstruction of the Woodland to Elverta transmission line
- NOI-1d Noise from reconstruction of the Willow Slough substation
- NOI-1e Noise from reconductoring in the Annexation Territory

No additional feasible Mitigation Measures that have not already been adopted were identified in the EIR for these impacts.

A. AESTHETICS

1. AES-1 Visual impact to scenic corridors designated in Yolo County and Sacramento General Plans
 - a. Potential Impact: Towers for the Woodland-Elverta transmission line could have a significant impact on the viewshed of County Roads 16 and 117, or the Garden Highway and Fair Oaks Boulevard (Gold Rush Parkway), all of which are designated scenic corridors in either Yolo or Sacramento County. Potential impacts related to scenic corridors designated in the Yolo County General Plan are discussed in the Draft EIR at page IV-4.
 - b. Best Management Practice: No BMPs have been identified to reduce this impact.
 - c. Impact Prior to Mitigation: Potentially significant

- d. Mitigation Measures: LAFCo considered whether undergrounding all or part of the transmission line underground was feasible and would reduce aesthetic impacts. Although undergrounding the transmission line would avoid impacts on aesthetics, it would have a series of significant adverse impacts on the environment that are substantially greater than the impacts of construction of the transmission line as proposed in the Program. See Final EIR at II-CUE-10 and 11, and II-CUE-28 through II-CUE-35 for further discussion.

The following mitigation measures have also been incorporated to address aesthetics impacts: (i) use Sacramento County General Plan Public Facilities Element VIII in facilities siting; (ii) Use *Airport Land Use Planning Handbook* (Caltrans, 2002) in facilities siting; (iii) where agricultural lands are crossed, use the border of the fields, where feasible; (iv) avoid special-status species habitat and populations, where feasible; and (v) avoid NRHP and CRHR listed or eligible sites, where feasible.

- e. Findings: If the transmission line is located within one-quarter mile of the scenic roadways, a visual impact will occur. The transmission line must be approximately 200 feet above the ground where it crosses the Sacramento River as required by the USACE and U.S. Coast Guard. To avoid the protected air space of the Sacramento International Airport, the transmission line must cross the Sacramento River north of the airport, putting it in the vicinity of County Roads 16 and 117. The visual impact to scenic corridors of the Woodland-Elverta transmission line will therefore be significant. Because the crossing the Woodland-Elverta Transmission line must be well north of the airport, the transmission line is not expected to cause a visual impact to Garden Highway. The North City Interconnection is the closest Program component to Fair Oaks Boulevard (Gold Rush Parkway), but because of the buildings fronting H Street, the North City Interconnection will not be visible from Fair Oaks Boulevard and will therefore have no impact on that scenic corridor. LAFCo notes that in its comments on the Draft EIR, Yolo County stated that it “understands that [the proposed transmission line] is the most feasible way to connect the proposed annexation area electric system to SMUD’s existing electric system.” Although undergrounding the transmission line would avoid impacts on aesthetics, it would have a series of significant adverse impacts on the environment that are substantially greater than the impacts of construction of the transmission line as proposed in the Program.
- f. Conclusion: The Program will have a significant and unavoidable visual impact to scenic corridors designated in Yolo County.

B. AIR QUALITY

1. AQ-3 Construction emissions

a. Potential Impact: Construction of Program Components 4-8 could result in emissions of diesel particulates affecting air quality. Potential impacts related to construction emissions are discussed in the Draft EIR at pages IV-30 through IV-34.

b. Best Management Practice: BMP-6 incorporates the Yolo-Solano Air Pollution Control District's (APCD) mitigation measures to reduce fugitive dust and diesel emissions from construction projects. The practices include: (i) soil stockpiles will be covered or watered twice daily; (ii) exposed soil surfaces will be watered twice daily; (iii) haul roads will be watered twice daily; (iv) dump trucks will be covered securely; (v) to minimize emissions of diesel particulate matter, non work-related idling of vehicles and equipment will be limited to no more than five minutes.

To ensure that construction diesel emissions do not exceed emission estimates, the following additional construction conditions will be used for the Program: (vi) the number of pieces of equipment operating at a construction site will be limited to the number specified in the air quality analysis; (vii) the amount of grading will be limited to 10 acres per day; (viii) heavy-duty earthmoving, stationary, and mobile equipment will be maintained in optimal running condition.

c. Impact Prior to Mitigation: Potentially significant

d. Mitigation Measure: Mitigation Measure AQ-1 provides that before construction of the Willow Slough substation, SMUD will prepare a detailed construction schedule and updated emissions inventory to determine whether the emissions from this construction, when added to any other infrastructure construction anticipated at the same time, will result in the emission of ozone precursors in excess of 85 lb/day. In the event that the limit may be exceeded, SMUD will incorporate construction emission mitigation measures as recommended by SMAQMD and discussed in detail in the Draft EIR at pages IV-33 and IV-34.

The following mitigation measures will also be included for construction of Program components: (i) implement activity management (e.g., rescheduling activities to reduce short-term impacts); (ii) heavy construction equipment will comply with U.S. EPA or CARB 1996 diesel standards; (iii) use diesel particulate exhaust filters unless incompatible with a particular piece of

equipment; (iv) restrict engine size of construction equipment to the minimum practical size; (v) comply with YSAQMD and SMAQMD guidelines for construction projects on “spare the air” days; (vi) use catalytic converters on all gasoline-powered construction equipment; (vii) use electricity from power poles rather than temporary diesel power generators where practicable and feasible; (viii) use new technologies to control ozone precursor emissions as they become available and feasible; (ix) use clean fuels whenever feasible but not when the emissions associated with such use (e.g. for long trips for refueling) would actually increase emissions over the baseline; (x) use the most effective particulate traps on diesel-fueled vehicles whenever feasible; and (xi) SMUD’s fleet of vehicles of more than 14,000 lbs gross vehicle weight (GVW) must comply with the proposed California Air Resources Board (CARB) 2007 standards by the end of 2006.

- e. Findings: Diesel equipment and trucks used during program construction will emit diesel exhaust particulate matter, which is a recognized toxic air contaminant.
- f. Conclusion: Construction will result in a short-term increase in diesel particulate emissions, which will be a significant and unavoidable impact.

2. AQ-4 Operation and Maintenance Emissions

- a. Potential Impact: The Program could result in diesel particulate emissions from vehicles related to operation and maintenance of electrical transmission and distribution facilities acquired from PG&E and/or constructed by SMUD under the Program. Potential impacts related to operation and maintenance emissions are discussed in the Draft EIR at pages IV-34 and IV-35.
- b. Best Management Practice: None.
- c. Impact Prior to Mitigation: Potentially significant
- d. Mitigation Measure: The following mitigation measures, AQ-1 and AQ-2, will be included for construction of Program components: (i) implement activity management (e.g., rescheduling activities to reduce short-term impacts); (ii) heavy construction equipment will comply with U.S. EPA or CARB 1996 diesel standards; (iii) use diesel particulate exhaust filters unless incompatible with a particular piece of equipment; (iv) restrict engine size of construction equipment to the minimum practical size; (v) comply with YSAQMD and SMAQMD guidelines for construction projects on “spare the air” days; (vi) use catalytic converters on all

gasoline-powered construction equipment; (vii) use electricity from power poles rather than temporary diesel power generators where practicable and feasible; (viii) use new technologies to control ozone precursor emissions as they become available and feasible; (ix) use clean fuels whenever feasible but not when the emissions associated with such use (e.g. for long trips for refueling) would actually increase emissions over the baseline; (x) use the most effective particulate traps suitable for each diesel-fueled vehicle whenever feasible; and (xi) SMUD's fleet of vehicles of more than 14,000 lbs gross vehicle weight (GVW) must comply with the proposed California Air Resources Board (CARB) 2007 standards by the end of 2006.

- e. Findings: Operation and maintenance of the Annexation Territory's electric system will result in an increase in vehicle miles traveled, because SMUD's service vehicles will travel from SMUD facilities in Sacramento to Yolo County, whereas PG&E currently provides operation and maintenance activities from local service centers. This increase in vehicle travel will result in an increase in diesel particulate emissions. No BMP or mitigation measure has been identified to reduce this impact, which will be significant.
- f. Conclusion: The Program will result in a significant impact related operation and maintenance emissions.

C. NOISE

- 1. NOI-1a Noise from reconstruction of the Power Inn Road to Hedge substation transmission line
 - a. Potential Impact: Noise from the equipment used to construct the Power Inn Road to Hedge substations transmission line. Potential impacts related to noise from reconstruction of the Power Inn Road to Hedge substation transmission line are discussed in the Draft EIR at pages IV-154 to IV-156.
 - b. Best Management Practice: BMP 4 requires SMUD or its contractors to conduct all construction activities between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, consistent with the Sacramento Municipal Code.
 - c. Impact Prior to Mitigation: Short-term potentially significant
 - d. Mitigation Measure: Mitigation Measure NOI-1 requires that SMUD incorporate the following state of the art measures into its plans, contracts and specifications for work on each infrastructure

component of the Program: (i) stationary construction equipment that generates noise exceeding 50 dBA at the project boundaries must be located as far as possible from existing residences in the vicinity of any infrastructure component; (ii) access routes for all construction traffic and equipment must be located along existing public or private roads to minimize construction traffic volumes passing existing residences in the vicinity of any infrastructure component; (iii) all vehicles and equipment not in use must be turned off and not allowed to idle for more than five minutes at a time.

The following mitigation measures have also been incorporated into the Program to address noise impacts: (i) provide noise reduction baffling or other sound barriers where construction noise is estimated to exceed 50 dBA at the edge of the right-of-way or property boundary when construction occurs in the vicinity of sensitive receptors; (ii) require that all internal combustion engine-driven equipment is equipped with high-efficiency mufflers, which are in good condition and appropriate for the environment.

- e. Findings: Noise effects from reconstruction of the Power Inn Road to Hedge substation will come from grading for access to locations for each support pole, drilling and pouring concrete for foundations, erection of poles, and installation of conductors. The total duration of construction for this line will be about nine weeks. Although the local jurisdictions with noise ordinances specifically exempt construction activities from numerical noise level limits, the anticipated construction noise levels will still exceed the significant threshold. Therefore, construction of the line will result in a short-term significant impact. BMP 4 requires SMUD to conduct all construction activities during daytime hours in compliance with the Sacramento Municipal Code. However, implementation of BMP 4 will not reduce short-term noise levels at adjacent properties during the daytime. Mitigation Measure NOI-1 will help to reduce vehicle and construction noise, but it will likely not reduce noise to below threshold levels at the edge of the right-of-way or property where construction is occurring. Therefore, the short-term construction noise impacts for Program Component 4 will remain significant.
- f. Conclusion: Program-related construction will result in a short-term significant and unavoidable noise impact.

2. NOI-1c Noise from construction of the Woodland to Elverta transmission line

- a. Potential Impact: The Program could result in noise from construction of the Woodland-Elverta transmission line. Potential impacts related to noise from construction of the Woodland-Elverta transmission line are discussed in the Draft EIR at page IV-157.
- b. Best Management Practice: BMP 4 requires SMUD or its contractors to conduct all construction activities between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, consistent with the Sacramento Municipal Code..
- c. Impact Prior to Mitigation: Short-term potentially significant
- d. Mitigation Measure: Mitigation Measure NOI-1 requires that SMUD incorporate the following state of the art measures into its plans, contracts and specifications for work on each infrastructure component of the Program: (i) stationary construction equipment that generates noise exceeding 50 dBA at the project boundaries must be located as far as possible from existing residences in the vicinity of any infrastructure component; (ii) access routes for all construction traffic and equipment must be located along existing public or private roads to minimize construction traffic volumes passing existing residences in the vicinity of any infrastructure component; (iii) all vehicles and equipment not in use must be turned off and not allowed to idle for more than five minutes at a time.

The following mitigation measures have also been incorporated into the Program to address noise impacts: (i) provide noise reduction baffling or other sound barriers where construction noise is estimated to exceed 50 dBA at the edge of the right-of-way or property boundary when construction occurs in the vicinity of sensitive receptors; (ii) require that all internal combustion engine-driven equipment is equipped with high-efficiency mufflers, which are in good condition and appropriate for the environment.

- e. Findings: There are a few farm residences in the area for this transmission line and future development is planned generally along Elverta Road in Sacramento County, which is the easterly portion of the study area. Depending on how close the future construction of this transmission line is to the nearest residences, it is possible that homes will be exposed to temporary noise levels in excess of threshold levels, which is a significant short-term impact.

BMP 4 will ensure that this noise impact does not exceed community standards, and Mitigation Measure NOI-1 will minimize construction noise. However, the short-term noise impact will remain significant if the transmission line is located near existing homes.

- f. Conclusion: Program-related noise will be significant and unavoidable from the construction of the Woodland-Elverta transmission line.
3. NOI-1d Noise from construction of the Willow Slough substation
- a. Potential Impact: The Program could result in noise from construction of the Willow Slough substation. Potential impacts related to noise from construction of the Willow Slough substation are discussed in the Draft EIR at page IV-157.
 - b. Best Management Practice: BMP 4 requires SMUD or its contractors to conduct all construction activities between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, consistent with the Sacramento Municipal Code.
 - c. Impact Prior to Mitigation: Short-term potentially significant
 - d. Mitigation Measure: Mitigation Measure NOI-1 requires that SMUD incorporate the following state of the art measures into its plans, contracts and specifications for work on each infrastructure component of the Program: (i) stationary construction equipment that generates noise exceeding 50 dBA at the project boundaries must be located as far as possible from existing residences in the vicinity of any infrastructure component; (ii) access routes for all construction traffic and equipment must be located along existing public or private roads to minimize construction traffic volumes passing existing residences in the vicinity of any infrastructure component; (iii) all vehicles and equipment not in use must be turned off and not allowed to idle for more than five minutes at a time.

The following mitigation measures have also been incorporated into the Program to address noise impacts: (i) provide noise reduction baffling or other sound barriers where construction noise is estimated to exceed 50 dBA at the edge of the right-of-way or property boundary when construction occurs in the vicinity of sensitive receptors; (ii) require that all internal combustion engine-driven equipment is equipped with high-efficiency mufflers, which are in good condition and appropriate for the environment.

- e. Findings: Approximately 12 homes are in the vicinity of the study area for the Willow Slough substation. Depending on how close the construction activities are to the nearest residences, it is possible that homes will be exposed to temporary noise levels in excess of threshold levels, resulting in a significant short-term impact. BMP 4 will ensure that this noise impact does not exceed community standards, and Mitigation Measure NOI-1 will minimize construction noise. However, the short-term noise impact will remain significant if the transmission line is located near existing homes.
 - f. Conclusion: The Program will have a short-term unavoidable significant noise impact from the construction of the Willow Slough substation.
4. NOI-1e Noise from reconductoring in the Annexation Territory
- a. Potential Impact: The Program could result in noise from reconductoring activities in the Annexation Territory under Program Component 8 (Other Distribution System Upgrades). Potential impacts related to noise from reconductoring are discussed in the Draft EIR at pages IV-157 and IV-158.
 - b. Best Management Practice: BMP 4 requires SMUD or its contractors to conduct all construction activities between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, consistent with the Sacramento Municipal Code.
 - c. Impact Prior to Mitigation: Short-term potentially significant
 - d. Mitigation Measure: Mitigation Measure NOI-1 requires that SMUD incorporate the following state of the art measures into its plans, contracts and specifications for work on each infrastructure component of the Program: (i) stationary construction equipment that generates noise exceeding 50 dBA at the project boundaries must be located as far as possible from existing residences in the vicinity of any infrastructure component; (ii) access routes for all construction traffic and equipment must be located along existing public or private roads to minimize construction traffic volumes passing existing residences in the vicinity of any infrastructure component; (iii) all vehicles and equipment not in use must be turned off and not allowed to idle for more than ten minutes at a time.
 - e. Findings: The types of activities in this Program component will not involve heavy equipment, though they may involve trucks and

cranes. Depending on how close the construction activities are to the nearest residences, it is possible that homes will be exposed to temporary noise levels in excess of threshold levels, resulting in a significant short-term impact. BMP 4 will ensure that this noise impact does not exceed community standards, and Mitigation Measure NOI-1 will minimize construction noise. However, the short-term noise impact will remain significant if the transmission line is located near existing homes.

- f. Conclusion: The Program will have a short-term significant and unavoidable noise impact from the reconductoring in the Annexation Territory.

VII. FINDINGS REGARDING CUMULATIVE IMPACTS

Chapter V of the Draft EIR discusses cumulative impacts of the Program. Based on the following list of reasonably foreseeable future projects (discussed in more detail at page V-1 of the Draft EIR), the Program has a cumulative impact because each of these projects could have an effect on the same resource that could be affected by the Program:

- Sacramento Region Blueprint Transportation and Land Use Study
- Sacramento International Airport Master Plan
- Yuba-Sutter Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP)
- Sacramento County General Plan Update
- Natomas Joint Vision
- Natomas Basin Habitat Conservation Plan
- City of Sacramento General Plan Update
- Yolo County General Plan Update
- WAPA Sierra Nevada Region Sacramento Area Voltage Support
- South Sutter Specific Plan

These projects could all have cumulative effects in combination with the Program because each of the projects could have an effect on the same resources impacted by the Program. These projects were selected because they are currently either approved or under consideration for approval, and they all represent large-scale planning efforts that could involve the construction of physical improvement, including infrastructure, in the northern Sacramento County, south Sutter County, and Yolo County areas. By incorporating these large-scale planning efforts, the Draft EIR's cumulative impacts analysis includes each of the projects authorized by these planning

efforts. For example, because the cumulative impacts analysis includes the growth authorized, but not built, under the existing general plans for the counties of Sacramento, Sutter, and Yolo, as well as the City of Sacramento, there is no need for separate analysis of the cumulative impact of each specific planning area or each individual development project.

The EIR anticipates cumulative impacts from the combination of the Program and past, present, and reasonably foreseeable future projects in all resource areas except geology/soils and mineral resources. Table I-2, located at page III-4 of the Final EIR, provides a summary of potential cumulative environmental impacts. Specifically, the Draft EIR found cumulatively significant effects in the following resource categories:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Population/Housing
- Public Services
- Transportation/Traffic
- Utilities/Service Systems/Energy Conservation
- Growth Inducing Impacts

The reason for this conclusion, in general, is that the Sacramento metropolitan area has been growing and is anticipated to continue to grow in a sustained way throughout the implementation of the Program. For instance, from 1990 to 2001, population in the six-county SACOG area grew from 1.56 million to 2.1 million (SACOG, 2005b). Population in that area is expected to increase by 2025 to 2.86 million (SACOG, 2005b). More than 35,000 acres of agricultural lands were converted to urban and built-up uses between 1990 and 2000 (Valley Vision et al., 2004). Traffic in the Sacramento region, measured in terms of vehicle miles traveled, increased from 44.9 million miles to 50.8 million miles during the period 1996 to 2000 (Valley Vision et al., 2004) and is expected to increase more through 2025.

It is important to recognize, however, that this Blueprint is merely a set of guidelines that may, or may not, be adopted by local land-use authorities in approving development over the next 50 years. As a result, LAFCo concluded that it can be said safely that there will be substantial growth in the Sacramento region in the future; the magnitude and pace of such growth, however, could vary greatly. The precise contours, magnitude, and pace of growth will be defined in the many general plan updates and specific plans referred to in the cumulative impacts chapter of the Draft EIR. For these reasons, it would be speculative for LAFCo to attempt to estimate growth to include an evaluation of the environmental consequences of that growth in the Final EIR.

Because the Sacramento metropolitan area is experiencing long-term sustained growth, the Draft EIR treats any direct or indirect effect as a significant cumulative effect. Of course, if the Program does not have any effect on the environment in a given resource area, the lack of any

effect is less than significant cumulatively. In other words, the EIR treats each and every environmental effect of the Program as cumulatively significant, even if the direct and indirect effects of the Program in a specific resource area are less than significant after implementation of the BMPs and any appropriate mitigation measures. This is the most conservative (i.e., protective of the environment) standard possible for the evaluation of the potential environmental impacts of the Program. LAFCo is adopting this conservative standard to ensure that the EIR fully discloses to the residents of the Sacramento metropolitan area the cumulative effects of the proposed Program.

Chapter IV of the Draft EIR contains the analyses of the cumulative effects of the Program in each resource category. Consistent with LAFCo's conservative standard for evaluating cumulative impacts of the Program on the environment, each effect of the Program on the environment is deemed to be significant. Further, because neither SMUD nor LAFCo has authority to control the long-term growth that fuels these cumulative effects, and because LAFCo already has mandated that SMUD take advantage of all regional efforts to mitigate the effects of growth in mitigation for the effects of the Program, the EIR concludes that each of these effects is significant and unavoidable.

VIII. FINDINGS REGARDING ALTERNATIVES

CEQA Guidelines Section 15126.6 requires a discussion of a reasonable range of alternatives to the Program or to the location of the Program. For this Program, several alternatives were evaluated. These alternatives are discussed in the Draft EIR at pages VIII-1 through VIII-23. The Draft EIR discusses the following alternatives in detail:

- No Program Alternative
- Alternative 1: City/County Individual Provision of Service
- Alternative 2: Joint Powers Authority
- Alternative 3: PG&E Upgraded/Improved Service
- Alternative 4: Community Choice Aggregation
- Alternative 5: SMUD Annexation with the California Independent System Operator (CAISO) Service

Comparison of Impact On Environmental Resources Between the Program and Alternatives

Resource Area	No Program	Alternative 1 – City/County Provision of Service	Alternative 2 – Joint Powers Authority	Alternative 3 – PG&E Upgraded/Improved Service	Alternative 4 – Community Choice Aggregation	Alternative 5 – CAISO Service
Aesthetics	--	=	--	--	--	--
Agricultural	--	West Sac Only – Woodland/West Sac or Davis = Davis/West Sac = Woodland = Davis =	--	--	--	--
Air Quality	--	=	--	--	--	--
Biological	--	West Sac Only – Woodland/West Sac or Davis = Davis/West Sac = Woodland = Davis =	--	--	--	--
Cultural	--	=	--	--	--	--
Hazards & Hazardous Materials	--	=	--	--	--	--
Hydrology/Water Quality	--	=	=	=	--	=
Land Use/Planning	--	=	--	--	--	--
Noise	--	=	=	=	--	=
Population/Housing	--	=	+	--	--	=
Public Services	--	=	=	=	--	=
Recreation	--	=	--	--	--	--
Transportation/Traffic	--	=	+	--	--	--
Utilities/Service Systems/ Energy Conservation	=	Short Term + Long Term =	+	=	=	=
Cumulative Impacts	--	=	--	--	--	--
Growth Inducement	--	--	--	--	--	--
Notes: + Impacts of Alternative greater than impacts of Program = Impacts of Alternative equal to impacts of Program -- Impacts of Alternative less than impacts of Program						

Comparison of Achievement of Program Goals and Objectives Under Program and All Alternatives

Goal/Objective	No Program	Program	Alternative 1 – City/County Individual Provision of Service	Alternative 2 – Joint Powers Authority	Alternative 3 – PG&E Upgraded/Impr oved Service	Alternative 4 – Community Choice Aggregation	Alternative 5 – SMUD Annexation with CAISO Service
Lower Rates	No	Yes	No	No	No	No	No
Improved Customer Service	No	Yes	Short-Term No Long-Term Yes	Short-Term No Long-Term Yes	Yes	No	Yes
Improved Reliability	No	Yes	Yes (Distribution) No (Transmission)	Yes (Distribution) No (Transmission)	Yes	No	Yes (Distribution) No (Transmission)
Local Control	No	Yes	Yes	Partial	No	Partial	No
No Impact on PG&E Customers Outside of Annexation Territory	Yes	Yes	Maybe	Maybe	No	Yes	Maybe
No Impact on Existing SMUD Customers	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Yes: Alternative meets Program goal and objective
 No: Alternative does not meet Program goal and objective
 Partial: Alternative provides a portion of the Program goal and objective

A. No Program Alternative

As described in the Draft EIR at pages VIII-2 through VIII-7, the CEQA mandated No Program Alternative reflects the physical environment in the event that either LAFCo or the voters do not approve SMUD's annexation plan. In that event, none of the Program Components would occur, and PG&E would remain the provider of electric service in the Annexation Territory.

Although the No Program Alternative would result in fewer direct and indirect impacts on the environment than the Program, the No Program Alternative would not meet the Program goals of improved reliability of electric service and customer service in the Annexation Territory, lower rates, and local control.

The No Program Alternative does not meet the goal of improved reliability in the Annexation Territory because it will not provide the electric system improvements or a commitment to an improvement in reliability comparable to the Program. Nor does the No Program Alternative meet the goal of improved customer service in the Annexation Territory. SMUD has consistently been ranked higher than PG&E in customer service surveys; absent significant changes in PG&E's customer service, it is expected that historical customer service levels in the Annexation Territory will continue under the No Program Alternative.

The No Program Alternative will not meet the Program goal of lower electric rates in the Annexation Territory. From 1990 to 2005, SMUD's electric rates have, on average, been approximately 20% below PG&E rates. Based on SMUD and PG&E projections, this rate differential is expected to continue over the long run. PG&E's continued service under the No Program Alternative, therefore, will not meet the Program goal of lower electric rates.

The No Program Alternative also does not meet the Program goal of local control because PG&E is a private, investor-owned utility governed by a Board of Directors elected by PG&E shareholders. PG&E's ratepayers do not have a say in the management and operation of the organization. By contrast, SMUD's customers elect the seven-member Board of Directors and are invited to participate in publicly noticed meetings of the Board. PG&E's continued service under the No Program Alternative will therefore not meet the Program goal of local control.

Because the No Program Alternative does not meet the major objectives of the Program, the Program is superior to this alternative.

B. Alternative 1 City/County Individual Provision of Service

This alternative is described in the Draft EIR on pages VIII-8 and VIII-9, and in the Final EIR on pages under this alternative, SMUD would annex one or two but not all three of the cities. The city or cities and portions of Yolo County not annexed by SMUD would continue to receive electric service from PG&E. This alternative would have direct and indirect environmental impacts that are similar to the Program, but it may not be politically feasible.

To effectively provide service to a reduced Annexation Territory under this alternative, both SMUD and PG&E may have to install transmission lines and substations in locations that differ from those proposed under the Program. These facility additions, in addition to PG&E's proposed transmission system improvements, would have direct and indirect impacts on the

environment comparable to the Program.

Portions of new transmission lines that may be required under this alternative would likely have to be installed through existing communities. Although this is technically feasible, the installation of new transmission lines within established communities may not be politically feasible.

This alternative will not meet the Program goals of reducing the cost of electric service and providing local control (to the areas not included in the reduced Annexation Territory). In addition, under this alternative electric system reliability and customer service will remain the same in areas where PG&E continues to provide service. Because it will not fulfill the Program's goals and is potentially infeasible, this alternative was eliminated from consideration.

C. Alternative 2 Joint Powers Authority

As described in the Draft EIR at pages VIII-9 through VIII-12, under this alternative, a JPA consisting of the Cities would purchase electricity for sale and distribution in the Annexation Territory. The JPA would acquire and operate PG&E's distribution facilities within the Annexation Territory. The CAISO would continue as the transmission and control area provider, but PG&E would continue to own the transmission lines serving the Annexation Territory.

Although this alternative is technically feasible, it will be costly to create a new electric service provider and it may be some time before the JPA will be able to provide the level of reliability, customer service, energy efficiency and demand response programs that will be provided with the Program.

From an environmental impact perspective, this alternative would have fewer impacts on aesthetics, agricultural, biological and cultural resources, hazards and hazardous materials, land use/planning, and recreation because the Program's proposed transmission lines would not be constructed. Impacts on hydrology/water quality, noise, and public services will be comparable to impacts under the Program because the JPA would construct the substation and distribution system upgrades proposed by the Program, and PG&E will complete its proposed transmission system upgrades. However, the JPA alternative would have greater impacts than the Program on air quality, population/housing, transportation/traffic, and utilities/service systems/energy conservation based on the need for a greater utility work force and because of the time it will take to establish energy efficiency and renewable energy programs comparable to those under the Program. While the JPA alternative is expected to have no cumulatively significant impacts on aesthetics, land use/planning, or recreation because the transmission lines required under the Program will not be constructed, it is likely to have cumulatively significant impacts on the rest of the resource areas because the substation and distribution system upgrades under the Program will be constructed, and this alternative requires the creation of a new workforce. Growth inducement under the JPA alternative will be less than under the Program because JPA rates will not be significantly lower than PG&E rates.

The JPA alternative achieves some, but not all, of the Program's goals. The JPA alternative will provide improvements in reliability and customer service over time that will be similar to those provided by the Program, and it will afford an opportunity for local control, though not to the

same extent as the Program. It will not impact existing SMUD or remaining PG&E customers. However, the JPA alternative will not achieve the Program goal of reducing the cost of electric service for customers in the Annexation Territory. Because this alternative does not have a clear advantage in terms of environmental impacts over the Program, will involve high costs and many years for a JPA to reach reliability and customer service levels, and does not fulfill all of the Program's goals, the Program is the preferred option.

D. Alternative 3 PG&E Upgraded/Improved Service

As described in the Draft EIR at pages VIII-12 to VIII-15, under this alternative PG&E would continue to provide service to residents in the Annexation Territory, but would make significant changes to its infrastructure and services to bring its level of customer service and reliability up to the level proposed by SMUD under the Program.

This alternative would likely result in fewer direct and indirect impacts than the Program in the areas of aesthetics, agriculture, air quality, biological and cultural resources, hazards and hazardous materials, land use/planning, population/housing, recreation, and transportation/traffic because the proposed transmission lines would not be constructed and no significant additional PG&E workforce will be required. This alternative would have impacts equal to the Program's in the areas of hydrology/water quality, noise, public services, and utilities/service systems/energy conservation, assuming that PG&E would construct the substation and distribution system upgrades proposed by the Program as well as the transmission system upgrades PG&E has planned. This alternative is expected to have cumulative impacts in some, but not all, of the resource areas, and it may result in some growth due to reliability improvements but less than under the Program.

This alternative will fulfill some, but not all, of the Program's objectives. It will not meet the goals of lower rates, local control by Annexation Territory ratepayers, or provision of service to the Annexation Territory at no financial cost and no reduction in service quality/reliability to existing PG&E ratepayers outside of the Annexation Territory. While impacts under this alternative might be fewer than under the Program, it does not fulfill principal goals of the Program and is therefore a less preferable option.

E. Alternative 4 Community Choice Aggregation

As described in the Draft EIR at pages VIII-15 to VIII-18, and in the Final EIR at pages II-PGE-18 and II-PGE-19, this alternative involves one or more of the Cities and/or Yolo County acting as a community choice aggregator to group retail electric customers and to solicit bids and broker and contract for energy services for those customers, pursuant to Public Utilities Code Sections 366 through 366.5 and applicable CPUC decisions. Regardless of who furnishes the power to customers in the Annexation Territory, PG&E would continue to transmit and distribute the power to all of the Yolo Communities under this alternative. This alternative does not lower rates, improve the electric system reliability and customer service, or provide local control.

This alternative would have fewer impacts on the environment than the Program in all resource areas except utilities/service systems/energy conservation. Impacts in this resource area would be comparable to those under the Program because this alternative requires the creation of a

small workforce that will generate solid waste. Similarly, this alternative would have a cumulatively significant impact in that resource area. This alternative is not expected to induce growth.

CCAs only provide the electric energy and capacity to meet customer needs, they do not transmit or deliver power to customers. Therefore, CCAs charge their customers for energy supply costs, and the utility with the transmission and distribution system charges customers for energy delivery. In the case of the Annexation Territory, customers would pay the CCA for its energy supply costs and pay PG&E for energy delivery charges.

Since any new CCA in the Annexation Territory probably would not have access to its own generation or energy supply resources, it is likely the CCA would have to contract for energy supply at the then-prevailing market price of energy. The market price for energy would then be passed on by the CCA to its customers. The CCA's customers also would be responsible to pay PG&E for delivery of the energy supply. Other challenges associated with the CCA alternative include the following.

- PG&E has energy supply resources that are less costly than market prices. These resources would no longer be available to customers of a CCA.
- CCA customers would pay non-bypassable charges to PG&E for energy resources from which they would receive no benefit. These non-bypassable charges substantially increase the cost of a CCA providing energy and discourage the development of CCAs. Currently there are no CCAs within PG&E's service area.
- Customers are not required by law to join a CCA in their area. To the extent customers choose not to join the CCA, the CCA's bargaining position in the power marketplace is reduced.
- The CCA would need to create or contract with an organization to negotiate and administer its contracts. This overhead cost would be charged to CCA customers.

The following table from the *Yolo Annexation Feasibility Study Final Report* (SMUD, 2005) shows the relationship between the projected cost of new energy supply for the Annexation Territory customers and the cost of energy supply to SMUD's current customers (shaded rows).

Comparison of Cash Contribution				
	2008-2012		2013-2017	
\$/MWh	SMUD	YOLO	SMUD	YOLO
Customer Revenue	98.72	96.35	98.72	96.35
Power Supply	44.02	54.19	50.89	61.27
O&M + Public Good	21.66	11.81	22.4	11.93
Decommissioning	0.83	0	0	0
Debt Service	16.25	13.06	15.04	12.26
Cash Contribution	15.96	17.29	9.96	10.89

The table shows that power supply costs for the Annexation Territory are likely to be more expensive than SMUD's current costs. However, the table also shows that the impact SMUD's economies of scale have on operation and maintenance costs more than make up for more costly energy, allowing SMUD, ultimately, to charge both Annexation Territory customers and SMUD's existing customers the same SMUD rates and still cover the appropriate costs. Even if the CCAs were to negotiate energy supply costs comparable to SMUD's, which is not likely, given the size of load, the CCAs will not have the economies of scale savings that are available from SMUD service. Therefore, it is very likely that CCAs' costs of energy supply and overhead, plus the fees charged by PG&E, would exceed Annexation Territory customers' current electricity supply costs, making the CCAs uneconomical.

In addition, CCA customers would continue to experience reliability (i.e., length and frequency of outages) and customer service levels currently provided by PG&E. (See responses to comments PGE-59 and PGE-100 regarding reliability.) Although the CCA alternative would provide some local control over energy supply matters, there would be no local control of the distribution and transmission of power or of electric service programs, such as customer service, energy efficiency, renewable energy, customer service, and vegetation management.

F. Alternative 5 SMUD Annexation with the California Independent System Operator (CAISO) Service

As described in the Draft EIR at pages VIII-18 through VIII-21, and in the Final EIR at pages II-PGE-14 through II-PGE-16, this alternative involves an annexation by SMUD of the proposed Annexation Territory without electrically interconnecting PG&E's existing 115-kV electric transmission system into SMUD's control area. SMUD would acquire the electric distribution facilities in the Annexation Territory and provide electric distribution and energy services, replacing PG&E as the electric service provider. SMUD would procure the energy needs of the Annexation Territory and arrange for energy delivery through the CAISO grid to SMUD-owned distribution facilities within the Annexation Territory.

Based on the information presented by SMUD and PG&E, LAFCo has concluded Alternative 5 cannot feasibly attain most of the basic Program goals. Although technically feasible, Alternative 5 would: result in higher rates and significantly lower economic benefits than the Program, contrary to Program objectives and LAFCo Policies; avoid the benefits to the regional electric transmission grid that would occur under the Program through interconnection of the Annexation Territory to SMUD's existing facilities; introduce substantial technical complexity and risk, compared to the Program; and reduce local control, compared to the Program.

Higher Rates and Lower Economic Benefits. As discussed in the Draft EIR, under Alternative 5 all Annexation Territory customers will be subject to CAISO tariffs, with the result that Annexation Territory customers will be likely to always pay higher rates than SMUD's existing customers—i.e., Annexation Territory customers will never fully transition to SMUD's lower rates as they would under the Program. The following CAISO charges would apply in the Annexation Territory.

CAISO Charge	CAISO Fee Amount (\$/MWh)
High-Voltage Transmission	\$2.3171
Low-Voltage Transmission	\$3.2694
Total Transmission Charges	\$5.5865

Even though the CAISO alternative would result in lower rates compared to PG&E's, rates under this alternative would be higher than rates under the Program. This is inconsistent with LAFCo policies, which require that an annexation provide the lowest cost and highest quality of urban services for the affected population. (LAFCo Policies, Section IV.I.5.)

In addition, on February 9, 2006, CAISO filed Market Redesign and Technology Upgrade (MRTU) tariffs with the FERC seeking to address substantial flaws CAISO and other stakeholders have identified with respect to transmission over facilities under CAISO's control. CAISO's MRTU proposal would essentially reorganize the transmission markets managed by CAISO. Thus, the pending MRTU proposal creates substantial additional risk and uncertainty for Annexation Territory customers because MRTU could result in increases in CAISO charges, including increases in congestion fees, ancillary service charges, and transmission costs.

The net present value of the CAISO charges in the Annexation Territory is about \$128 million. Under Alternative 5, SMUD would not build the proposed transmission line (Program Component 6), avoiding approximately \$21 million in costs. Combined, these factors result in a significant reduction in annexation benefits of \$107 million, or about a 26% reduction in the estimated \$404 million Program benefits estimated by SMUD.

Avoided Benefits. Including the Annexation Territory in SMUD's control area would give rise to several benefits for Annexation Territory customers. Annexation Territory customers would not realize those benefits under the CAISO alternative. Such a result is inconsistent with LAFCo policies requiring that an annexation provide the lowest cost and highest quality of urban services for the affected population (LAFCo Policies, Section IV.I.5.). Specifically, customers in the Annexation Territory will not see the following benefits, which are available under the Program.

- Use of available excess SMUD 115-kilovolt (kV) transmission system capacity, consistent with LAFCo policies regarding consolidation of services (LAFCo Policies, Section IV.G);
- Improved reliability and power quality, as identified in SMUD's power flow studies;
- Reduced pressure on PG&E's currently overloaded 115-kV transmission system in the Woodland area, as identified in PG&E's filings with the CPUC and SMUD's power flow studies (for example, PG&E's lines overload in certain contingency situations and transmission voltage issues arise during high peak load conditions); and
- Elimination of multi-terminal lines serving the Woodland area and the related reliability improvements (multi-terminal line outages typically affect more customers for longer periods of time than do two terminal lines, which SMUD is proposing for the Woodland-Elverta Transmission Line).

Increased Complexity. As discussed in the Draft EIR, the CAISO alternative significantly increases technical complexity and risk compared to the Program. For example, the several necessary new interconnections would require new real time metering equipment and remote terminal units (SMUD, 2005). The new interconnections also would require new power scheduling procedures, new operating requirements, and new exchange agreements.

SMUD has informed LAFCo of technical risks associated with Alternative 5. Because the Annexation Territory would not be in SMUD's control area, SMUD would have no control over transmission operational issues. As a result, under Alternative 5, customers in the Annexation Territory face significant uncertainty with respect to the adequacy and reliability of transmission service, and whether or when CAISO and/or PG&E may authorize needed upgrades. In addition, customers in the Annexation Territory will be subject to financial blackouts imposed by the CAISO, while customers in SMUD's control area will not.

Local Control. Because SMUD would not control transmission service to the Annexation Territory under the CAISO alternative, customers in the Annexation Territory would have less local control over their electric service than they would under the Program.

Environmental Impacts. The Draft EIR compares the environmental effects of Alternative 5 to the Program at pages VIII-20 – 21. The direct and indirect effects on aesthetics, agricultural resource, air quality, biological, cultural, hazards and hazardous materials, land-use/planning, and recreation are expected to be less than under the Program because the proposed transmission line will not be constructed. It is also expected that the direct impacts on hydrology/water quality, noise, population/housing, public services, transportation/traffic and utilities/service systems/energy conservation will be equal to the Program. This is because SMUD will construct the substation and distribution system upgrades proposed by the Program extend its energy efficiency, demand response, and renewable energy programs to the Annexation Territory, and add to its workforce, and PG&E will complete the transmission system upgrades described in the No Program Alternative. While this alternative may result in some growth inducement because of reliability improvement, the impact will be less than under the Program because the expected rates for this alternative will not be significantly lower than PG&E rates.

While the CAISO alternative would fulfill the Program goals of improved customer service, improved reliability on distribution lines, and no impact on existing SMUD customers, it will not fulfill the goals of lower rates, improved reliability for transmission lines, or local control. The Program is a preferable alternative.

IX. FINDINGS REGARDING MONITORING/REPORTING OF CEQA MITIGATION MEASURES

Section 21081.6 of the California Public Resources Code and 14 C.C.R. § 15097(a) require Sacramento LAFCo to adopt an enforceable monitoring and reporting plan regarding changes in the Program or Mitigation Measures imposed to mitigate or avoid significant effects on the environment.

The CEQA Guidelines define the term “mitigation” broadly to include not only measures implemented *after* an impact occurs, such as rectifying an impact or compensating for an impact,

but also measures implemented *before* an impact occurs, such as avoiding an impact altogether or minimizing an impact by limiting the degree or magnitude of the action and its implementation. CEQA Guidelines § 15370. Consistent with this approach, CEQA requires government at all levels to make decisions with environmental consequences in mind. CEQA Guidelines § 15003(g).

Consequently, the Program employs two different kinds of “mitigation” measures to avoid or minimize effects on the environment, as suggested by CEQA Guidelines § 15126.4(a)(1)(A). Best management practices (BMPs), the first type of mitigation measure, are elements built into the Program that are designed to avoid impacts on the environment from program construction altogether. BMPs incorporated into the Program (in the Program Description of the Draft EIR) in large part reflect current construction best practices to comply with a variety of regulatory standards. The second type of mitigation measures employed by the Program, referred to in the EIR as mitigation measures, are imposed in order to rectify or compensate for any impacts that may occur notwithstanding the implementation of BMPs. All of the BMPs and all of the mitigation measures are legally enforceable by LAFCo because they are all included in this Mitigation Monitoring and Reporting Plan.

The Mitigation and Monitoring Reporting Plan (MMRP), in the form presented to Sacramento LAFCo, is adopted because it effectively fulfills the CEQA mitigation monitoring requirement:

- A. The measures set forth in the MMRP are specific and, as appropriate, define performance standards to measure compliance.
- B. The MMRP has been designed with detailed descriptions of conditions, implementation, verification, a compliance schedule and reporting requirements to insure compliance with the measures contained in the MMRP.
- C. The MMRP ensures that the measures are in place, as appropriate, throughout the life of the Program.

LAFCo received comments on the Draft EIR that included a list of suggested mitigation measures to be considered by LAFCo for the Program for each impact identified by the Draft EIR. LAFCo considered each of these suggested mitigation measures as part of the preparation of the Final EIR. The Commissioners also proposed mitigation measures during the LAFCo meeting on April 5, 2006. Each suggested mitigation measure is listed below, with an indication of one of four responses: (i) the mitigation measure was originally incorporated into the Program; (ii) LAFCo has adopted the mitigation measure into the Program; (iii) the mitigation measure is already a regular SMUD practice and/or already incorporated in the Program but was not recognized as such in a comment on the Draft EIR; (iv) LAFCo has chosen not to adopt the suggested mitigation measure (with an explanation); and (v) mitigation measures proposed by LAFCo Commissioners and incorporated into the Final EIR.

I. MITIGATION MEASURES INCLUDED IN DRAFT EIR

Aesthetics

- Reconstruction of the Power Inn Road to Hedge substation transmission line will have the same visual character in terms of line, forms, and color as the existing transmission line (DEIR IV-4).

Agricultural Resources

- SMUD will site all program components to avoid agricultural preserves and land under Williamson Act contract to the extent practicable (BMP 1: DEIR IV-11).
- SMUD will enter into conservation mitigation banking agreements established to preserve land currently in agricultural production at a ratio equal to the estimated loss of prime farmland, unique farmland, or farmland of statewide importance (Mitigation Measure AG-1: DEIR IV-12).

Air Quality

- Soil stockpiles will be covered or watered twice daily (BMP 6: DEIR II-26).
- Exposed soil surfaces will be watered twice daily (BMP 6: DEIR II-26).
- Haul roads will be watered twice daily (BMP 6: DEIR II-26).
- Dump trucks will be covered securely (BMP 6: DEIR II-26).
- To minimize emissions of ozone precursors and diesel particulate matter, non-work-related idling of vehicles and equipment will be limited to no more than 5 minutes (BMP 6: DEIR II-26).
- Before construction of the Willow Slough substation, SMUD will prepare a detailed construction schedule and updated emissions inventory to determine whether the emissions from this construction, when added to any other infrastructure construction anticipated at the same time, will result in the emission of ozone precursors in excess of 85 lb/day. In the event that the limit may be exceeded, SMUD will incorporate construction emission mitigation measures as recommended by SMAQMD (2004), which include the following:
 - Before construction of the Willow Slough substation, SMUD will provide a plan for approval by LAFCo, in consultation with SMAQMD, demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction program, including owned, leased, and subcontractor vehicles, will achieve a programwide, fleet-average, 20% NO_x reduction and 45% particulate reduction, compared to the most recent CARB fleet average at the time of construction

(Mitigation Measure AQ-1: DEIR IV-33).

- Before construction of the Willow Slough substation, SMUD will submit to LAFCo and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction program. The inventory will include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory will be updated and submitted monthly throughout the duration of the program, except that an inventory will not be required for any 30-day period in which no construction activity occurs. At least 48 hours before the use of this heavy-duty off-road equipment, SMUD will provide SMAQMD with the anticipated construction timeline, including the start date and the name and telephone number of the Program manager and on-site foreman (Mitigation Measure AQ-1: DEIR IV-33).
- The Program will ensure that exhaust emissions from all off-road diesel-powered equipment, used on the Program site do not exceed 40% opacity for more than 3 minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringlemann 2.0) will be repaired immediately, and LAFCo and SMAQMD will be notified within 48 hours of the identification of non-compliant equipment. A visual survey of all in-operation equipment will be made at least weekly, and a monthly summary of the visual survey results will be submitted to LAFCo and SMAQMD throughout the duration of the program, except that the monthly summary will not be required for any 30-day period in which no construction activity occurs. The monthly summary will include the quantity and type of vehicles surveyed and the dates of each survey. SMAQMD and/or other officials may conduct periodic site inspections to determine compliance (Mitigation Measure AQ-1: DEIR IV-34).
- If it is determined that, even with the inclusion of the above measures, emissions still will exceed 85 lb/day, then SMUD will provide offsets (off-site decreases in similar emissions) by paying a fee to SMAQMD in accordance with its construction mitigation fee program. The fee will be computed by multiplying the daily NO_x emissions above the 85 lb/day threshold times the number of days duration for the construction. The resulting total significant NO_x emissions will be converted to tons, and the mitigation fee will be computed based on the total tons and the current rate used by SMAQMD (Mitigation Measure AQ-1: DEIR IV-34).

Biological Resources

- A qualified biologist will survey the transmission line corridor and associated access routes, laydown areas, and staging areas prior to construction. Sensitive habitats or active nest locations will be clearly marked and avoided where feasible (BMP 2: DEIR II-21).
- Biological Sensitivity Areas (BSAs) that abut construction areas along or within any of

the construction rights of way will be designated as such. These sites will be fenced off or clearly marked to prevent inadvertent destruction. High-visibility fencing will be installed along the margins of construction work areas where those areas are adjacent to sensitive biological resources. All construction personnel working in the BSA will be required to attend environmental awareness training. At a minimum, the training will include: (1) an overview of the regulatory requirements for the project, (2) descriptions of the special-status species in the project area and the importance of these species and their habitats, (3) the general measures that are being implemented to minimize environmental impacts, and (4) the boundaries within which equipment and personnel will be allowed to work during construction. SMUD will maintain a record of all workers who have completed the training (BMP 2: DEIR II-21).

- Construction will generally take place between May 1 and September 30 to avoid impacting sensitive species except in the vicinity of active Swainson's hawk nests, where SMUD will comply with CDFG guidelines for Swainson's hawks. (BMP 2: DEIR II-21).
- Temporary erosion-control devices will be installed on slopes where erosion or sedimentation could degrade sensitive biological resources (BMP 2: DEIR II-21).
- All temporary disturbance areas in annual grasslands will be revegetated with appropriate native species upon completion of construction (BMP 2: DEIR II-21).
- All spilled substances will be cleaned up promptly and disposed of properly to avoid the chronic or acute poisoning of wildlife (BMP 2: DEIR II-21).
- All construction debris will be removed from the project area after completion of construction activities. All project-related vehicular traffic will be restricted to established roads, designated access roads and routes, construction areas, storage areas, and staging and parking areas. Off-road traffic outside of designated access routes will be prohibited. A 10-miles per hour (mph) speed limit will be enforced in the project area when vehicles are not on paved roads (BMP 2: DEIR II-21).
- In the event that a permanent loss of habitat supporting special-status species is not avoidable, and the area affected falls within the 2003 Natomas Basin Habitat Conservation Plan (HCP) area, a fee must be paid to the City of Sacramento Natomas Basin Habitat Conservation Fund, and other obligations of the 2003 HCP must be met. This fee to the Habitat Conservation Fund is one that landowners may elect to pay in lieu of satisfying federal and state Endangered Species Acts (ESAs) by other methods (City of Sacramento Municipal Code, Chapter 18.40). If the permanent loss of habitat supporting special-status species is not avoidable, and the land does not fall within the 2003 HCP, preconstruction surveys for special-status species will be conducted before construction begins near suitable habitat, as stated above. If any special-status species are affected, the CDFG or the USFWS will be contacted, and mitigation will be negotiated with these agencies (BMP 2: DEIR II-22).
- If federally jurisdictional wetlands are impacted, SMUD will prepare a wetland

mitigation plan to compensate, at a ratio that has been determined in partnership with the United States Army Corps of Engineers (USACE), for any wetland habitats lost. The mitigation plan will include monitoring and performance standards to ensure successful mitigation. Wetlands will be mitigated so that there is no net loss of this resource (BMP 2: DEIR II-22).

- SMUD will install visual line enhancers and adequate spacing of the conductors to minimize the risk of avian collision and electrocution (BMP 2: DEIR II-22).
- It is possible that one or more program components will fall within the service area of three mitigation banks: the Bryte Ranch Conservation Bank, the Fitzgerald Conservation Bank, and the Clay Station Conservation Bank. These banks are approved to sell vernal pool conservation credits for the vernal pool fairy shrimp and vernal pool tadpole shrimp. The Clay Station Conservation Bank also is approved to sell USACE wetland mitigation credits. The Fitzgerald Conservation Bank is approved to sell vernal pool conservation credits for the vernal pool fairy shrimp, in addition to California tiger salamander credits (BMP 2: DEIR II-22).
- As an avoidance measure to prevent any significant cumulative impacts, habitat fragmentation of existing preserves will be avoided by placing all linear facilities or substations adjacent to existing utility corridors or linear facilities (BMP 2: DEIR II-22).
- Preconstruction surveys will be conducted in annual grassland or other habitat appropriate for nesting birds for any migratory or special-status nesting bird species. To prevent the potential for direct take of special-status birds that may be nesting on the site or their nest, field surveys will be conducted no earlier than 45 days and no later than 20 days prior to construction. The field surveys will be conducted by a qualified biologist to determine whether active nests of special-status birds are present in the BSA or within 150 feet of the BSA. Such surveys will be required as part of any construction contract. If an active nest is discovered, clearing and construction within 150 feet will be postponed until the nest is vacated and the juveniles have fledged, as determined by the biologist, and there is no evidence of second nesting attempts. Nests located near existing haul roads will not require a 150-foot buffer zone (BMP 2: DEIR II-23).
- Avoidance, minimization, and mitigation measures for impacts on burrowing owls will be established in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG, 1995). Preconstruction surveys will be conducted in grasslands within the project footprint and in suitable habitat within 500 feet from the project footprint. The locations of all observed burrowing owls and active burrows will be marked on a map of the project area at a scale sufficient to accurately show the distance between observed owls and active burrows and the limits of construction (BMP 2: DEIR II-23).
- Mitigation measures and habitat replacement ratios recommended by CDFG (1994) for Swainson's hawks will be implemented for the proposed project if necessary. If construction begins after April 1, preconstruction surveys for nesting Swainson's hawks will be conducted within 0.5 mile of the plant site. If nesting Swainson's hawks are

present, CDFG will be contacted. The nest will be monitored by a qualified biologist, and project activities that disturb or agitate the nesting hawks will be delayed until the young have fledged (approximately July 31). If Swainson's hawks are nesting within 0.5 mile of the project area, the nest tree will be clearly marked, and a 2,500-foot buffer around the nest tree will be avoided during the breeding season or until the young are foraging independently (BMP 2: DEIR II-23).

Cultural Resources

- A qualified archaeologist and historian will survey the Woodland-Elverta transmission line corridor and Willow Slough substation study area, as well as associated access routes, laydown areas, and staging areas, before construction. Identified cultural resources that are eligible for, or listed on, the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) will be avoided in siting these facilities (BMP 3: DEIR II-23).
- Construction crews will be trained on the identification of cultural and paleontological resources (BMP 3: DEIR II-24).
- An archaeological monitor will be present during ground-disturbing activity at any program component where excavation takes place in previously undisturbed soils, particularly where such soils are located within 0.25 mile of a perennial water source (BMP 3: DEIR II-24)..
- A paleontological monitor will be present during ground-disturbing activity at any program component (BMP 3: DEIR II-24).
- In the event that unanticipated cultural resources (historic or prehistoric artifacts, concentrations of shell, burnt or unburnt bone, stone features, etc.) are uncovered during grading or construction activities, work in the vicinity of the find will be halted, and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources (BMP 3: DEIR II-24).
- If human remains or suspected human remains are found on any site, work in the vicinity will halt, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner. If the coroner determines the remains are Native American and not under his purview, he will contact the Native American Heritage Commission (NAHC), as mandated by PRC 5097 (BMP 3: DEIR II-24).
- Any structures near construction sites, such as 6501 Florin Perkins Road, will be formally evaluated in the unlikely event that construction will physically affect the structure. If any such structure is found to be eligible for the CRHR, appropriate treatment measures, such as recordation to Historic American Engineering Record (HAER) and Historic American Buildings Survey (HABS) standards, will be taken, augmented by additional research, interpretation, and other measures required to reduce the level of impact to less than significant (BMP 3: DEIR II-24).

- Identification of potential transmission line routes or substation locations will attempt to avoid any areas that are particularly sensitive relative to prehistoric archaeological resources. Before a tentative route or site is identified, that area will be subjected to an intensive pedestrian survey for archaeological and historic built environment resources. Identified resources will be avoided by selecting an alternative route or project footprint within the study area that avoids significant cultural resources and/or through careful consideration of tower placement. Access roads and construction staging areas also will be modified as needed to avoid resources. In the event that a significant archaeological resource cannot be avoided, a program of data recovery, guided by a research design, will be undertaken (BMP 3: DEIR II-24).
- If important paleontological resources are discovered during the construction of any program component, they will be recovered and archived at an appropriate institution by a qualified paleontologist (BMP 3: DEIR II-24).

Hazards and Hazardous Materials

- SMUD will comply with all applicable regulations on handling, storing, using, and disposing of diesel fuel, hydraulic fluid, and other lubricants and solvents or cleaning materials (DEIR IV-122).
- All transformers or related equipment associated with the new electrical transmission facilities (or distribution lines that may emanate from it) will be filled with mineral oil or soy-based fluid, which will be transported to installation sites in sealed transformer equipment so that the risk of release will be minimal (DEIR IV-122).
- Sulfuric acid, which will be in the Willow Slough Substation backup battery system, will be transported to the site in sealed containers so that the potential for rupture of the battery will be minimal (DEIR IV-123).
- Design features for the Willow Slough substation will include: installing remote alarming monitoring equipment to alert SMUD's Energy Dispatch Operators in case of high temperatures or low oil levels and the construction of secondary containment within the substation to prevent any spilled oil from being discharged (DEIR IV-123).
- To prevent public access to onsite electrical equipment, the Willow Slough substation will be enclosed in a minimum 8-foot-high chain link fence topped with 3-pronged barbed wire. Access will be restricted with a locked gate (DEIR IV-123).
- The small quantities of universal wastes that may be generated by the Program, including batteries, mercury-containing thermostats, lamps (fluorescent, high intensity discharge, neon, mercury vapor, high-pressure sodium, and metal halide), aerosol cans, and cathode ray tubes, will be segregated properly from other types of solid wastes and disposed of appropriately (DEIR IV-124).

Hydrology/Water Quality

- During the construction of Program facilities, SMUD and its contractors will comply with the statewide Construction Storm Water General NPDES Permit and will prepare a SWPPP in accordance with the permit requirements (DEIR IV-133).
- All temporary disturbance areas will be revegetated with appropriate native species upon completion of construction in order to prevent excessive runoff or erosion from Program sites following the installation of transmission facilities (BMP 2: DEIR II-21; DEIR IV-133).
- SMUD and/or its contractors will obtain grading permits for Program facilities from the appropriate jurisdictions so that there will be no conflict with city or county drainage design standards, drainage plans, or grading ordinances (DEIR IV-134).
- The design of transmission towers and their foundations will take into account forces generated by floodwaters so that no sensitive equipment will be placed in a 100-year floodplain (DEIR IV-134).

Land Use/Planning

- SMUD will ensure that all of the transmission facilities proposed for the Program will not conflict with the Sacramento County General Plan (DEIR IV-141).
- SMUD will use the siting criteria provided in applicable zoning ordinances and will work with the appropriate jurisdictions and landowners to attempt to ensure that the Woodland-Elverta Transmission Line does not conflict with specific development plans (BMP 1: DEIR II-20; DEIR IV-141).

Noise

- SMUD will conduct all construction activities consistent with the City of Sacramento's noise ordinance that allows construction to occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and 9:00 a.m. and 6:00 p.m. on Sunday (BMP 4: DEIR II-25).
- Stationary construction equipment, such as generators, that generate noise exceeding 50 dBA at the project boundaries will be located as far as possible from existing residences in the vicinity of any infrastructure component (Mitigation Measure NOI-1: DEIR IV-156).
- Access routes for all construction traffic and equipment involved will be located along existing public or private roads to minimize construction traffic volumes passing existing residences in the vicinity of any infrastructure component (Mitigation Measure NOI-1: DEIR IV-156).
- All vehicles and equipment not in use will be turned off and not allowed to idle for more

than 5 minutes at a time (Mitigation Measure NOI-1: DEIR IV-156).

- In determining the final location and in developing the final designs for the Willow Slough substation, SMUD will ensure that transformer noise at the property line will not exceed 40 dBA L_{eq} (Mitigation Measure NOI-2: DEIR IV-160).

Population/Housing

- SMUD will work cooperatively with city and county jurisdictions and landowners to attempt to avoid conflicts in siting the Woodland-Elverta Transmission line, which will minimize any potential impact to future housing in Sutter and Sacramento counties (BMP 1: DEIR II-20; DEIR IV-166).

Public Services

- During construction of the program components, vehicles will be parked off of roadways to ensure that they do not interfere with the provision of services in the area, including the response times of police and fire services (DEIR IV-171).
- SMUD and its contractors will have and implement a written security plan to minimize the potential for vandalism or theft from construction, storage, or lay-down sites used for the construction or reconstruction components of the Program. The objective is to reduce or eliminate the need for police or sheriff responses and to prevent the loss of building materials, tools, and equipment (BMP 5: DEIR II-25).
- SMUD and its contractors will have and implement a written Injury and Illness Prevention Plan and Safety Plan, in compliance with minimum OSHA/Cal OSHA requirements, to minimize potential injury and illness of workers or any site visitors for the program components. The objective is to reduce or eliminate the need for emergency medical responses and to reduce injury or illness of any severity (BMP 5: DEIR II-25).
- SMUD and its contractors will have and implement a written fire protection plan to minimize potential fires at construction, storage, or lay-down sites used for the construction or reconstruction components of the program. Each construction site will have appropriate fire prevention and suppression equipment, from fire extinguishers to on-site water tanks or tanker trucks, as appropriate for the work being performed, the weather, and the adjacent environmental conditions. The objective is to reduce or eliminate the need for fire department response (BMP 5: DEIR II-25).

Recreation

- None.

Transportation/Traffic

- None.

Utilities/Service Systems/Energy Conservation

- Construction of program components will generate solid waste, including packaging, wooden wire spools, and concrete rubble, most of which will be recycled and a small volume will be sent to area landfills that have substantial existing capacity (DEIR IV-192).
- SMUD's environmental policies and procedures will be extended to the Program to ensure compliance with statutes and regulations related to solid waste (DEIR IV-193).

Mineral Resources

- None.

Geology and Soils

- None.

II. MITIGATION MEASURES PROPOSED IN COMMENT LETTERS AND INCORPORATED INTO FINAL EIR

Aesthetics

- Use Sacramento County General Plan Public Facilities Element VIII in facilities siting (BMP 1: Final EIR, II-PGE-11/12).
- Use *Airport Land Use Planning Handbook* (Caltrans, 2002) in facilities siting (BMP 1: Final EIR, II-PGE-25/26).
- Where agricultural lands are crossed, use the border of the fields, where feasible (BMP 1: Final EIR, II-SLPM-3).
- Avoid special-status species habitat and populations, where feasible (BMP 1: Final EIR, II-PGE-11).
- Avoid NRHP and CRHR listed or eligible sites, where feasible (BMP 1: Final EIR, II-PGE-24).

Air Quality

- The number of pieces of equipment operating at a construction site will be limited to the number specified in the air quality analysis (Final EIR, II-CUE-8).
- The amount of grading will be limited to 10 acres per day (Final EIR, II-CUE-8).
- Heavy-duty earthmoving, stationary, and mobile equipment will be maintained in optimal running condition (Final EIR, II-CUE-8).
- Implement activity management (i.e., rescheduling activities to reduce short-term impacts) (Final EIR, II-CUE-10).
- Heavy construction equipment will comply with USEPA or CARB 1996 diesel standards (Final EIR II-CUE-10).
- Use diesel particulate exhaust filters unless incompatible with a particular piece of equipment (Final EIR II-CUE-10).
- Restrict engine size of construction equipment to the minimum practical size (Final EIR II-CUE-11).
- Comply with YSAQMD and SMAQMD guidelines for construction projects on “spare the air” days (Final EIR, II-CUE-11).
- Use catalytic converters on all gasoline-powered construction equipment (Final EIR, II-

CUE-11).

- Use electricity from power poles rather than temporary diesel power generators where practical and feasible (Final EIR, II-CUE-11).
- Use new technologies to control ozone precursor emissions as they become available and feasible (Final EIR, II-CUE-11).

Noise

- Provide noise reduction baffling or other sound barriers where construction noise is estimated to exceed 50 decibels A-scale (dBA) hourly equivalent sound level (L_{eq}) at the edge of the right-of-way or property boundary when construction occurs in the vicinity of sensitive receptors (Final EIR, II-CUE-32).
- Require that all internal combustion engine-driven equipment is equipped with high-efficiency mufflers, which are in good condition and appropriate for the environment. (Final EIR, II-CUE-32).

III. MITIGATION MEASURES PROPOSED IN COMMENT LETTERS BUT WHICH WERE ALREADY INCLUDED IN DRAFT EIR OR ARE SMUD STANDARD PROCEDURES

Aesthetics

- Route transmission line to avoid areas considered scenic. (DEIR II-20)
- Construction contracts shall clearly delineate boundaries of staging areas and define acceptable work practices, including requirements for fencing and noise barriers. (DEIR II-21)
- Use existing utility and transportation corridors for transmission line, where feasible (DEIR II-20).

Air Quality

- Idling time of construction equipment shall not exceed five minutes. (DEIR II-26)
- Limit the hours of operation of heavy-duty equipment and the amount of equipment in use. (DEIR II-25)
- Equipment shall be properly tuned and maintained. (Final EIR, II-CUE-31).
- Limit traffic speeds on unpaved roads to 10 mph (DEIR II-21).
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways (DEIR II-21).
- Replant vegetation in disturbed areas as quickly as possible (DEIR II-21).
- Soil stockpiles will be covered or watered twice daily (DEIR II-26).
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access construction roads, parking areas and staging areas at construction sites (DEIR II-26).
- Haul roads will be watered twice daily (DEIR II-26).
- Cover all trucks hauling soil, project sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. (DEIR II-26).
- Perform weekly cleanup of construction areas. (Final EIR, II-CUE-31).
- Maintain vehicles and equipment at a single, central location. (Final EIR, II-CUE-31).
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as

- Stockpile topsoil prior to any ground disturbance within vernal pool habitat. Re-contour temporarily disturbed vernal pools to pre-project conditions and replace topsoil. (DEIR II-22, IV-86/87).
- Require development along creeks to be set back from the entire floodway. (DEIR II-21/22).
- Avoid effects to woody vegetation at all construction sites, staging areas, borrow sites, and haul routes by fencing them with construction fencing. No vehicles or storage of equipment or supplies will be placed within the zone delineated by the construction fencing; revegetate all construction sites, staging areas, borrow sites, and haul routes with native grasses and forbes. (DEIR II-21/22).
- Require SMUD to purchase conservation easement over areas containing marsh, riparian areas, and woodland; create replacement habitats; provide funding for habitat conservation and/or restoration. (Final EIR, II-PGE-37).
- Actively restore temporarily impacted wetlands to pre-disturbance conditions. (DEIR II-21).
- Participate in regional conservation planning efforts to avoid habitat fragmentation and contribute to preservation and management of large, unfragmented blocks of habitat to minimize interference with fish and wildlife movement. (DEIR II-22).
- Habitat temporarily disturbed by Program construction activities will be restored (DEIR II-21/22).

Cultural Resources

- In areas identified as archaeologically sensitive, conduct a comprehensive cultural resources evaluation at the time specific development is proposed (DEIR II-23-24).
- Plan construction to avoid archaeological sites (DEIR II-24).
- Conduct cultural resources surveys, by a qualified and certified archaeologist, prior to construction (DEIR II-23-24).

Hazards and Hazardous Materials

- Prepare a SWPPP for construction (DEIR IV-133).
- Flood-proof facilities, structures, and poles located in a 100-year floodzone (DEIR IV-134; Final EIR, II-CUE-20).
- Double contain hazardous materials and/or wastes when stored onsite. (Final EIR, II-CUE-31).

- Require construction contractors to have spill response equipment available at job site. (Final EIR, II-CUE-31).
- Used recycled oil and other petroleum product wastes, if possible. If not possible, properly dispose of oil. (Final EIR, II-CUE-31).
- Protocols for managing contaminated soil encountered during grading operations. (Final EIR, II-CUE-31).
- Minimize the overall supply of raw materials to prevent overstocking. (Final EIR, II-CUE-31).
- If any "Category 1" or other chemicals that can pollute the soil are found, conduct a health risk assessment to determine if people will be exposed to hazardous levels of contaminants.
- Utilize the DTSC guidance for sampling and conform to recommended sampling protocol and sampling density.
- Regularly clear brush and other fuel away from electrical lines and equipment. (Final EIR, II-CUE-31).
- Use double circuit poles to reduce electric and magnetic fields, where practicable.

Hydrology/Water Quality

- Include an approved drainage and erosion control plan in grading plans (DEIR IV-133).
- Revegetate disturbed soils (DEIR IV-133).
- Prepare a SWPPP for construction (DEIR IV-133).
- Obtain 404 and 401 permits where required (DEIR IV-134).

Land Use

- Identify conflicts (DEIR IV-140).
- Where feasible, conform to plan policies (DEIR IV-141).
- Identify and implement appropriate mitigation measures.

Transportation/Traffic

- Establish a carpool/vanpool program. (Final EIR, II-CUE-31).
- Preferential parking for carpool/vanpool vehicles. (Final EIR, II-CUE-31).

- Flaggers shall be stationed to slow or stop approaching vehicles to avoid conflicts with construction vehicles or equipment.
- Provide on-site childcare or contribute to off-site childcare within walking distance.

Utilities/Energy Conservation

- Commit to increased use of recycled materials. (Final EIR, II-CUE-31).
- Develop enhanced recycling program. (Final EIR, II-CUE-31).
- Commit to energy conservation programs that exceed in scope and effectiveness the programs offered by PG&E. (DEIR IV-195).
- Expand energy efficiency rebate program to exceed the rebates offered by PG&E. (Final EIR, II-PGE-36).
- Install solar electric systems in annexation area public schools. (DEIR IV-198).
- Install solar electric systems on low-income family homes in annexation area. (DEIR IV-198).
- Commit to adherence to California Energy Action Plan policies. (Final EIR, II-PGE-3).
- Commit to providing annexation area 20% renewables by 2010. (Final EIR, II-PGE-36).
- Participate in California Solar Initiative. (Final EIR, II-PGE-40).

Growth Inducement

- Identify areas potentially impacted by growth caused by the Program, and impose relevant mitigation measures. (DEIR VI-2).

IV. MITIGATION MEASURES PROPOSED IN COMMENT LETTERS BUT NOT INCORPORATED INTO THE FINAL EIR	EXPLANATION
Aesthetics	
Electric lines impacting scenic corridors shall be installed underground unless underground lines would interfere with agricultural activities	Undergrounding transmission lines would have a series of significant adverse impacts on the environment that are substantially greater than the impacts of overhead construction. (Final EIR, II-CUE-32)
Electric utility lines shall be constructed using H-frame poles or wood to blend in with the natural surroundings	This mitigation measure is not practicable because H-frame poles or wooden poles would not help blend a power transmission line with lands that are predominantly agricultural. Whether the poles are wood or steel, the visual impact would be the same. (Final EIR, II-CUE-33)
Prior to development of any electric utility lines, SMUD shall create and implement a "right-of-way" management ("ROW") plan to mitigate aesthetic impacts.	Visual treatments of the right-of-way would be done at crossings of specific scenic corridors identified by Sacramento and Yolo counties but are not necessary for the entire length of the right-of-way. From most of the scenic highway, electric utility lines will not be viewed. (Final EIR, II-CUE-33)
Set aside view easements along scenic corridors and roadways; place conservation easements on parcels restricting use of land from more intensive purposes.	Setting aside view easements along scenic corridors and roadways, and placing conservation easements on parcels restricting use of land from more intensive purposes may be valuable for highways but does not make sense for a power transmission line. Highways provide travelers access to scenic resources; therefore, protection of particularly scenic lands adjacent to highways is justified. Power transmission lines do not provide this type of access and do not attract adjacent development, as do highways. (Final EIR, II-CUE-33)
Place fencing around construction staging areas to block views of stored materials	Equipment and materials would not be stored for more than a few weeks at any given location

and equipment.	during the construction of Program facilities; therefore, fencing staging areas is not practical. (Final EIR, II-CUE-33)
Agricultural Resources	
AG-2 Acquisition of easement across adopted agricultural preserve or Williamson Act contract land	
AG-3 Conversion of prime farmland, unique farmland, or farmland of statewide importance to non-agricultural uses	
AG-4 Conflict with existing zoning for agricultural use or a Williamson Act contract	
Increase agricultural mitigation requirements to two-to-one or three-to-one	Agricultural land occupied by Program facilities will be mitigated at a ratio of 1:1. No Program facilities will be located in the City of Davis; therefore, the City of Davis's Municipal Code is not a relevant guide as to agricultural land mitigation. (Final EIR, II-CUE-34)
Require that soil quality of agricultural mitigation land shall be better than the land, which is converted to a non-agricultural use	Virtually all of the land in the Program study area is prime farmland, farmland of statewide importance, or farmland of local importance. Therefore, mitigation will occur on land with the same agricultural value as land occupied by Program facilities. (Final EIR, II-CUE-34)
Require that the agricultural mitigation land be set aside prior to commencement of any development activity	Policies of the Yolo LAFCo allow payment in lieu for loss of agricultural land. Therefore, acquisition of agricultural land prior to construction may not be an appropriate mitigation measure. (Final EIR, II-CUE-34)
Lease roadside right-of-way for agricultural purposes; place conservation easements on parcels restricting use of agricultural land from more intensive purposes.	This mitigation measure is not appropriate for power transmission lines because the measure is intended to forestall or foreclose roadside development, and development projects are not typically located beneath electrical transmission lines. (Final EIR, II-CUE-34)
Air Quality	
AQ-1 Change existing power plant operations	
<ul style="list-style-type: none"> Increases in airborne emissions should be offset with emission reduction 	Mitigation measures suggested for cumulative impacts that the environmental evaluation found

<p>credits representing equivalent emission reductions from other facilities, and/or by contributions to the Carl Moyer program to allow the local air district to pay for retrofits to mobile and area sources such as diesel buses, agricultural diesel engines, and others that will result in an equivalent emission reduction</p>	<p>would not occur, or would not be significant, are not relevant to the EIR, in accordance with Section 15126.4 of the CEQA Guidelines. (Final EIR, II-CUE-32)</p>
<p>AQ-2 Construction emissions of diesel particulates</p>	
<p>Conversion to cleaner engines</p>	<p>Because the volume of diesel particular emissions associate with Program constructions is relatively small and was determined not to be a significant impact by SMAQMD, the costly conversion of diesel engines is not a practicable mitigation measure. (Final EIR, II-CUE-11)</p>
<p>Alternative fueled or electrical construction equipment shall be used as the Project site.</p>	<p>LAFCo is unaware of electrically powered heavy construction equipment that would generate enough horsepower to effectively complete the construction activities required for the Program. In addition, most Program construction is for linear facilities. (Final EIR, II-CUE-11)</p>
<p>Use of ultra low sulfur fuel, alternative diesel formulations, compressed natural gas, liquefied natural gas or propane as alternatives to diesel-powered construction equipment.</p>	<p>This mitigation measure is not practicable or feasible for the proposed Program, because such fuels are not readily available to contractors who do not have fuel storage facilities. In addition, if contractors had to transport vehicles and equipment to the locations where these fuels were available, it would significantly increase the VMT and associated emissions from project construction. (Final EIR II-CUE-11)</p>
<ul style="list-style-type: none"> • Substitution of gasoline-powered for diesel-powered construction equipment. • Installation of high-pressure injectors on diesel construction equipment. • Emission offsets if ROG or NOx emissions exceed 6.0 tons/quarter. 	<p>Because the volume of diesel particular emissions associate with Program constructions is relatively small and was determined not to be a significant impact by SMAQMD, these mitigation measures are not practicable. In addition, the higher flammability of gasoline compared to diesel fuel introduces an unnecessary hazard to the construction process (Final EIR, II-CUE-11)</p>

<p>Minimization of construction worker trips by requiring carpooling and by providing for lunch onsite.</p>	<p>This mitigation measure is suitable for large construction projects with many workers at a single site. Such measures are not effective on linear construction projects with multiple construction sites and fewer workers. (Final EIR, II-CUE-11)</p>
<p>Lengthening of construction period during smog season (May through October), so as to minimize the number of vehicles and equipment operating at the same time</p>	<p>Lengthening the construction period during smog season does not effectively mitigate air quality impacts; this mitigation measure would substantially increase the VMT associated with construction and the number of cold starts for equipment, resulting in a substantial increase in emissions for the total construction project. (Final EIR, II-CUE-11)</p>
<p>Sensitive receptors: projects proposed within one mile of sensitive receptors with the potential to generate odors or toxic pollutants shall be required to conduct an odor and health risk assessment to evaluate the projects' compatibility with the sensitive receptor. A sufficient buffer zone shall be provided when necessary</p>	<p>Conducting an odor and health risk assessment of sensitive receptors within one mile of diesel equipment implies that those receptors would be exposed to the diesel exhaust for more than a few days or weeks, which is not the case. Construction of all of the Program components would be completed in a short time frame. (Final EIR, II-CUE-33)</p>
<p>AQ-3 Construction emissions</p>	
<ul style="list-style-type: none"> • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site • Minimization of construction worker trips by requiring carpooling and by providing for lunch onsite • Pave all roads on construction sites • Prewet surface soils where equipment will be operated • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep under the street daily (with 	<p>These mitigation measures are suitable for large, long-term construction projects with many workers at a single site. Such measure are not effective or practical for short-term linear construction projects, such as power transmission lines, with multiple construction sites, fewer workers, and little ground disturbance (i.e., a total of up to 4.8 acres of land disturbed over a two-county area). The construction area of Program components is limited. (Final EIR, II-CUE-34)</p>

<p>water sweepers) if visible soil material is carried onto adjacent streets.</p> <ul style="list-style-type: none"> • Gravel pads must be installed at all access points to prevent tracking of mud on to public roads. • Install and maintain trackout devices in effective condition at all access points where paved and unpaved access or travel route intersect. • Install windbreaks, or plant trees/vegetative windbreaks at windward side(s) of construction areas. Install barriers with 50% or less porosity located adjacent to roadways to reduce windblown material leaving a site. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph or visible dust clouds affect sensitive receptors. • Limit the area subject to excavation, grading and other construction activity at any one time. • Where feasible, use bedliners in bottom dumping haul vehicles. • Empty loader bucket slowly and minimize drop height from loader bucket. • Limit fugitive dust sources to 20% capacity. • Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. 	
<p>For stockpiles, maintain at optimum moisture content/remove material from</p>	<p>This mitigation measure can be useful for construction projects requiring long-term use of a</p>

<p>downwind side; avoid step sides or faces; and stabilize material following stockpile-related activity.</p>	<p>soil stockpile. Program construction is not expected to require stockpiles and if stockpiles are developed for short periods of time, BMP-6 requires that they be covered or watered twice daily. (DEIR II-26)</p>
<p>Alternative fueled or electrical construction equipment shall be used as the Project site.</p>	<p>LAFCo is unaware of electrically powered heavy construction equipment that would generate enough horsepower to effectively complete the construction activities required for the Program. In addition, most Program construction is for linear facilities. (Final EIR, II-CUE-11)</p>
<p>Use of ultra low sulfur fuel, alternative diesel formulations, compressed natural gas, liquefied natural gas or propane as alternatives to diesel-powered construction equipment.</p>	<p>This mitigation measure is not practicable or feasible for the proposed Program, because such fuels are not readily available to contractors who do not have fuel storage facilities. In addition, if contractors had to transport vehicles and equipment to the locations where these fuels were available, it would significantly increase the VMT and associated emissions from project construction. (Final EIR II-CUE-11)</p>
<ul style="list-style-type: none"> • Substitution of gasoline-powered for diesel-powered construction equipment. • Installation of high-pressure injectors on diesel construction equipment. • Emission offsets if ROG or NOx emissions exceed 6.0 tons/quarter. • Conversion to cleaner engines. 	<p>Because the volume of diesel particulate emissions associated with Program constructions is relatively small and was determined not to be a significant impact by SMAQMD, these mitigation measures are not practicable. (Final EIR, II-CUE-11)</p>
<p>Lengthening of construction period during smog season (May through October), so as to minimize the number of vehicles and equipment operating at the same time.</p>	<p>Lengthening the construction period during smog season does not effectively mitigate air quality impacts; this mitigation measure would substantially increase the VMT associated with construction and the number of cold starts for equipment, resulting in a substantial increase in emissions for the total construction project. (Final EIR, II-CUE-11)</p>
<p>Sensitive receptors: projects proposed within one mile of sensitive receptors</p>	<p>Conducting an odor and health risk assessment of sensitive receptors within one mile of diesel</p>

<p>with the potential to generate odors or toxic pollutants shall be required to conduct an odor and health risk assessment to evaluate the projects' compatibility with the sensitive receptor. A sufficient buffer zone shall be provided when necessary</p>	<p>equipment implies that those receptors would be exposed to the diesel exhaust for more than a few days or weeks, which is not the case. Construction of all of the Program components would be completed in a short time frame. (Final EIR, II-CUE-33)</p>
<p>AQ-4 Operation and maintenance emissions</p>	
<p>See suggested measures for AQ-2 Where applicable, same as for AQ-3</p>	<p>See suggested measures for AQ-2, above. See suggested measures for AQ-3, above.</p>
<ul style="list-style-type: none"> • Use electric lawn and garden equipment for landscaping. • Use electrically, CGN-powered or propane specialty equipment, e.g., forklifts, utility carts • Secure emission offsets • Retrofit existing homes and businesses in the project area with approved energy conservation devices • Replace/re-power school/transit bus with cleaner vehicles • Fund a program to buy and scrap older, high-emission vehicles • Contribute to an off-site TDM fund • Repair smog-check waived vehicles • Introduce electric lawn and garden equipment exchange program • Retrofit/purchase clean heavy-duty trucks, construction equipment, diesel locomotives, and marine vessels • Provide electric maintenance equipment 	<p>Operation and maintenance emissions from the Program are substantially below the threshold considered significant by SMAQMD, and the District does not consider these emissions to be cumulatively significant. Therefore, this mitigation measure is not practical or necessary. (Final EIR, II-CUE-33)</p>

Biological Resources	
BIO-1a Temporary impacts to special status species that use vernal pools and swales	
During temporary ground disturbance, avoid activities that would puncture the underlying hardpan or claypan. If this impact is unavoidable, backfill with impermeable material designed to retain hydrologic conditions so that disturbed pools may be restored to pre-disturbance conditions.	Where vernal pools are present in the study areas for Program components, construction will consist of installation of power poles and stringing wire. Therefore, temporary ground disturbance will consist of trucks driving through the area, which will not puncture the underlying hardpan or claypan of a vernal pool. This mitigation measure is unnecessary.
Minimize effects to trees along the construction area by having all trimming performed by a qualified arborist to ensure tree survival after the project. In addition, a "Tree Protection Plan" will be prepared establishing measures required to safeguard trees from the impacts of construction activities.	There are no trees that will require trimming for construction of Program Components 4, 5 and 7. It is unknown at this time whether construction of the Woodland-Elverta transmission line will require tree trimming. This mitigation measure will be considered by SMUD in the project-specific CEQA document prepared for that Program component.
Provide funding for implementation of habitat conservation plan programs that provide for regional protection of sensitive natural communities.	Providing funding for implementation of habitat conservation plans is dependent on specific biological impacts that may result from construction of the transmission line and the substation. In developing project-specific mitigation measures, SMUD will consider the possibility of participating in the Yolo County HCP.
BIO-6 Conflict with habitat conservation plans	
<ul style="list-style-type: none"> • Require compliance with habitat conservation plans, including measures to preserve and restore species habitat. • Provide funding for completion and implementation of habitat conservation plan programs. 	No conflicts with habitat conservation plans were identified in the Draft EIR, and no substantive evidence was provided during the public review of the Draft EIR to indicate that such a conflict would occur. Mitigation is not required where there is no impact.
Cultural Resources	
CR-1a Cultural resource impacts from reconstruction of the Power Inn Road to Hedge substation	

<p>SMUD shall: a) plan construction to avoid archaeological sites; b) “cap” or cover the archaeological site with a layer of soil prior to construction; c) deed the archaeological sites into permanent conservation easements.</p>	<p>Cultural resources surveys have been conducted for Program Components 4 and 5 and not sites eligible for the NRHP or the CRHR were identified. BMP-3 includes cultural resources surveys prior to design and construction of Program Components 6 and 7. Potentially eligible sites identified during these surveys will be avoided to the extent possible, as indicated in BMP-3. In the event that sites cannot be avoided, specific mitigation measures will depend on many factors, so identification of site-specific mitigation is not appropriate at this time. This mitigation measure will be considered during preparation of specific CEQA documents for Program Components 6 and 7. (DEIR II-23/24).</p>
<p>Hazards and Hazardous Materials</p>	
<p>HAZ-1 Expose people or property to hazardous materials or conditions</p>	
<p>SMUD, in conjunction with the California Department of Conservation, shall initiate the preparation of a map generally showing the locations that possess soils or rock material with the potential to contain naturally occurring asbestos for use by SMUD in its review of proposed projects. A registered soils engineer shall evaluate proposed project activities within areas on this map for impacts due to naturally occurring asbestos, and develop and implement appropriate mitigation, if necessary.</p>	<p>This suggested mitigation measure is not necessary for the Program area. Naturally occurring asbestos is found in serpentine rock and soils formed from that rock. Based on a review of the U.S. Natural Conservation Service Soil Surveys for Yolo and Sacramento counties, none of the soils in Sacramento County are mapped as being formed in or overlying serpentine. The Climara Series in Yolo County is underlain by serpentine bedrock; however this soil is present in uplands in the northwestern portion of the county and is not present in the Annexation Territory.</p>
<p>HAZ-4 Cause wildfires</p>	
<p>Run distribution lines underground.</p>	<p>Undergrounding distribution lines would have a series of significant adverse impacts on the environment that are substantially greater than the impacts of overhead construction. (Final EIR, II-CUE-32)</p>
<p>Hydrology/Water Quality</p>	

H-1 Impacts on storm water	
H-2 Impacts to groundwater hydrology	
After construction is complete, all active drainage channels and culverts should be inspected for accumulated sediment. If sediment accumulation has occurred, these drainage structure should be cleared of debris and sediment.	This proposed measure is useful on single construction sites covering many acres where construction will last many months. It is not necessary on small construction projects where erosion control measures are installed. (DEIR II-21).
Noise	
NOI-2b Noise from new transmission lines	
Run lines underground.	Undergrounding transmission lines would have a series of significant adverse impacts on the environment that are substantially greater than the impacts of overhead construction. (Final EIR, II-CUE-32)
NOI-2c Noise from Willow Slough substation	
<ul style="list-style-type: none"> • Install permanent noise barriers for Willow Slough substation • Construct sound walls, landscaping or other noise reduction measure prior to operating the substation • Reduce noise levels to well below permissible noise levels of the City 	Mitigation Measure NOI-2 proposed a performance standard of ensuring that transformer noise at the property line will not exceed 40 dBA L_{eq} , which will keep noise from the substation below the significant threshold off of the substation property. SMUD will select the appropriate method for mitigation noise from the Willow Slough substation during the siting and design of the facility. (Final EIR, II-CUE-34)
Population/Housing	
PH-1 Increase population growth	
PH-2 Increase housing demand	
PH-3 Preempt housing on land planned for housing development	
<ul style="list-style-type: none"> • Provide funding for low-income housing development 	The Program may generate a demand for a maximum of 79 housing units within the first few years following construction of the Program components. As of 2000, there were more than 28,000 vacant housing units in the Sacramento area. The suggestion of providing funding for

	low-income housing development is not supported by any information suggesting a nexus between the Program and an increased need for low-income housing. (Final EIR, II-CUE-34/35)
Public Services	
PS-1 Desired fire and police response times	
PS-2 Impacts to schools	
PS-3 Impacts to parks	
<ul style="list-style-type: none"> • Pay project's fair share of costs to mitigate delayed fire and police response times due to cumulative impacts. • Require SMUD to construct or fund construction of parks and school facilities 	It is not feasible to identify what share of future development cost could be attributed to the Program. In addition, growth associated with the Program will be within the general plan limits defined by local communities, which takes into account future needs for public services. (DEIR VI-1 and VI-2).
Provide funding to improve provision of public services. (DEIR II-15).	The suggestion of providing funding for the improvement of public services is not supported by any information suggesting a nexus between the Program and an increased need for low-income housing.
Recreation	
REC-1 Direct impact to public recreational facilities	
<ul style="list-style-type: none"> • Require SMUD to construct or fund construction of parks and activity centers 	These suggested mitigation measures imply a nexus between the Program's proportional contribution to growth and demand for parks, school facilities, and activity centers, without providing any information reflecting such a nexus. (Final EIR, II-CUE-35)
Transportation/Traffic	
TR-1 Construction traffic impacts	
<ul style="list-style-type: none"> • Provide a traffic control plan to CalTrans for review and approval prior to Project construction 	Mitigation measures suggested for cumulative impacts that the environmental evaluation found would not occur, or would not be significant, are not relevant to the EIR, in accordance with

	Section 15126.4 of the CEQA Guidelines. (Final EIR, II-CUE-32)
TR-2 Operation and maintenance traffic impacts	
<ul style="list-style-type: none"> • Provide electric vehicle and compressed natural gas vehicles in vehicle fleets • Install CNG fueling facility • Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc. • Provide shuttle service to transit stations/multimodal centers • Implement parking fee for single-occupancy vehicle commuters • Implement parking cash-out program for non-driving employees • Implement compressed workweek schedule 	<p>Operation and maintenance traffic associated with the Program would involve approximately a dozen vehicles per day. The suggested mitigation for this contribution to cumulative traffic impacts projected for 2050 is inappropriate for the scale of the impact because instead of reflecting the additional traffic associated with the Program, it responds to increased traffic associated with an additional million residents of the region. (Final EIR, II-CUE-35)</p>
Utilities/Energy Conservation	
UT-1 Impacts on solid waste disposal facilities	
<p>Pay project's fair share of improvements to solid waste disposal facilities.</p>	<p>It is not feasible to identify what share of future development costs could be attributed to the Program. In addition, growth associated with the Program will be within the general plan limits defined by local communities, which takes into account future needs for solid waste disposal. (DEIR VI-1 and VI-2).</p>

V. MITIGATION MEASURES PROPOSED BY LAFCO COMMISSIONERS AND INCORPORATED INTO FINAL EIR

Air Quality

- Use clean fuels whenever feasible, but not when the emissions associated with such use (e.g., for long trips for refueling) would actually increase emissions over the baseline.
- Use most effective particulate traps suitable for each vehicle, whenever feasible.
- SMUD's fleet of vehicles of more than 14,000 lbs gross vehicle weight (GVW) must comply with the proposed California Air Resources Board (CARB) 2007 standards by the end of 2006. These standards are more conservative than the 1996 CARB standards used in the emission-modeling program and recommended in responses to the Draft EIR.

Agricultural Resources

- SMUD shall mark the Woodland-Elverta Transmission Line in a manner that complies with Federal Aviation Administration requirements and that provides reasonable warning of the transmission line to general aviation pilots.
- To the extent feasible, only locate the transmission line on the perimeter of agricultural fields so as not to interfere with agricultural operations.
- Pay for the relocation of aircraft operations from those airstrips to other nearby airstrips or pay for crop-dusting operations to take place at a new location in the event that the location of the Woodland-Elverta transmission line precludes the use of an airstrip or precludes crop-dusting operations on a field in active agricultural production.

X. FINDINGS REGARDING DISAGREEMENT AMONG EXPERTS

The Draft EIR, the comments submitted by PG&E and CUE, and the Final EIR reveal known areas of disagreement among experts in the areas of the potential impacts of the Program on air quality, biological resources, electrical rates and the operation of the Consumes Power Plant, and the use of groundwater. In addition, there were substantial comments on the Draft EIR that challenged the Draft EIR’s views on the rates, reliability, and use of renewable sources of energy if the Program were to be implemented. The Final EIR discussed the potential impacts of the Program on these resources as follows:

Air quality	Final EIR, pp. II-CUE-3 – 13
Biological resources	Final EIR, pp. II-CUE-13 – 17
Electrical Rates and CPP	Final EIR, pp. II-PGE-13
Use of groundwater	Final EIR, pp. II-CUE-17 – 20
Feasibility of SMUD to implement rate reduction	Final EIR, pp. II-PGE-27 – 30
Reliability of SMUD service under the Program	Final EIR, pp. II-PGE-32 – 35
Program’s use of renewable sources of energy	Final EIR, pp. II-PGE-36 – 40

LAFCo finds that these controversies reflect disagreements among experts and adopts the views articulated in the Draft and Final EIRs.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Program will result in significant effects, as identified in the EIR, that are not avoidable through the best practices incorporated in the Program or through mitigation measures. These effects include direct effects on the environment, growth inducement, and cumulative impacts. As described below, the Commission finds that the economic and social benefits of the Program outweigh the unavoidable adverse environmental effects of the Program and justify approval of the Program.

A. Effects of the Program on the Environment.

1. Impacts of the Program

As described in Sections 5 and 6 above, the EIR concludes that there will be direct and indirect effects on the environment in the following resource areas: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, and Utilities/Service Systems/Energy Conservation. The EIR also concludes that the Program will induce growth in the Annexation Territory by reducing the rates paid for electrical service and by improving the reliability of such service. The EIR finally concludes that there will be cumulative effects on the environment in the following resource

categories, due to their combination with reasonably foreseeable past, present and future projects in the Sacramento and Yolo Counties listed in Chapter V of the Draft EIR: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, and Utilities/Service Systems/Energy Conservation.

The direct effects of the Program on the environment are limited to the actual footprint of work required to construct a transmission line and a substation, and are unavoidable in the context of this type of work. These effects create a cumulative effect on the environment of the Sacramento metropolitan region when added to the physical effects on the environment of the development projects authorized within the list of cumulative projects described in Chapter V of the Draft EIR. The cumulative effect of the projects described in Chapter V is significant and unavoidable; the “footprint” of the Program contributes less than 0.1% to that effect and as noted in the Final EIR, it is difficult, if not impossible, to quantify the effects of the Program on growth due to improved reliability and lower electrical rates.

2. Best Management Practices and Mitigation Measures

The best practices and mitigation measures incorporated into the EIR and listed in the Draft EIR at pages II-19 through II-26 demonstrate a significant effort and commitment by SMUD to minimize or eliminate environmental impacts, and the unavoidable impacts are inevitable in the larger picture of positive economic growth in the region. Those best practices and mitigation measures include, but are not limited to, the following:

Best Management Practices:

- BMP 1: Siting of Transmission Electric Facilities

BMP-1 calls for siting all program components to avoid agricultural preserves and land under Williamson Act contract to the extent practicable. SMUD must: (i) use the Sacramento County General Plan Public Facilities Element VIII in facilities siting; (ii) use the *Airport Land Use Planning Handbook* in facilities siting; (iii) use existing utility and transportation corridors for the transmission line, where feasible; (iv) where agricultural lands are crossed, use the border of the fields, where feasible; (v) coordinate siting with local jurisdictions, resource management and permitting agencies, and affected landowners; (vi) avoid special-status species habitat and populations, where feasible; (vii) avoid NRHP and CRHR listed or eligible sites, where feasible.

- BMP 2: Biological Resources

BMP-2 involves modification of project designs, construction specifications and timing of project implementation in order to avoid impacts to sensitive biological species. Specifically, SMUD has agreed to: have a qualified biologist survey all areas that might be disturbed, and if special-status animals or plants are present, SMUD must avoid impacts to such individuals or implement compensatory mitigation; where special-status species or habitat cannot be avoided, minimize impact and provide compensatory

mitigation; fence off or clearly mark sensitive habitats that may contain special-status species near Program construction areas; perform preconstruction survey for nesting birds and burrowing owls no earlier than 45 days and no later than 20 days prior to construction; conduct no construction that disturbs active burrows; where construction begins before April 1, perform preconstruction surveys for nesting Swainson's hawk; clean up spills of construction materials, fuels, and lubricants promptly and dispose of them properly; provide visual enhancers and adequate spacing of conductors to minimize risk of avian collision and electrocution; train all construction personnel working in a biologically sensitive area; remove all construction debris after completion of construction activities; restrict Program-related vehicle traffic; prohibit off-road traffic outside of designated access routes; enforce a 10 mph speed limit on unpaved roads; and limit construction activities to May 1 through September 30, to the extent possible.

- BMP 3: Cultural Resources

BMP-3 requires all of the following related to cultural resource impacts: conduct archaeological and historical survey of Woodland-Elverta Transmission Line and Willow Slough Substation study areas; training of construction crews on the identification of cultural and paleontological resources; presence of an archaeological monitor during ground-disturbing activity where excavation takes place in previously undisturbed soils; presence of a paleontological monitor during ground-disturbing activity for any Program Component; if unanticipated cultural resources are uncovered during grading or construction activities, work in the vicinity of the find will be halted and a qualified archaeologist will be consulted for an on-site evaluation and the recovery of any important resources; if human remains or suspected human remains are found on any site, work in the vicinity will be halted, any remains will be protected from further disturbance, and SMUD will immediately contact the appropriate county coroner and the NAHC as necessary; any structures near construction sites will be evaluated formally in the unlikely event that construction will physically affect the structure, and if any structure is found to be eligible for the CRHR, appropriate treatment measures will be taken; and if important paleontological resources are discovered during construction of any program component, the resources will be recovered and archived at an appropriate institution by a qualified paleontologist.

- BMP 4: Noise

BMP 4 requires SMUD or its contractors to conduct all construction activities between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, consistent with the Sacramento Municipal Code.

- BMP 5: Public Service

BMP 5 requires that SMUD and its contractors implement a written security plan for construction activities, an Injury and Illness Prevention Plan and Safety Plan in compliance with OSHA/Cal OSHA requirements, and a written fire protection plan to minimize potential fires at construction sites.

- BMP 6: Air Quality

BMP-6 incorporates the Yolo-Solano Air Pollution Control District's (APCD) mitigation measures to reduce fugitive dust from construction projects. The practices include: (i) soil stockpiles will be covered or watered twice daily; (ii) exposed soil surfaces will be watered twice daily; (iii) haul roads will be watered twice daily; (iv) dump trucks will be covered securely; (v) to minimize emissions of ozone precursors and diesel particulate matter, non work-related idling of vehicles and equipment will be limited to no more than five minutes.

Mitigation Measures:

- Mitigation Measure AG-1

Mitigation Measure AG-1 provides that SMUD will enter into a conservation mitigation banking agreement established to preserve land currently in agricultural production at a ratio equal to the estimated loss of prime farmland, unique farmland, or farmland of statewide importance (i.e., 1:1). This mitigation is consistent with the requirements of the Yolo County Code, which requires 1:1 mitigation or payment of an in-lieu mitigation fee.

- Mitigation Measure AG-2

In order to avoid impacts to agriculture, SMUD shall mark the Woodland-Elverta Transmission Line in a manner that complies with Federal Aviation Administration requirements and that provides reasonable warning of the transmission line to general aviation pilots. SMUD shall also, to the extent feasible, only locate the transmission line on the perimeter of agricultural fields so as not to interfere with agricultural operations. SMUD shall, further, pay for the relocation of aircraft operations from those airstrips to other nearby airstrips or pay for crop-dusting operations to take place at a new location in the event that the location of the Woodland-Elverta transmission line precludes the use of an airstrip or precludes crop-dusting operations on a field in active agricultural production. SMUD shall include a report on the implementation of this mitigation measure in each report to LAFCo required by the Mitigation Monitoring and Reporting Plan.

- Mitigation Measure AQ-1

Mitigation Measure AQ-1 provides that before construction of the Willow Slough substation, SMUD will prepare a detailed construction schedule and updated emissions inventory to determine whether the emissions from this construction, when added to any other infrastructure construction anticipated at the same time, will result in the emission of ozone precursors in excess of 85 lb/day. In the event that the limit may be exceeded, SMUD will incorporate construction emission mitigation measures as recommended by SMAQMD. In addition, SMUD will implement activity management; use new technologies to control ozone precursor emissions as they become available and feasible;

and keep records and schedules for diesel equipment maintenance; visually inspect in-operation equipment emissions; limit grading to 10 acres per day; comply with YSAQMD and SMAQMD guidelines for construction projects on "spare the air" days; obtain electricity from power poles rather than temporary diesel power generators, where practicable and feasible.

- Mitigation Measure AQ-2

Mitigation Measure AQ-2 requires SMUD to use clean fuels whenever feasible but not require the use of such fuels when the emissions associated with such use (e.g., for long trips for refueling) would actually increase emissions over the baseline. The mitigation measure would also require SMUD to use the most effective particulate traps suitable for each diesel-fueled vehicle whenever feasible. Finally, the mitigation measure would require SMUD's fleet of vehicles of more than 14,000 lbs gross vehicle weight (GVW) to comply with the proposed California Air Resources Board (CARB) 2007 standards by the end of 2006. These standards are more conservative than the 1996 CARB standards used in the emission-modeling program and recommended in responses to the Draft EIR.

- Mitigation Measure BIO-1

Mitigation Measure BIO-1 provides that SMUD will restore temporarily disturbed habitat.

- Mitigation Measure NOI-1

Mitigation Measure NOI-1 requires that SMUD incorporate the following state of the art measures into its plans, contracts and specifications for work on each infrastructure component of the Program: (i) stationary construction equipment that generates noise exceeding 50 dBA at the project boundaries must be located as far as possible from existing residences in the vicinity of any infrastructure component; (ii) access routes for all construction traffic and equipment must be located along existing public or private roads to minimize construction traffic volumes passing existing residences in the vicinity of any infrastructure component; (iii) all vehicles and equipment not in use must be turned off and not allowed to idle for more than ten minutes at a time; and (iv) implement noise reduction measures, such as baffling for equipment generating > 50 dBA at the edge of the right-of-way.

- Mitigation Measure NOI-2

In determining the final location and developing the final designs for the Willow Slough substation, SMUD will ensure that there are four or fewer transformers, the source noise each transformer is no more than 60 dBA at three feet, and that the minimum distance from transformers to the property line is 150 feet. These measures will ensure that transformer noise does not exceed 40 dBA L_{eq} at the property line.

These best practices and mitigation measures avoid, substantially lessen or compensate for the effects of the Program on the physical environment to the greatest extent reasonably feasible.

A complete list of mitigation measures adopted for the Program is set forth in a revised Mitigation Monitoring and Reporting Plan, which reflects mitigation measures requested by LAFCo commissioners on April 5, 2006.

A. Benefits of Implementing the Program.

Sacramento LAFCo finds, in accordance with CEQA Guidelines Section 15093 and based on the EIR and the entire record in this matter described in Section III above, that each of the unavoidable adverse effects of the Program identified above in Section VI are acceptable due to the following overriding considerations:

1. Reduced Rates for Electric Service.

Approval of SMUD's annexation proposal will result in a lower rate for electric service for the customers in the Annexation Territory. As discussed in the Program Description, SMUD's rates for electric service are historically 20% lower than PG&E's. Furthermore, this differential is expected to continue and even increase over the long run. Even for the Annexation Territory customers, who will be solely responsible for the costs of the annexation, rates will start out at 2% lower than PG&E rates and decrease over time. The Program will encourage economic growth. This economic growth is in line with economic growth goals for the region, is consistent with local land-use plans and is an outcome supported by the Yolo Communities.

2. Potential for Improved Reliability and Customer Satisfaction for Electric Service.

Approval of the annexation proposal may result in more reliable electric service for Annexation Territory customers but will provide at least equal service as that provided by PG&E. SMUD's reliability ratings in its current service territory are better than PG&E's, as evidenced by PG&E's reported average outage duration of 186.2 minutes from 2000-2004 in its Sacramento Division, compared to SMUD's 57.83 minutes. (See Final EIR, II-PGE-33). SMUD's customer satisfaction ratings are also higher than PG&E's.

3. Local Control Over Electric Service.

Currently customers in the Annexation Territory have no little to no control over decision-making on energy related issues because PG&E is an investor-owned company. This was an important motivation for the Yolo Communities' request for SMUD service. If the annexation proposal is approved, Annexation Territory customers will benefit from representation on the Board and the option to attend and participate in Board of Director meetings and public workshops on rates. This type of control over energy policies can significantly affect a community in a positive way.

4. No Impact on Existing SMUD Customers.

The SMUD Board of Directors determined that as a condition of the annexation, SMUD's existing customers would be held harmless and not pay any of the costs of the annexation. The Commission has adopted the requirement that SMUD's existing customers not be harmed as a

term and condition of the annexation. In addition, an independent financial and technical evaluation of the annexation concept confirmed that the annexation will have no negative impact on the level of service or reliability currently enjoyed by SMUD's existing customers. Sacramento LAFCo believes that this is an important demonstration of SMUD's commitment to its customers.

C. Conclusion.

Sacramento LAFCo finds, based on the EIR and the entire record in this matter, that the Program's benefits outweigh the Program's significant and unavoidable adverse effects on the environment.