

1 INTRODUCTION

1.1 INTRODUCTION TO THE DEIR

This draft environmental impact report (DEIR) evaluates the environmental impacts of the proposed Greenbriar project. The project site is located west of the City of Sacramento's (City) North Natomas community within the Natomas Basin. The project site consists of approximately 577 acres of fallow agricultural land (at the time the Notice of Preparation (NOP) for the project was circulated) bounded by Interstate 5 (I-5) to the south, State Route 70 and 99 (SR 70/99) to the east, Elkhorn Boulevard to the north, and Lone Tree Canal to the west. The site, although fallowed at the time of the NOP, has routinely been rotated from active to fallowed conditions to maintain productive cropping patterns. Crops previously and routinely cultivated at the site include rice and wheat. The project is located adjacent to existing agricultural uses (some fallow and some active) to the north and west. A residential development project (approximately 128 acres in size) is currently under construction east of the site across SR 70/99 within the North Natomas community. The project site is immediately adjacent and west of the City's North Natomas Community Plan (NNCP) area and the City's jurisdictional boundary and sphere of influence (SOI). The recently approved Metro Air Park Special Planning Area (SPA) is located adjacent and west of the project site. An industrial business park would be developed within this area.

The proposed project is a mixed-use development project that includes: (1) 3,473 low, medium, and high density residential units, (2) 48.4 acres (net) of commercial development, (3) a 10-acre (net) elementary school site, (4) 48.4 acres (net) of neighborhood parks, and (5) a 39-acre (net) lake/detention basin that encircles the central portion of the project site. The project also includes the construction of a new east-west roadway, Meister Way, through the center of the site. A new light rail station and rail alignment is proposed to be constructed by Sacramento Regional Transit (RT) along this roadway near the center of the site. The rail alignment would connect the project site to the Metro Airpark development to the west and the North Natomas Community to the east across SR 70/99 via a new proposed overpass at SR 70/99. Higher density (than other parts of the project), mixed-use development (residential and retail/office land uses on same parcel) is proposed along Meister Way near the proposed light rail station. The project also includes a linear open space/buffer area that extends along the western boundary of the site, adjacent to Lone Tree Canal, proposed to protect potentially sensitive biological habitat.

Because the project site is located outside the City's limits and its SOI, the project applicant would need to seek approval from the Sacramento Local Agency Formation Commission (LAFCo) for amendment of its SOI and annexation of the site into the City. In addition, the project includes a request for service from the Sacramento Regional County Sanitation District (SRCSD) (wastewater) and County Sanitation District 1 (CSD-1) (sewer). Currently the project site is located outside SRCSD's SOI. As such, approval from LAFCo for amendment of SRCSD's SOI to encompass the project site would also be required.

1.2 CHANGES TO THE PROJECT SINCE PUBLICATION OF THE NOTICE OF PREPARATION

The City of Sacramento circulated a NOP of a DEIR for the Greenbriar Project on June 28, 2005 and July 13, 2005 for a 30-day review period. The NOP described the elements of the project, requested entitlement actions, and described the environmental issue areas to be evaluated in the DEIR. One element of the project described in the NOP was the amendment of the North Natomas Community Plan (NNCP) to incorporate the project. Since publication of the NOP, the applicant in consultation with the City decided to pursue amendment of the boundaries of the NNCP to incorporate the project site and create a special planning area (SPA) within the NNCP area. As a SPA, the project would prepare separate Planned Unit Development (PUD) Guidelines and Finance Plan, which would be designed guide development at the project site consistent with the existing City of Sacramento General Plan and the Vision and Guiding Principles of the Sacramento General Plan Update (2005).

As a result, the project would not be subject to the policies of the NNCP. This change does not represent a substantial change to the overall project.

1.3 INTENDED USES OF THIS DEIR

An environmental impact report (EIR) analyzes the environmental effects of a project, indicates ways to reduce or avoid potential environmental effects resulting from the project (i.e., mitigation measures), and identifies alternatives to the project that are also capable of avoiding or reducing project-related impacts. An EIR must also disclose significant environmental effects that cannot be avoided, growth-inducing effects, significant cumulative impacts, and effects found not to be significant. The purpose of an EIR is not to recommend approval or denial of the project, but to provide information to aid the public and decision makers/permitting agencies in the decision-making process.

1.4 LEAD AND RESPONSIBLE AGENCIES

The City of Sacramento and LAFCo are the CEQA co-lead agencies for the proposed project. In conformance with Sections 15050 and 15367 of the State CEQA Guidelines, the lead agency is the “public agency which has the principal responsibility for carrying out or disapproving a project.” The City is responsible for approving the project and its associated entitlements (e.g., pre-zoning, General Plan amendment, planned unit development, finance plan, amendment of NNCP boundaries, tentative large lot map, and tentative subdivision map), while LAFCo is responsible for approving SOI amendment as the lead agency including the approval of SOI amendment for SRCSD’s service area and annexations of the project site to the City as a responsible agency. As such, the City and LAFCo would use this EIR in evaluating the environmental impacts associated with each of their respective actions. Contacts for each agency are identified below:

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In addition to the lead agency, other governmental agencies could be involved in approving elements of the proposed project. These “responsible agencies” could include, but may not necessarily be limited to, the following:

- ▶ Regional Water Quality Control Board (RWQCB) (Section 401 of Clean Water Act certification, National Pollutant Discharge Elimination System [NPDES] permit)
- ▶ California Department of Fish and Game (CDFG) (Section 1600 of California Fish and Game Code, Streambed Alteration Agreement)

- ▶ Sacramento Metropolitan Air Quality Management District (SMAQMD) (authority to construct permit)
- ▶ California Department of Transportation (Caltrans) (encroachment permit)
- ▶ Sacramento County Airport System (avigation easement)
- ▶ City of Sacramento (encroachment permit)
- ▶ County of Sacramento (encroachment permit)
- ▶ Sacramento Regional Transit District (approval of lightrail alignment)

In addition to these agencies, the following federal agencies may use environmental information in this EIR for permitting decision:

- ▶ U.S. Army Corps of Engineers (USACE) (Section 404 of the Clean Water Act Permit)
- ▶ U.S. Fish and Wildlife Service (USFWS) (Section 7 of Endangered Species Act consultation or Section 10a Habitat Conservation Plan/Section 9 Incidental Take Permit)

Other agencies that may review this DEIR include:

- ▶ Sacramento County Airport Land Use Commission (consistency within Comprehensive Land Use Plan)
- ▶ Environmental Protection Agency (review of hazardous material handling)

1.5 ENVIRONMENTAL PROCEDURES

This EIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code, Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Section 15000, et seq.). This report also complies with the City’s and LAFCo’s rules, regulations, and procedures for implementation of CEQA.

The State CEQA Guidelines require that each EIR contain areas of description and analysis. The following table (Table 1-1) identifies the required elements of an EIR (with CEQA Guidelines sections referenced) and the corresponding chapters where each element is discussed in this document:

Table 1-1 CEQA Guidelines Required Analyses	
Required Description and Analysis	EIR Chapter
Summary (Section 15123)	2
Description of the Project (Section 15124)	3
Alternatives to the Proposed Project (Section 15126.6)	4 and 8
Description of the Existing Setting (Section 15125)	5 and 6
Environmental Impacts (Sections 15126 and 15143)	6
Growth Inducing Impacts (Section 15126[d])	7.1
Cumulative Impacts (Section 15355)	7.2
Significant Environmental Effects Which Cannot be Avoided (Section 15126.2[b])	7.4
Irreversible Environmental Effects (Section 15126.2[c])	7.5

1.6 EIR TYPE, USE, AND PROCESS

The EIR for the proposed project is a Project EIR prepared pursuant to Section 15161 of the State CEQA Guidelines. The discussion in this EIR is intended to provide environmental clearance by local and state agencies for the project.

Initially, this DEIR will be published and will be subject to review and comment by the public and by responsible, trustee, and other interested jurisdictions, agencies, and organizations during a 45-day public review period. Written responses to comments received on the DEIR, with respect to significant environmental issues, will be prepared. The responses may specify changes to the DEIR or to the proposed project or may explain why the comment does not raise substantive issues that would require such changes. The responses to comments and any changes to the DEIR and/or project description therein specified will, along with the DEIR, become the final EIR (FEIR). The FEIR will be presented to the Sacramento City Council and the LAFCo Commission for certification as to its adequacy under CEQA in addressing environmental effects associated with each agency's actions being considered at that time (i.e., City of Sacramento's pre-zoning, approval of project, and associated entitlements, LAFCo's approval of SOI expansion initially and after City pre-zoning, approval of the annexation of the project site to the City and amendment of SRCSD's SOI).

Once the FEIR is certified, the City and LAFCo will consider whether to approve the project in accordance with the Memorandum of Understanding as co-lead agencies. If they decide to approve the project, the City and LAFCo will need to determine either (1) that adopted mitigation measures would reduce, to a level of insignificance, any significant impacts; or (2) if, after further consideration, one or more of the mitigation measures prove to be infeasible or they determine that the mitigation measures will not reduce the significant impacts to less-than-significant levels, the City and LAFCo will have to consider whether to proceed with the project despite its significant effects. If they decide to proceed with approval of the project, the City and LAFCo would need to prepare a Statement of Overriding Considerations, in accordance with Section 15093 of the CEQA Guidelines, stating the reasons why they are proceeding with the project despite remaining significant and unavoidable impacts.

In addition, the City and LAFCo would need to make findings in response to each significant effect identified in the EIR if they decide to approve the project. Information contained in an EIR does not control the lead agency's ultimate decision on a project. However, the lead agency must respond to each significant impact identified in the EIR by making findings in accordance with Section 15091(a) of the CEQA Guidelines which states,

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

As part of making findings, the lead agency is also required to adopt a program for reporting on or monitoring mitigation measures required as part of project approval and that must be implemented to lessen significant impacts to the environment (CEQA Guidelines Section 15091[d]).

1.7 SCOPE OF THIS DEIR

The scope of the analysis in this DEIR is focused on the environmental issues that were determined to have potential for significant impacts based on the Notice of Preparation (NOP) for the proposed project (Appendix A) and the environmental scoping process. An NOP for the Greenbriar project was first released on June 28, 2005. A second NOP, indicating that the City and LAFCo would be co-lead agencies was reissued on August 16, 2005. In addition, a public scoping meeting was held on July 13, 2005 to receive oral and written comments on the proposed scope and content of the EIR. The EIR addresses the following environmental issues:

1. Transportation and Circulation
2. Air Quality
3. Noise
4. Utilities
5. Public Services
6. Parks and Open Space
7. Aesthetics
8. Public Health and Hazards
9. Geology and Soils
10. Hydrology and Water Quality
11. Agriculture
12. Biological Resources
13. Cultural Resources

1.8 EFFECTS FOUND NOT TO BE SIGNIFICANT

This section contains a discussion of the environmental Effects Found Not to be Significant pursuant to the State CEQA Guidelines Section 15128 that states “[a]n EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” The following effects were found not to be significant and are not included in the analysis of potential project impacts: landslides, incapability of soils to support the use of septic tanks or alternative wastewater disposal systems, seich, tsunami, and mudflow impacts. A summary of the reasons for excluding these issues from further consideration is provided below.

LANDSLIDES

The project site is generally flat and does not contain any steep slopes; therefore, it is not anticipated to be subject to landsliding. This issue is not discussed further in this EIR.

SUBSTANTIAL DEPLETION OF GROUNDWATER RESOURCES

Agricultural operations would cease if the project were approved, and as a result the applicant would properly remove all agricultural wells from the project site. The project would be served by the City for potable water. The project would construct two groundwater wells: two wells adjacent to the on-site lake/detention basin. These wells would be used on a periodic (i.e., summer months) basis to maintain adequate flows within the lake/detention basin. Because the project site has previously been used for water intensive land uses (i.e., farming rice fields), the project would remove all agricultural wells from the project site, and only two groundwater wells would be used periodically, the project would not result in the substantial depletion of groundwater resources.

INCAPABILITY OF SOILS TO SUPPORT THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTEWATER DISPOSAL SYSTEMS

The project would connect to existing nearby sewer connections. Neither septic tanks nor alternative wastewater disposal systems would be necessary and are not proposed. Therefore, this issue is not discussed further.

INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW

Because the project site is located approximately 90 miles inland from the ocean, and does not contain and is not located adjacent to a water body that is large enough to be subject to a seiche-generating wave, the project site would not be subject to inundation as a result of seiche or tsunami. Further, the project site is relatively flat and is not surrounded by any hillside areas. Therefore, the project site would not be subject to inundation by mudflow. These issues are not discussed further in this EIR.

1.9 PROJECT APPLICANT

Riverwest Investments is the applicant for the Greenbriar project and the City of Sacramento is the applicant for the Greenbriar SOI and annexation. The project applicant contact information is provided below:

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