

# Sacramento Municipal Utility District Station J Bulk Transmission Substation Project

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Final Environmental Impact Report • March 2024

State Clearinghouse No. 2023020549



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**Sacramento Municipal Utility District**  
**Station J Bulk Transmission**  
**Substation Project**

**Final Environmental Impact Report**  
**State Clearinghouse No. 2023020549**

**March 2024**

**Lead Agency:**

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6201 S Street, MS B203  
Sacramento, CA 95817-1899

or

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## ACRONYMS AND OTHER ABBREVIATIONS

AB	Assembly Bill
ASTM	American Society for Testing and Materials International
CalEEMod	California Emissions Estimator Model
CARB	California Air Resources Board
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
City	City of Sacramento
CO <sub>2e</sub>	carbon dioxide equivalent
dBA	A-weighted sound levels
Draft EIR	draft environmental impact report
EIR	environmental impact report
EMF	electromagnetic field
Final EIR	final environmental impact report
kV	Kilovolt
MCL	maximum contaminant level
MDO	Medium Density Overlay
MMRP	mitigation monitoring and reporting program
mph	miles per hour
MVA	megavolt-amperes
PM	particulate matter
PM <sub>10</sub>	particulate matter less than 10 micrometers in diameter
PM <sub>2.5</sub>	particulate matter particulate matter less than 2.5 micrometers in diameter
PRC	Public Resources Code
project	Station J Bulk Transmission Substation Project
SCEMD	Sacramento County Environmental Management Department
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utility District
STC	Sound Transmission Class
STLC	Soluble threshold limit concentration
TCLP	toxicity characteristic leaching procedure
TCRs	tribal cultural resources



Station J Bulk Transmission Substation Project Final EIR  
March 2024

the Board

UAIC

VdB

VELB

Sacramento Municipal Utility District's Board of Directors

United Auburn Indian Community

Vibration decibels

Valley Elderberry Longhorn Beetle

## 1.0 Introduction

On October 4, 2023, the Sacramento Municipal Utility District (SMUD) released for public review the draft environmental impact report (Draft EIR) for the proposed Station J Bulk Transmission Substation Project (project). The EIR describes the existing conditions of the project site, analyzes the potential environmental impacts of the project, and identifies mitigation measures where necessary and available to avoid or reduce the magnitude of potentially significant impacts of the project. The project would include demolition of existing on-site structures and construction of new infrastructure to support up to five 40 megavolt-amperes (MVA) 115/21 Kilovolt (kV) transformers for a total of up to 200 MVA, including up to 7 miles of overhead and underground 115kV and 21kV connections into the substation from nearby existing SMUD facilities and infrastructure.

### 1.1 Public Review and Responses to Comments

In accordance with Sections 15087 and 15105 of the State California Environmental Quality Act (CEQA) Guidelines, the Draft EIR was circulated for public review and comment to responsible and regulatory agencies, as well as members of the public, for 45 days (October 4, 2023 through November 17, 2023). SMUD also held a public meeting on October 24, 2023 to receive comments on the Draft EIR. Written comment letters received on the Draft EIR are provide in their entirety in Chapter 2, “Comments and Responses to Comments.”

Responses to each of the comments received are provided in this document as part of the final environmental impact report (Final EIR). Although some of the comments have resulted in changes to the text of the Draft EIR (see Chapter 3, “Corrections and Revisions to the Draft EIR”), none of the changes constitute “significant new information,” that would require recirculation of the Draft EIR. Significant new information is defined in Section 15088.5(a) of the State CEQA Guidelines as follows:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

None of these circumstances has arisen from comments on the Draft EIR; therefore, recirculation is not required.

The Draft EIR, Final EIR, and associated appendices are available for review online at: <https://www.smud.org/en/Corporate/About-us/Reliability/Station-J-substation>

As required by State CEQA Guidelines Section 15088(b), SMUD has provided an electronic copy (through SMUD's website) of responses to comments to each public agency, organization, and individual that submitted written comments on the Draft EIR at least 10 days prior to certification of the Final EIR.

## **1.2 Organization of the Responses to Comments**

Chapter 2 of the Final EIR consists of the written comments received on the Draft EIR and presents response to environmental issues raised in the comments, as required by State CEQA Guidelines Section 15132. The focus of the responses to comments is on the disposition of significant environmental issues that are raised in the comments, as required by State CEQA Guidelines Section 15088(c).

Each comment letter has been reproduced with individual comments bracketed and numbered. Response to the comments follow each letter. For example, the response to the second comment of the first letter would be indicated as Response to Comment 1-2. In some instances, clarifications of the text of the Draft EIR may be required. In those cases, the text of the Draft EIR is revised and the changes compiled in Chapter 3, "Corrections and Revisions to the Draft EIR." The text deletions are shown in ~~strikeout~~ and additions are shown in underline.

## **1.3 Comments that Require Responses**

Section 15088(c) of the State CEQA Guidelines specifies that the focus of the responses to comments shall be on the disposition of significant environmental issues. Responses are not required on comments regarding the merits of the project or on issues not related to the project's environmental impacts. Comments on the merits of the proposed project or other comments that do not raise environmental issues will be reviewed by SMUD's Board of Directors (the Board) before an action is taken on the project. The responses address environmental issues and indicate where issues raised are not environmental or address the merits of the project. In the latter instance, no further response is provided.

## **1.4 Project Decision Process**

This document and the Draft EIR together constitute the Final EIR, which will be considered by the Board before a decision on whether to approve the project. If the Board decides to approve the project, it must first certify that the Final EIR was completed in compliance with CEQA's requirements, was reviewed and considered by the Board, and reflects the Board's independent judgment and analysis, as required by State CEQA Guidelines Section 15090. The Board would then be required to adopt findings of fact on the disposition of each significant environmental impact, as required by State CEQA Guidelines Section 15091. This EIR does not identify any significant and unavoidable impacts (those that cannot be mitigated to a less-than-significant level) that would result from the project; therefore, a statement of overriding considerations, pursuant to State CEQA Guidelines Section 15093, is not warranted. A Mitigation Monitoring and Reporting Program, which is required by CEQA Guidelines Section 15091(d), has been included as Chapter 3 of this Final EIR.



## **1.5 Revisions to the Draft EIR**

As discussed in Section 1.1, “Public Review and Response to Comments,” above, CEQA requires recirculation of an EIR when the lead agency adds “significant new information” to an EIR, regarding changes to the project description or the environmental setting, after public notice is given of the availability of a draft EIR for public review under State CEQA Guidelines, California Code of Regulations (CCR) Section 15087, but before EIR certification (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact in which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but that the project proponent declines to adopt (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required when the new information added to the EIR merely clarifies or amplifies the existing discussion or makes insignificant modifications in an adequate EIR (State CEQA Guidelines CCR Section 15088.5[b]).

All revisions to the Draft EIR were minor and do not change any of the impact conclusions presented in the Draft EIR. Therefore, recirculation of the EIR is not required.



Station J Bulk Transmission Substation Project Final EIR  
March 2024

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## 2.0 Comments and Responses to Comments

This section of the Final EIR contains comment letters received during the public review period for the Draft EIR. In conformance with CEQA Guidelines Section 15088(a), written responses to comments on environmental issues received from reviewers of the Draft EIR were prepared, including both written and oral comments.

Table 2-1 identifies a number for each comment letter received, the author of the comment letter, and the date of the comment letter. Each comment letter is included in its entirety for decision maker consideration before each response.

**Table 2-1. Comments Received on the Draft EIR**

<b>Letter #</b>	<b>Commenter</b>	<b>Date</b>
1	Tamara Purvis, Associate Environmental Planner, Department of Toxic Substances Control	November 2, 2023
2	Sacramento Metropolitan Air Quality Management District	November 16, 2023
3	Major Rio Ray, The Salvation Army, Sacramento Citadel – Alhambra Campus	November 17, 2023

2.1.1 Comment Letter 1

LETTER 1



**Yana Garcia**  
Secretary for  
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor

November 2, 2023

Rob Ferrera  
Environmental Specialist & Tribal Relations Coordinator  
SMUD  
6201 S Street  
Sacramento, CA 95817

RE: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE STATION J BULK TRANSMISSION SUBSTATION PROJECT DATED OCTOBER 04, 2023 STATE CLEARINGHOUSE # [2023020549](#)

Dear Rob Ferrera:

The Department of Toxic Substances Control (DTSC) received a DEIR for the Station J Bulk Transmission Substation Project. The Station J Bulk Transmission Substation Project includes construction and operation of a new substation housing electrical equipment, including power transformers, gas insulated equipment, and a control building. Station J would include up to five 40 MVA 115/21 kV transformers to serve the SMUD network. Initial installation of two 40 MVA transformers is anticipated to occur by 2030. The project would also include up to 7 miles of overhead and underground 115kV and 21kV connections into the substation from nearby existing SMUD facilities and infrastructure. The site also includes space for expansion as future needs are identified.

1-1

DTSC has identified that this Project may affect a potentially hazardous site, [SP-Purity Oil](#) that is located at 1324 A Street Sacramento, California 95814. Historically, the site was owned by Southern Pacific Transportation Company (SP), a portion of the site was leased for use as a waste oil reprocessing facility from 1966 to 1978. The western portion of the site is currently vacant. The eastern portion of the site was formerly occupied by Lonestar Cement and is currently used for transitional cottage housing units for the homeless. Several soil removal actions have been completed from 1985 to the present. Ground water monitoring continues. Lead and oil contaminated soil and ground water with VOC's have been found at the site. All cleanup has been completed

1-2

Rob Ferrera  
November 2, 2023  
Page 2

and the Land Use Covenant was terminated in 2014. Based on our Project review, we request the consideration of the following comment:

In section 3.8.2 Hazards and Hazardous Materials Environmental Setting of the DEIR, the section on groundwater conditions at Purity Oil is accurate; however, DTSC recommends the mention of 1,2-dichloroethane (1,2-DCA) be included for completeness. The [June 28, 2013 DTSC certification letter](#) states, "The 1,2-DCA levels fluctuating around the cleanup goal [maximum contaminant level (MCL)] are detected in the general area and may be associated with an upgradient offsite source. 1,2-DCA is only found in the shallow aquifer which is not a source for drinking water." The [August 14, 2014 land use covenant termination](#) states, "The remaining contaminant in groundwater is 1,2-DCA. Although very low levels of 1,2-DCA are still present in groundwater, the level is statistically within range of the [MCL] of 0.5 parts per billion allowed in drinking water."

1-2  
Contd.

DTSC appreciates the opportunity to comment on the Station J Bulk Transmission Substation Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

*Tamara Purvis*

Tamara Purvis  
Associate Environmental Planner  
HWMP – Permitting Division - CEQA Unit  
Department of Toxic Substances Control

Rob Ferrera  
November 2, 2023  
Page 3

cc: Governor's Office of Planning and Research  
State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Dave Kereazis  
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Ruth Cayabyab  
Supervising Hazardous Substance Engineering  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control  
[Ruth.Cayabyab@dtsc.ca.gov](mailto:Ruth.Cayabyab@dtsc.ca.gov)



*Response to Comment Letter 1*

Response to Comment 1-1

This comment is noted. SMUD thanks California Department of Toxic Substances Control (DTSC) for taking the time to comment on the Draft EIR for the Station J Bulk Transmission Substation Project.

Response to Comment 1-2

This comment is noted, and the requested additions have been included in the Final EIR. See Chapter 3, "Revisions to the Draft EIR" below.

## 2.1.2 Comment Letter 2



### LETTER 2

November 16, 2023

Rob Ferrara  
Sacramento Municipal Utilities District  
6201 S Street, MS B203  
Sacramento, CA 95817-1899

**Subject: Station J Bulk Transmission Substation Draft Environmental Impact Report  
State Clearinghouse # 2023020549**

Dear Rob Ferrara:

Thank you for providing the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) with the opportunity to review the Draft Environmental Impact Report (EIR) for Sacramento Metropolitan Utilities District (SMUD) Station J Bulk Transmission Substation Project (Project) under the California Environmental Quality Act (CEQA). The Project would consist of the demolition of existing on-site structures and construction of new infrastructure to support up to five 40 megavolt amperes (MVA) 115/21kV transformers for a total of up to 200 MVA, including up to 8 miles of overhead and / or underground 115kV and 21kV connections into the substation from nearby existing SMUD facilities and infrastructure. Please accept the following recommendations on project implementation and modifications to the Draft EIR, to benefit air quality and public health, to reduce greenhouse gas (GHG) emissions, and to ensure full public disclosure of project air quality and climate impacts. 2-1

**Demolition**  
Due to the health risks posed by public exposure to asbestos, demolition and renovation of existing buildings is subject to Sac Metro Air District [Rule 902](#), to limit asbestos exposure during these activities. Sac Metro Air District staff is available to review notifications and answer asbestos related questions, either by emailing [asbestos@airquality.org](mailto:asbestos@airquality.org), or calling 279-207-1122. 2-2

**Construction**  
Because this project is located in the City of Sacramento's [River District Specific Plan](#) area, Sac Metro Air District strongly recommends implementing the mitigation measures for construction-related air quality and climate impacts in the [Mitigation Monitoring Program in the River District Specific Plan EIR](#). 2-3

In the proposed project EIR, table 3.2-4. Summary of Construction-Related Emissions of Criteria Air Pollutants and Precursors (page 3-2-21) shows that the maximum annual emission for PM<sub>10</sub> and PM<sub>2.5</sub> (tons per year) are 0.34 and 0.17, respectively. Please clarify why the CalEEMod results in Appendix B of the EIR show different values (0.31 and 0.14). 2-4

In addition, Appendix B does not show the default changes for construction. Please update CalEEMod construction results to show Section 8 – User Changes to Default Data. 2-5





**Operations: Greenhouse Gas Emissions**

The Draft EIR analysis of GHG emissions finds that the project greenhouse gas emissions are less than significant because the project does not exceed the [Sac Metro Air District’s greenhouse gas thresholds](#). 2-6

Page 3.7-12 of the Draft EIR further indicates that “In addition, the project would not include any natural gas infrastructure, and would therefore, be consistent with SMAQMD Best Management Practice 1. Furthermore, the project is not a typical land use development that would be required to comply with CALGreen requirements, such as commercial and residential land use developments, and SMAQMD Best Management Practice 2 would not be applicable.” 2-7

- In the paragraph above Table 3.7-2 (pg. 3.7-12), it mentions that the proposed project would “generate up to 3,110 metric tons of CO<sub>2</sub>e per year.” Please clarify where this value comes from. It is not in the table it references, or in the CalEEMod results in Appendix B. The tables and text in the report should be consistent with the CalEEMod results. 2-8

- In the second to last paragraph of page 3.7-13, it mentions “...goals and commitments in SMUD’s 20230 Zero Carbon Plan...”. Please clarify if this is meant to say “2023” or “2030”. 2-9

**River District Specific Plan**

With a CalEnviroScreen 4.0 score of 99, the [River District Specific Plan](#) (RDSP) area, is one of the most disadvantaged communities in California. Located on 14th Street, the project is adjacent to a closed underpass between the River District and Mansion Flats, which the RDSP envisions as an important active modes connection as redevelopment occurs and safety issues are addressed.

- Sac Metro Air District recommends the project incorporate thoughtful and high-quality active modes design, since the project will likely create inactive uses on 14th Street. This would ensure the project does not “Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities,” as stipulated by [CEQA Handbook Appendix G Question XVII a](#)). One example mentioned in the RDSP involves the future re-establishment of the new North 14th Street Underpass. Incorporating high-quality active modes during the design process would ensure that the new North 14th Street Underpass, as well as other goals in the RDSP, are supported. 2-10

**Conclusion**

Thank you for your attention to our comments. If you have questions about them, please contact me at [rramirez@airquality.org](mailto:rramirez@airquality.org) or 916-704-4552.

Sincerely,

-RR

Roberto Ramirez  
Air Quality Planner / Analyst

cc: Paul Phillee, AICP, CEQA & Land Use Program Supervisor, Sac Metro Air District

## *Response to Comment Letter 2*

### Response to Comment 2-1

This comment is noted. SMUD appreciates the commenter's review of the Draft EIR and concurs with the project summary. This comment does not pertain to the adequacy of the environmental analysis contained in the Draft EIR.

### Response to Comment 2-2

As noted on page 3.2-6 of the Draft EIR, projects within Sacramento Metropolitan Air Quality Management District's (SMAQMD) jurisdictional area are subject to SMAQMD rules and regulations in effect at the time of construction. This section of the Draft EIR identifies specific SMAQMD rules that could be applicable to the project but notes that this list is not comprehensive. SMUD agrees that the project would be subject to SMAQMD Rule 902 as well.

### Response to Comment 2-3

SMUD has reviewed the River District Specific Plan EIR Mitigation and Monitoring Program. The River District Specific Plan EIR Measures 5.1-1(b) through 5.1-1(d) are only applicable to those projects that exceed nitrogen oxides (NO<sub>x</sub>) emissions of 85 pounds per day. As detailed in the Draft EIR Table 3.2-4, the project's maximum daily emissions of NO<sub>x</sub> would be less than 40 pounds per day; therefore, these mitigation measures are not applicable to the proposed project.

### Response to Comment 2-4

This is a data entry error. The data within Appendix B is accurate. Table 3.2-4 of the Draft EIR has been updated to reflect the accurate maximum daily emissions of 0.31 and 0.14 tons per day of particulate matter less than 10 micrometers in diameter (PM<sub>10</sub>) and particulate matter particulate matter less than 2.5 micrometers in diameter (PM<sub>2.5</sub>), respectively.

### Response to Comment 2-5

Section 8 of the California Emissions Estimator Model (CalEEMod) outputs was inadvertently omitted from the compilation of the Appendix B file. Appendix B to the Final EIR has been updated to include this information.

### Response to Comment 2-6:

SMUD concurs that this is an accurate summary of the significance findings, as presented within the Draft EIR.

### Response to Comment 2-7:

This comment reiterates the assessment of consistency with SMAQMD Best Management Practices as provided in the Draft EIR. No revisions to the Draft EIR text are required based on this comment.

Response to Comment 2-8:

This is a data entry error. The data presented in Table 3.7-2 is accurate and consistent with that provided in Appendix B from the CalEEMod output files. The paragraph above Table 3.7-2 on page 3.7-12 has been revised to accurately reflect the modeled emissions, as presented in Table 3.7-2 and Appendix B of the Draft EIR.

Response to Comment 2-9:

This is an error in the text and is intended to reference the SMUD 2030 Zero Carbon Plan. The text on page 3.7-13 of the Draft EIR has been revised accordingly.

Response to Comment 2-10:

The commenter is correct in stating that the project is located in a disadvantaged community; this is acknowledged in the Draft EIR in Chapter 5.0, "Other CEQA Considerations". The project's potential for conflict with a program, plan, policy, or ordinance addressing the circulation system was assessed on page 3.11-7 of the Draft EIR. As noted in the analysis, temporary effects on bicycle and pedestrian facilities may occur during construction. However, the project would implement Mitigation Measures 3.11-3a and 3.11-3b to protect bicycle facilities as part of project development and repair damaged roadways and bike paths following construction. These measures specify that SMUD would coordinate with the City of Sacramento to ensure bicycle facilities are improved by the proposed project per the Bikeway Master Plan, connectivity to and from the area is retained, and pedestrian and bicycle safety is accounted for during construction in a Traffic Control Plan. With implementation of these measures, the proposed project would not conflict with a program, plan, policy, or ordinance addressing the circulation system.

### 2.1.3 Comment Letter 3

#### LETTER 3



### Sacramento Citadel - Alhambra Campus

2550 Alhambra Blvd Sacramento, California 95817

Corps Office/Alhambra Campus Administration (916) 469-4600  
Ray Robinson Oak Park Community Center (916) 469-4620  
Alhambra Preschool (916) 469-4630

#### VIA FIRST CLASS AND ELECTRONIC MAIL

SMUD Environmental Services  
P.O. Box 15830 MS B203  
Sacramento, CA 95817  
ATTN: Rob Ferrera  
Rob.Ferrera@smud.org

RE: Station J Bulk Transmission Substation Project  
Draft Environmental Impact Report

Dear Mr. Ferrera:

We write to provide public comment on the Station J Bulk Transmission Substation Project's Draft Environmental Impact Report ("DEIR"). The proposed location for Substation J is a 10.3-acre site at 1220 North B Street, Sacramento. The Salvation Army's Center of Hope Shelter at 1200 North B Street is located immediately adjacent to the proposed location and is the largest homeless shelter in Sacramento County. The 140-bed shelter provides veterans, women and men with a 30-90 stay focused on overcoming homelessness. Clients at the shelter receive case management and job preparation workshops to help clients find permanent housing. In addition to food and lodging, available services include spiritual and emotional counseling, employment referral services, information and referral to help resolve legal issues and help in reconnecting with family members.

3-1

While the Army is very appreciative of its relationship with SMUD, we are nonetheless very concerned with the location of the proposed substation immediately adjacent to the Army's shelter. The reality is that many of our clients experience mental illness and can be easily confused, disoriented and frightened by noises and lights that will likely be associated with a substation. Those suffering from mental disease can easily become reactive to these stimuli. While we recognize that the science regarding electromagnetic fields is in dispute, we are concerned that our clients may also react to the fear of proximity to the substation facility.

3-2

The DEIR acknowledges the nearby location of the Army property but fails to address its basic function as a homeless shelter – providing services to the neediest citizens of the community. While the DEIR does acknowledge that "homeless and impoverished persons have been a constant social feature of the area" (DEIR p.3.4-10), it does not address the unique impact

3-3

William and Catherine Booth  
Founders

Brian Peddle  
General

Major John Brackenbury  
Divisional Commander

Major Rio & Rachel Ray  
Corps Officers

that noise, light, vibration and other factors might have on these individuals residing in such close proximity to the proposed location. Beyond the environmental impacts on the Army's clients, there is also the social equity and justice reality that this project's location is adjacent to some of the most impoverished citizens of our community.

3-3  
Cont.

In light of this, we question whether Alternative B, the Site 4 alternative location at the corner of North 7<sup>th</sup> Street and North B Street is a preferable alternative site. While it may involve environmental impacts associated with the presence and clean-up of contamination, it would eliminate the direct impacts and the social equity and justice impacts associated with locating the project in the proposed location so near to the Army and other organizations that provide similar services to the area's homeless population. However, the analysis of this alternative in the DEIR is essentially non-existent. While we understand that CEQA does not require the same level of analysis for alternatives that it does for a project, we have been advised that a simple description of the location and a rejection of the alternative due to unquantified additional costs associated with clean-up and contamination hardly seems to satisfy CEQA requirements for true consideration and comparison of an alternative with the project.

3-4

Thank you for the opportunity to comment. Please let us know if you have any questions or would desire to meet to discuss the matter further. We wish SMUD well in this effort but do hope that another location that is less impactful and recognizes social justice might be found.

Very truly yours,



Major Rio Ray

cc: David Bentley, Territorial Property Secretary  
Jim Eldridge, Chair of Sacramento Advisory Board  
Gregory Thatch, Sacramento Advisory Board  
Major John Brackenbury, Divisional Commander

## *Response to Comment Letter 3*

### Response to Comment 3-1

SMUD thanks the Salvation Army for taking the time to comment on the Draft EIR for the Station J Bulk Transmission Substation Project and for providing additional details regarding services, size, and focus of the Salvation Army's Center of Hope Shelter. Additional relevant details have been added to the EIR (see Section 3.0, "Revisions to the Draft EIR" below).

### Response to Comment 3-2

SMUD also values its relationship with Salvation Army and acknowledges the concerns noted specific to project noise, lighting, and electromagnetic field (EMF) effects on sensitive individuals residing within the adjacent Center of Hope shelter. Noise and lighting effects were assessed in the Draft EIR in Section 3.10, "Noise" and Section 3.1, "Aesthetics", respectively. The EIR analysis has been supplemented to provide specific assessment of possible noise and lighting effects in relationship to the adjacent Center of Hope shelter (see Section 3.0, "Revisions to the Draft EIR"). This supplemental assessment did not change the environmental impact conclusions in the EIR. Existing Mitigation Measure 3.10-1a, which includes installation of temporary barriers, would be implemented to reduce construction noise.

Regardless of the conclusions in the EIR, SMUD is committed to working with the Salvation Army to make the project construction process as tolerable as possible. Methods that we are currently investigating include shortening daily construction hours to avoid early morning starts, phasing earthmoving and ground-impacting operations so as not to occur simultaneously in areas close to sensitive receptors, operating auger cast displacement piles as far away from vibration-sensitive receptors as reasonably possible, and completing construction of the new 8- to 12-foot-tall concrete masonry unit walls immediately following building demolition to provide improved sound and light screening from construction earlier in the process (the taller wall height being adjacent to the Salvation Army's Center of Hope shelter – see Section 3.0, "Revisions to the Draft EIR"). We will continue to work with the Salvation Army to identify other ways to reduce noise and lighting disruptions to the shelter during the construction process.

Regarding operation of the substation, significant impacts from noise and lighting are not anticipated. As indicated in the Draft EIR in Section 3.1, "Aesthetics," the proposed project would include low-level lighting for safety and security that would be similar to existing ambient light sources and would not substantially depart from existing light and glare levels at the project site. As indicated in the Draft EIR in Section 3.10, "Noise," operational noise at the substation would not exceed existing ambient noise levels.

*Electromagnetic Fields* – As noted in the comment, the science regarding EMF is in dispute. There is no agreement among scientists that EMF creates a potential health risk. Further, CEQA does not define or adopt standards for defining any potential risk from EMF; therefore it is not addressed in the EIR. SMUD is aware that EMF exposure continues to be a public concern. The results from many research studies have been evaluated by international, national and California EMF research programs to determine whether EMF poses any health risk. Given the uncertainty of the issue, the medical and scientific communities have been unable to conclude that usual residential exposures to EMF cause health effects, or to establish any standard or level of residential exposure that is known to be either safe or harmful. These conclusions

remain unchanged by recent studies. SMUD continues to pursue no-cost and low-cost measures to reduce EMF levels from new utility transmission lines and substation projects, consistent with the recommendations of the World Health Organization.

### Response to Comment 3-3

See Response to Comment 3-2 above. The comment also raises the issue of the “social equity and justice reality that this project’s location is adjacent to some of the most impoverished citizens in our community”. The Draft EIR included an environmental justice analysis (see Chapter 5.0, “Other CEQA Considerations”), which acknowledged the project’s location in a highly vulnerable community and a high sensitivity area per SMUD’s Sustainable Community Resource Priorities Map. The environmental justice analysis considered the project’s effects on environmental justice communities in the area. With implementation of the mitigation measures prescribed in the Draft EIR, and when considering the objective of the project to provide safe and reliable electrical service to downtown Sacramento, existing environmental justice conditions in the area would not be worsened.

### Response to Comment 3-4

As referenced in the comment, the Alternative B location was found to result in environmental impacts due to the hazardous materials concerns on the site and its listing as a Cortese site. As described in Chapter 6, “Alternatives” of the Draft EIR, CEQA Guidelines Section 15126.6 states that “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project...”. When considering the analysis in the Draft EIR and the potential effects of developing the Alternative B location, environmental impacts were found to likely be greater at this location and would not avoid or substantially lessen any significant effects of the project. However, the Alternative B location has not been rejected as suggested by the commenter; it has simply not been identified as the “environmentally superior alternative”, which is required for all alternatives analyses under CEQA. Moreover, the Alternative B location was not assessed on the grounds of economic costs associated with site clean-up; the potential environmental impacts of Alternative B were compared to the environmental impacts found to result from implementation of the proposed project. Alternative B was found to result in greater impacts due to potential risks to human health or the environment from hazardous materials. The ultimate question of whether an alternative is feasible or not lies with the decision-making body, in this case the SMUD Board of Directors. The alternatives analysis in the EIR serves to inform the decision-making body of a reasonable range of alternatives and allows them to make an informed decision when considering the project.



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### 3.0 Corrections and Revisions to the Draft EIR

This chapter presents specific text changes made to the Draft EIR since its publication and public review. The changes are presented in the order in which they appear in the Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in strikethrough (~~strikethrough~~), and text additions are shown in underline (underline).

The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute “significant new information” requiring recirculation under CEQA Guidelines Section 15088.5.

#### 3.1.1 Revisions to “Executive Summary”

The following minor revisions have been made to the first paragraph on page ES-2 in “Executive Summary”:

Adjacent land uses include the Salvation Army Center of Hope homeless shelter to the northwest, City of Sacramento Fire Station No. 14 to the east, leased and unleased industrial warehouses across B Street to the north, First Step Communities homeless shelter and Quinn Cottages transitional housing to the southeast, and Sims Metal recycling center across North 12th Street to the west.

#### 3.1.2 Revisions to Chapter 2, “Project Description”

The following minor revisions have been made to the fourth paragraph on page 2-1 in Section 2.2, “Project Location and Setting”:

Adjacent land uses include the Salvation Army Center of Hope homeless shelter to the northwest, Sacramento Fire Station No. 14 to the ~~north~~ east, leased and unleased industrial warehouses across B Street to the north, First Step Communities homeless shelter and Quinn Cottages transitional housing to the southeast, and Sims Metal recycling center across North 12th Street to the west.

The following minor revisions have been made to the end of the first paragraph on page 2-1 in Section 2.6, “Project Description”:

The proposed substation would be surrounded by an 8 to ~~40~~12-foot tall concrete masonry unit (CMU) wall to provide visual screening from nearby uses. The 12-foot tall portion will be installed along the northwest property boundary adjacent to the Salvation Army’s Center of Hope homeless shelter.

#### 3.1.3 Revisions to Section 3.1, “Aesthetics”

The following minor revisions have been made to the fourth paragraph on page 3.1-11 in Section 3.1.3, “Environmental Impacts and Mitigation Measures”:

In the case of the new substation site, existing receptors that currently experience existing ambient light sources include the Salvation Army Center of Hope homeless shelter, First Step Communities homeless shelter and Quinn Cottages transitional

housing to the southeast, along with motorists, pedestrians, and cyclists along North B Street.

### 3.1.4 Revisions to Section 3.2, “Air Quality”

The following revisions have been made to the second paragraph on page 3.2-15 in Section 3.2.2, “Environmental Setting”:

The nearest sensitive receptors to the proposed project are the Salvation Army Center of Hope homeless shelter to the west of the project site, and the First Step Communities homeless shelter and Quinn Cottages transitional housing directly adjacent to the southeastern side of the project site.

The following minor revisions have been made to Table 3.2-4 on page 3.2-21 in Section 3.2.3, “Environmental Impacts and Mitigation Measures”:

**Table 3.2-4. Summary of Construction-Related Emissions of Criteria Air Pollutants and Precursors**

	Maximum Daily Emissions ROG (pounds per day)	Maximum Daily Emissions NO <sub>x</sub> (pounds per day)	Maximum Daily Emissions PM <sub>10</sub> (pounds per day)	Maximum Daily Emissions PM <sub>2.5</sub> (pounds per day)	Maximum Annual Emissions PM <sub>10</sub> (tons per year)	Maximum Annual Emissions PM <sub>2.5</sub> (tons per year)
Project Construction Emissions <sup>1</sup>	4.73	39.40	4.66	1.90	<del>0.34</del> <u>0.31</u>	<del>0.17</del> <u>0.14</u>
SMAQMD Significance Threshold <sup>2</sup>	N/A	85	80	82	14.6	15
Do Project Emissions Exceed SMAQMD Threshold?	N/A	No	No	No	No	No

The following revisions have been made to the third paragraph on page 3.2-23 in Section 3.2.3, “Environmental Impacts and Mitigation Measures”:

As discussed previously, the closest sensitive receptors to the Proposed Project site is are the homeless facility facilities and transitional housing on North B Street, adjacent to the northwest of the site, and on North A Street, adjacent to the southeastern end of the project site.

The following revisions have been made to the first paragraph on page 3.2-25 in Section 3.2.3, “Environmental Impacts and Mitigation Measures”:

For example, although the nearest sensitive receptors are located adjacent to the ~~southeastern~~ northwestern end of the project site, as construction activity occurs across the 10.3 acres, construction-related emissions would occur at varying distances as far as ~~880~~ 500 feet from receptors (when construction activities are occurring at the

southwestern end of the Project site). Concentrations of mobile-source DPM emissions are typically reduced by approximately 60 percent at a distance of 300 feet (90 meters) (Zhu et al. 2002). ~~Therefore,~~ Trucks and off-road equipment that could emit DPM would not operate in the vicinity of any sensitive receptor for an extended period of time and the potential exposure to TAC emission concentrations would be limited. In addition, as described above, PM<sub>2.5</sub> emissions during construction would not exceed the SMAQMD's threshold of significance of 82 pounds per day (Table 3.2-4); the maximum daily on-site exhaust PM<sub>2.5</sub> emissions are estimated to be less than 1.02 pounds per day (Appendix B). It is also important to note that the maximum daily emissions would only occur if all anticipated equipment were operated all day simultaneously for a given day, which is unlikely. Average daily emissions would be about half this rate, and even less in later phases of construction when less diesel-powered equipment would be required.

The following revisions have been made to the second paragraph on page 3.2-26 in Section 3.2.3, "Environmental Impacts and Mitigation Measures":

Furthermore, although the nearest sensitive receptors are located adjacent to the northwestern and southeastern ends of the project site, as construction activity occurs across the 10.3 acres, construction-related emissions, such as those leading to odors, would not occur in the immediate vicinity of any sensitive receptor for an extended period of time and would dissipate with distance.

### 3.1.5 Revisions to Section 3.4, "Cultural Resources"

The following revisions have been made to Mitigation Measure 3.4-2 on page 3.4-13 in Section 3.4.6, "Environmental Impacts and Mitigation Measures":

**Mitigation Measure 3.4-2: Halt ground-disturbing activity upon discovery of subsurface archaeological features and Tribal Cultural Resources.**

In the event that any pre-contact or historic-era subsurface archaeological features or Tribal cultural resources (TCRs) or cultural deposits, including locally darkened soil ("midden"), that could conceal cultural deposits are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist and a Tribal Representative from the consulting Tribe shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist or Tribal Representative (i.e., because it is determined to constitute either an historical resource, a unique archaeological resource, or a tribal cultural resource), the archaeologist or Tribal Representative shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include, but would not necessarily be limited to, preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites and TCRs), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan). If the discovery constitutes a TCR, any data recovery shall be in coordination with Tribes. Curation of resources is not recommended under Tribal protocol and reburial of resources where, or in close proximity to where they were excavated, is preferred.

### 3.1.6 Revisions to Section 3.7, “Greenhouse Gas Emissions”

The following minor revisions have been made to the second paragraph on page 3.7-12 in Section 3.7.3, “Environmental Impacts and Mitigation Measures”:

Table 3.7-2 shows that emissions from operational activities associated with the project would generate up to ~~3,440~~ 46.8 metric tons of CO<sub>2</sub>e per year.

The following minor revisions have been made to the second paragraph on page 3.7-13 in Section 3.7.3, “Environmental Impacts and Mitigation Measures”:

These objectives are consistent with the goals and commitments in SMUD’s ~~20230~~ 2030 Zero Carbon Plan, which states that service reliability is one of the fundamental elements in their vision to deliver clean energy.

### 3.1.7 Revisions to Section 3.8, “Hazards and Hazardous Materials”

The following minor additions have been made to the fourth paragraph on page 3.8-6 in Section 3.8.2, “Environmental Setting”:

The 2013 certification letter stated that 1,2-dichlorethane (1,2-DCA) levels fluctuating around the cleanup goal (maximum contaminant level [MCL]) were detected in the general area and may be associated with an upgradient offsite source. Although very low levels of 1,2-DCA are still present in groundwater, the level is statistically within range of the MCL of 0.5 parts per billion allowed in drinking water.

### 3.1.8 Revisions to Section 3.10, “Noise”

The following revisions have been made to the first paragraph on page 3.10-9 in Section 3.10.2, Environmental Setting”:

The closest noise-sensitive receptors to the project area are residents along A Street to the ~~west southeast~~ of the project site and ~~office uses of the~~ Salvation Army Center of Hope shelter to the northwest of the project site.

The following revisions have been made to the first paragraph on page 3.10-14 in Section 3.10.3, “Environmental Impacts and Mitigation Measures”:

“Assuming standard spherical spreading loss (-6 dB per doubling of distance), the project construction noise levels were estimated to be 80 to 86 dBA L<sub>eq</sub> at the nearest noise-sensitive uses, as shown in Table 3.10-5.”

The following revisions have been made to Table 3.10-5 on page 3.10-14 in Section 3.10.2, “Environmental Impacts and Mitigation Measures”:

**Table 3.10-5. Construction Equipment Noise Levels at the Nearest Noise-Sensitive Uses in the Project Area**

Receiver	Location	Shortest Distance (feet) Between Noise-Sensitive Uses and Proposed Construction Areas	Noise Level, dB L <sub>eq</sub>			
			Exterior		Interior	
			Ambient Noise	Maximum Project Construction Noise	Project Noise, Doors/Windows Open <sup>1</sup>	Project Noise, Doors/Windows Closed <sup>2</sup>
LT-01	Eastern Boundary	100	55	80	65	55
LT-02	Northwest Boundary	<del>400</del> <u>25</u>	58	<del>80</del> <u>86</u>	<del>65</del> <u>71</u>	<del>55</del> <u>61</u>

Notes: dB = decibels; L<sub>eq</sub> = equivalent sound level (the sound energy averaged over a continuous 15-minute to 1-hour period); N/A = not available; LT = Long-term

1 15 dB reduction for doors/windows open (EPA 1974).

2 25 dB reduction for doors/windows closed (EPA 1974).

Source: Data compiled by AECOM in 2023

The following revisions have been made to the third and fourth paragraphs on page 3.10-14 in Section 3.10.3, “Environmental Impacts and Mitigation Measures”:

Ambient noise levels at the project vicinity ranged between 55 dBA L<sub>eq</sub> and 58 dBA L<sub>eq</sub>, during the daytime (7 a.m. to 10 p.m.) hours (as shown in **Error! Reference source not found.**). The estimated project-related construction noise levels of 80 to 86 dBA L<sub>eq</sub> at residences closest to the project site, would increase the exterior ambient noise level of 55 to 58 dBA L<sub>eq</sub> by ~~25~~ 22 to 28 dB, respectively. This level of increase would exceed the established threshold of 5 dB above ambient noise levels. Therefore, this impact would be **potentially significant**, and SMUD would implement Mitigation Measure 3.10-1a.

Furthermore, with respect to the interior noise levels, the existing interior noise level of 45 dBA was assumed for residential uses (General Plan Policy EC 3.1.3 Interior Noise Standards). As discussed under in response to question a) above, project-related construction noise levels with doors and windows closed would be ~~61~~ 55 dBA L<sub>eq</sub> at residences closest to the project area (as shown in **Error! Reference source not found.**). This level of interior noise would exceed the applicable threshold of 45 dBA for interior uses. Thus, project-related construction noise would cause an increase of +5 dB or more above the ambient interior level at noise-sensitive receivers in the project vicinity.

The following revisions have been made to Mitigation Measure 3.10-1a on page 3.10-15 in Section 3.10.3, “Environmental Impacts and Mitigation Measures”:

**Mitigation Measure 3.10-1a: Construction Noise and Vibration Reduction**

The contractor shall ensure that the following measures are implemented during all phases of project construction:

- Whenever construction occurs adjacent to occupied residences (on or offsite) temporary barriers shall be constructed around the construction sites to shield the ground floor of the noise sensitive uses. These barriers shall be of ¾-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility and

appearance, and shall achieve a Sound Transmission Class of STC-30 or greater, based on certified sound transmission loss data taken according to American Society for Testing and Materials International (ASTM) Test Method E90.

- Construction activities shall comply with the City of Sacramento Noise Ordinance, which limits such activity to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, the hours of 9:00 a.m. to 6:00 p.m. on Sunday, prohibits nighttime construction and requires the use of exhaust and intake silencers for construction equipment engines.
- Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.
- Activities that generate high noise levels such as pile driving and the use of jackhammers, drills, and impact wrenches, shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday.
- Smaller excavators and bulldozers shall be used during the demolition of the existing building within 25 feet of the building on the northwest site boundary, and this activity shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday only.

The following revisions have been made to the third paragraph on page 3.10-17 in Section 3.10.3, “Environmental Impacts and Mitigation Measures”:

Construction–related groundborne vibration would occur within the proximate center of the project site where most of the substation transformer components would be built, and would result from the use of heavy earth-moving equipment and vibratory rollers for clearing, excavation, compaction, and grading, and installation of auger-drilled displacement piles where necessary for structural foundations. These activities would produce a vibration level of up to approximately 87 VdB (0.089 in/sec PPV) at a distance of 25 feet (which is the reference vibration level for operation of a large bulldozer (FTA 2018). The minimum distance between these activities and the closest acoustically sensitive uses would be approximately 50 feet, as shown in **Error! Reference source not found.** Assuming a standard reduction of 9 VdB per doubling of distance (FTA 2018), the vibration level at the nearest receivers (50 feet) would be approximately 78 VdB. This level of vibration is below any established threshold of significance and would not likely be perceptible. Therefore, the impact would be **less than significant**.

The following revisions have been made to the fourth paragraph on page 3.10-17 in Section 3.10.3, “Environmental Impacts and Mitigation Measures”:

As shown in Table 3.10-6, the temporary and short-term project construction vibration level at the nearest receivers would be approximately ~~0.031~~ 0.089 PPV. This level of vibration is below the established threshold of significance of 0.25 and 0.5 in/sec PPV, pursuant to the FTA guidelines, and it would not likely be perceptible.

### 3.1.9 Revisions to Section 3.11, “Transportation”.

The following revisions have been made to the second paragraph on page 3.11-3 in Section 3.11.1, “Regulatory Setting”:

*City of Sacramento Railyards Specific Plan*

~~The Railyards area is a combination of districts that will provide a range urban uses. The project site is located within the Depot District of the Railyards (Railyards Specific Plan 2007a: Figure 3-1). The Depot District is the connection point of the Railyards to Downtown, and it is home to the SITF and its accompanying transit supportive uses and adjacent mixed uses.~~

### 3.1.10 Revisions to Section 3.12, “Tribal Cultural Resources”.

The following revisions have been made to Mitigation Measures under Impact 3.12-1 on pages 3.12-10 and 3.12-11 in Section 3.12.4, “Environmental Impacts and Mitigation Measures”:

*Mitigation Measures*

**Mitigation Measure 3.4-2: Halt ground-disturbing activity upon discovery of subsurface archaeological features and Tribal Cultural Resources.** (See Section 3.4 Cultural Resources)

**Mitigation Measure 3.12-1a**

Although TCRs, including human remains, have not been identified for this project, the following mitigation measure was provided by UAIC and is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential TCRs, archaeological, or cultural resources during a project’s ground-disturbing activities. If any suspected TCRs are discovered during ground disturbing construction activities, all work shall pause within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. If redesign is determined to not be feasible, SMUD shall continue consultation with Tribes to determine appropriate treatment of the find.

Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource,

including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects and belongings, and reburial of cultural objects and belongings or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, have been satisfied.

#### Mitigation Measure 3.12-1b

In consultation with the California Native American Tribe that is traditionally and culturally affiliated with the project area, SMUD will obtain the service of forensic canines to determine the potential for the presence of human remains following site demolition of buildings and hardscape surfaces (e.g., foundations and parking areas). If the results are positive an appropriate burial mitigation plan will be developed and implemented in consultation with the California Native American Tribe that is traditionally and culturally affiliated with the project area.

#### Significance after Mitigation

Implementation of Mitigation Measures 3.4-2, 3.12-1a and 3.12-1b would reduce impacts associated with TCRs to a less-than-significant level because it would require the performance of professionally and Native American accepted and legally compliant procedures for the discovery of previously undocumented significant TCRs.

### 3.1.11 Revisions to Section 5.4, “Environmental Justice Evaluation”

The following revisions have been made to the second paragraph on page 5-8 in Section 5.4.4, “Environmental Conditions”:

The nearest sensitive receptors to the proposed project are the Salvation Army Center of Hope homeless shelter to the west of the project site, and the First Step Communities homeless shelter and Quinn Cottages transitional housing directly adjacent to the southeastern side of the project site.

The following revisions have been made to the second paragraph on page 5-9 in Section 5.4.4, “Environmental Conditions”:

The closest noise-sensitive receptors to the project area are residents along A Street to the ~~west southeast~~ of the project site and ~~office uses of~~ the Salvation Army Center of Hope shelter to the northwest of the project site.

### 3.1.12 Revisions to Appendix B, “Air Quality and Greenhouse Gas Emission Calculations”

Appendix B has been updated to include Section 8 of the CalEEMod outputs, which show the default changes to CalEEMod that were applied during modeling of the project’s construction emissions.



## **4.0 Mitigation Monitoring and Reporting Program**

This mitigation monitoring and reporting program (MMRP) summarizes the mitigation measures, implementation schedule, and responsible parties for monitoring the mitigation measures required of the proposed Station J Bulk Transmission Substation Project, as set forth in the EIR prepared for the project.

Section 21081.6 of the California Public Resources Code and Section 15091(d) and Section 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made conditions of project approval to mitigate or avoid significant effects on the environment.” An MMRP is required for the project because the EIR for the project identified potentially significant adverse impacts related to construction and operation of the project, and mitigation measures have been identified to reduce these impacts to a less-than-significant-level.

This MMRP will be adopted by SMUD if it approves the project and will be kept on file at SMUD’s Customer Service Center at 6301 S Street, Sacramento, CA 95817. SMUD will use this MMRP to ensure that identified mitigation measures, adopted as a condition of project approval, are implemented appropriately.

### **4.1 Mitigation Implementation and Monitoring**

SMUD will be responsible for monitoring the implementation of mitigation measures designed to minimize impacts associated with the project. While SMUD has ultimate responsibility for ensuring implementation, others may be assigned the responsibility of actually implementing the mitigation. SMUD will retain the primary responsibility for ensuring that the project meets the requirements of this MMRP and other permit conditions imposed by participating regulatory agencies.

SMUD will designate specific personnel who will be responsible for monitoring implementation of the mitigation that will occur during project construction. The designated personnel will be responsible for submitting documentation and reports to SMUD on a schedule consistent with the mitigation measure and in a manner necessary for demonstrating compliance with mitigation requirements. SMUD will ensure that the designated personnel have authority to require implementation of mitigation requirements and will be capable of terminating project construction activities found to be inconsistent with mitigation objectives or project approval conditions.

SMUD and its appointed contractor will also be responsible for ensuring that its construction personnel understand their responsibilities for adhering to the performance requirements of the mitigation plan and other contractual requirements related to the implementation of mitigation as part of project construction. In addition to the prescribed mitigation measures, Table 3-1 lists each identified environmental resource being affected (in the same order and using the same numbering system as in the EIR), the associated CEQA checklist question (used as the thresholds of significance in the EIR), the corresponding monitoring and reporting requirement, the party responsible for ensuring implementation of the mitigation measure and monitoring effort, and the project component to which the mitigation measure applies. If an issue addressed in the EIR does not result in mitigation, it is not included in the table.

## 4.2 Mitigation Enforcement

SMUD will be responsible for enforcing mitigation measures. If alternative measures are identified that would be equally effective in mitigating the identified impacts, implementation of these alternative measures will not occur until agreed upon by SMUD.

## 4.3 Reporting

SMUD shall, or may require the contractor to, prepare a monitoring report upon completion of the project describing the compliance of the activity with the required mitigation measures. Information regarding inspections and other requirements shall be compiled and explained in the report. The report shall be designed to simply and clearly identify whether mitigation measures have been adequately implemented consistent with the MMRP requirements. At a minimum, each report shall identify the mitigation measures or conditions to be monitored for implementation, whether compliance with the mitigation measures or conditions has occurred, the procedures used to assess compliance, and whether further action is required. The report shall be presented to SMUD's Board of Directors.

## 4.4 Mitigation Monitoring and Reporting Program Table

The categories identified in the attached MMRP table are described below.

- **Impact** – This column provides the verbatim text of the impact statement included in the EIR.
- **Mitigation Measure** – This column provides the verbatim text of the adopted mitigation measure.
- **Implementation Duration** – This column identifies when the mitigation measure shall be implemented (e.g., prior to construction, during construction, prior to occupancy, etc.).
- **Monitoring Duration** – This column identifies the period within which monitoring shall be conducted.
- **Responsibility** – This column identifies the party(ies) responsible for implementation and/or enforcing compliance with the requirements of the mitigation measure.

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
<p><b>Impact 3.2-1. Conflict with or obstruct implementation of the applicable air quality plan?</b></p>	<p><b>Mitigation Measure 3.2-1a: SMAQMD Basic Construction Emission Control Practices</b></p> <p>The construction contractor shall include as a condition in the grading, improvement, and demolition plans, the following basic construction emissions control practices (best management practices) to be initiated at the start and maintained throughout the duration of construction.</p> <ul style="list-style-type: none"> <li>• Control of fugitive dust as required by SMAQMD Rule 403.</li> <li>• Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>• Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.</li> <li>• Use wet power vacuum street sweepers to remove any visible track out mud or dirt onto adjacent public roads at least once a day. Use of dry powered sweeping is prohibited.</li> <li>• Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).</li> <li>• All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, <a href="mailto:doors@arb.ca.gov">doors@arb.ca.gov</a>, or <a href="http://www.arb.ca.gov/doors/compliance_cert1.html">www.arb.ca.gov/doors/compliance_cert1.html</a></li> </ul>	<p>During construction</p>	<p>During construction</p>	<p>Contractor</p>	<p>SMUD</p>

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	<ul style="list-style-type: none"> <li>Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.</li> </ul>				
	<p><b>Mitigation Measure 3.2-1b: SMAQMD PM Operational Best Management Practices</b></p> <p>The applicant shall include as a condition of the Transmission Facilities Permit, the following best management practices for fugitive dust control during operational and maintenance activities associated with the project:</p> <ul style="list-style-type: none"> <li>Limit vehicle speeds on unpaved roads to 15 mph.</li> <li>Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>Compliance with anti-idling regulations for diesel powered commercial motor vehicles (greater than 10,000 gross vehicular weight rating). The current requirements include limiting idling time to 5 minutes and installing technologies on the vehicles that support anti-idling. Information can be found on the California Air Resources Board's website: <a href="https://ww2.arb.ca.gov/ourwork/programs/idle-reduction-technologies/idle-reduction-technologies">https://ww2.arb.ca.gov/ourwork/programs/idle-reduction-technologies/idle-reduction-technologies</a>.</li> </ul>	During construction	During construction	Contractor	SMUD
Impact 3.2-2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<p><b>Mitigation Measure 3.2-1a: SMAQMD Basic Construction Emission Control Practices</b> (see above)</p> <p><b>Mitigation Measure 3.2-1b: SMAQMD PM Best Management Practices</b> (see above)</p>	During construction	During construction	Contractor	SMUD

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
<p><b>Impact 3.3-1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?</b></p>	<p><b>Mitigation Measure 3.3-1a: Valley Elderberry Longhorn Beetle</b></p> <ul style="list-style-type: none"> <li>Elderberry shrubs within 150 feet of the project disturbance area shall be mapped and avoided to the extent possible. Shrubs to be avoided shall be identified and flagged by a qualified biologist.</li> <li>A 20-foot minimum avoidance buffer shall be established from the dripline of each avoided shrub. No work shall occur within the buffer area.</li> <li>High-visibility construction fencing shall be installed along the 20-foot avoidance buffer.</li> <li>If feasible, construction activities within 150 feet of an elderberry shrub shall not occur during the VELB flight season (March through July).</li> </ul>	<p>Elderberry shrubs to be identified and mapped, and avoidance buffers established, by a qualified biologist prior to construction. Buffers to be maintained during construction by the Contractor.</p>	<p>During construction</p>	<p>Qualified Biologist, Contractor</p>	<p>SMUD</p>
	<p><b>Mitigation Measure 3.3-1b: Nesting Birds</b></p> <ul style="list-style-type: none"> <li>A nesting bird survey shall be conducted within the project site (for raptors and non-raptors) and a 500-foot buffer (for raptors only) prior to commencing with earth-moving or construction work if this work would occur during the typical nesting season (between February 1 and August 31).</li> <li>If nesting birds are identified during the surveys, a qualified biologist will determine an appropriate disturbance-free buffer zone and clearly demarcate the buffer zone in the field for avoidance by construction activities.</li> <li>The size of an established buffer may be altered if a qualified biologist conducts behavioral observations and determines the nesting birds are well acclimated to disturbance. If this occurs, the biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting birds. If the buffer is reduced, the qualified biologist shall remain on site to monitor the behavior of the nesting birds during construction in order to ensure that the reduced buffer does not result in take of eggs or nestlings.</li> <li>No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified biologist that the young have fledged (are no longer dependent on the</li> </ul>	<p>Surveys to be conducted by a qualified biologist prior to construction occurring in the typical nesting season. Buffers to be maintained during construction by the Contractor.</p>	<p>During construction in the typical nesting season</p>	<p>Qualified Biologist, Contractor</p>	<p>SMUD</p>

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	<p>nest or the adults for feeding) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 31. This date may be earlier or later and shall be determined by a qualified biologist. If a qualified biologist is not hired to monitor the nesting raptors, then the full buffer(s) shall be maintained in place from February 1 through the month of August. The buffer may be removed, and work may proceed as otherwise planned within the buffer on September 1.</p>				
<p><b>Impact 3.3-5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</b></p>	<p><b>Mitigation Measure 3.3-5: Tree Removal</b></p> <ul style="list-style-type: none"> <li>To the maximum extent feasible, the project design shall avoid the loss of any protected tree (City or private). SMUD shall retain a certified arborist to survey trees in the project area including potential laydown areas and identify and evaluate trees that will be removed. If the arborist's survey does not identify any protected trees that would be removed or damaged as a result of the proposed project, no further mitigation is necessary.</li> <li>If protected trees or their canopy are identified within the affected area, measures shall be taken to avoid impacts on protected trees as detailed in the City's tree ordinance. Protected trees that are lost as a result of the project shall be replaced according to the provisions of the ordinance and in alignment with an approved tree replacement plan (Section 12.56.060). Removed trees will generally require replacement at a 1:1 ratio. Tree replacement shall occur after project construction and will be monitored by a certified arborist.</li> </ul>	<p>Tree surveys to be conducted by a certified arborist before construction. Tree replacement to occur after project construction for any removed trees.</p>	<p>Post-construction in accordance with City's tree ordinance requirements</p>	<p>SMUD, Certified Arborist</p>	<p>SMUD, Certified Arborist</p>
<p><b>Impact 3.4-2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</b></p>	<p><b>Mitigation Measure 3.4-2: Halt ground-disturbing activity upon discovery of subsurface archaeological features or Tribal cultural resources</b></p> <p>In the event that any pre-contact or historic-era subsurface archaeological features or Tribal cultural resources (TCRs) or cultural deposits, including locally darkened soil ("midden"), that could conceal cultural deposits are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist and a Tribal Representative from the consulting Tribe shall be retained to assess the significance of the find. If the find is determined to be</p>	<p>During construction</p>	<p>During construction</p>	<p>SMUD, Contractor, Qualified Archaeologist</p>	<p>SMUD</p>

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	<p>significant by the qualified archaeologist or Tribal Representative (i.e., because it is determined to constitute either an historical resource, a unique archaeological resource, or a tribal cultural resource), the archaeologist or Tribal Representative shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include, but would not necessarily be limited to, preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites and TCRs), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan). If the discovery constitutes a TCR, any data recovery shall be in coordination with Tribes. Curation of resources is not recommended under Tribal protocol and reburial of resources where, or in close proximity to where they were excavated, is preferred.</p>				
<p><b>Impact 3.4-2. Disturb any human remains, including those interred outside of formal cemeteries?</b></p>	<p><b>Mitigation Measure 3.12-1a: TCRs and Human Remains</b></p> <p>Although TCRs, including human remains, have not been identified for this project, the following mitigation measure was provided by UAIC and is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential TCRs, archaeological, or cultural resources during a project's ground-disturbing activities. If any suspected TCRs are discovered during ground disturbing construction activities, all work shall pause within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.</p> <p>When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. If redesign is determined to not be feasible, SMUD shall continue consultation with Tribes to determine appropriate treatment of the find.</p>	<p>During construction</p>	<p>During construction</p>	<p>SMUD to complete any required consultation with tribal representatives. Contractor to implement protective treatment measures.</p>	<p>SMUD</p>

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	<p>Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe that is traditionally and culturally affiliated with the project area.</p> <p>The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects and belongings, and reburial of cultural objects and belongings or cultural soil.</p> <p>Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, have been satisfied.</p>				
	<p><b>Mitigation Measure 3.12-1b: Forensic Canines</b></p> <p>In consultation with the California Native American Tribe that is traditionally and culturally affiliated with the project area, SMUD will obtain the service of forensic canines to determine the potential for the presence of human remains following site demolition of buildings and hardscape surfaces (e.g., foundations and parking areas). If the results are positive an appropriate burial mitigation plan will be developed and implemented in consultation with the California Native American Tribe that is traditionally and culturally affiliated with the project area.</p>	During construction	During and after construction	SMUD	SMUD
Impact 3.6-5. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<p><b>Mitigation Measure 3.6-5: Pre-Construction Training and Resource Evaluation by Qualified Paleontologist</b></p> <p>If construction or other project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery and SMUD shall be notified. SMUD shall retain a qualified paleontologist to evaluate the resource. If the</p>	Before and during construction	During construction	SMUD, Contractor, Qualified Paleontologist	SMUD



Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	discovery is identified as potentially significant, additional work, such as recovery, laboratory preparation, fossil identification, curation, and reporting, may be necessary. Recovered paleontological resources should be deposited in an appropriate fossil repository to be determined by SMUD in consultation with the qualified paleontologist.				
<b>Impact 3.8-1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</b>	<b>Mitigation Measure 3.8-1a: Implement a Soil Management Plan</b> SMUD and its Contractor shall prepare and implement a Soil Management Plan to address contaminant-impacted soil. The Plan shall address the apparent petroleum-impacted soil in the vicinity of boring B-4 by further delineating the petroleum-impacts and then excavating and disposing of this soil prior to commencing construction. This activity could be carried out as pre-construction activities or as part of the first construction phase. Excess soil generated at the site shall be properly characterized prior to off-site disposal and disposed of at a waste facility permitted to accept the waste. Based on the STLC/TCLP results, it is possible that some soil removed during construction activities will require transportation to a California hazardous waste landfill, due to the STLC exceedances and near exceedances.	Before and/or during construction	Before and/or during construction	SMUD, Contractor	SMUD
	<b>Mitigation Measure 3.8-1b: Manage Accidental Discovery of Hazardous Materials</b> If contaminated soils or potentially hazardous items are discovered during earth moving activities, all ground-disturbing activities within 50 feet shall be halted until a qualified SMUD employee or SMUD representative can assess the conditions on the site. SMUD will notify the appropriate agency (e.g., SCEMD) to determine if it is appropriate to rebury the potentially hazardous materials. If it is determined that the hazardous material cannot be re-incorporated into the project site, it shall be hauled by a qualified hauler to an appropriate waste disposal facility.	During construction	During construction	SMUD, Contractor	SMUD
<b>Impact 3.8-2. Create a significant hazard to the public or the environment through reasonably foreseeable</b>	<b>Mitigation Measure 3.8-1a: Implement a Soil Management Plan</b> (see above)	Before and/or during construction	Before and/or during construction	SMUD, Contractor	SMUD

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
upset and/or accident conditions involving the release of hazardous materials into the environment?	<b>Mitigation Measure 3.8-1b: Manage Accidental Discovery of Hazardous Materials</b> (see above)				
<b>Impact 3.8-4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</b>	<b>Mitigation Measure 3.8-1a: Implement a Soil Management Plan</b> (see above)  <b>Mitigation Measure 3.8-1b: Manage Accidental Discovery of Hazardous Materials</b> (see above)	Before and/or during construction	Before and/or during construction	SMUD, Contractor	SMUD
<b>Impact 3.10-1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</b>	<b>Mitigation Measure 3.10-1a: Construction Noise Reduction</b> The contractor shall ensure that the following measures are implemented during all phases of project construction: <ul style="list-style-type: none"> <li>Whenever construction occurs adjacent to occupied residences (on or offsite) temporary barriers shall be constructed around the construction sites to shield the ground floor of the noise sensitive uses. These barriers shall be of ¾-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility and appearance, and shall achieve a Sound Transmission Class of STC-30 or greater, based on certified sound transmission loss data taken according to American Society for Testing and Materials International (ASTM) Test Method E90.</li> <li>Construction activities shall comply with the City of Sacramento Noise Ordinance, which limits such activity to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, the hours of 9:00 a.m. to 6:00 p.m. on Sunday, prohibits nighttime construction, and requires the use of exhaust and intake silencers for construction equipment engines.</li> </ul>	During construction	During construction	Contractor	SMUD

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	<ul style="list-style-type: none"> <li>Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.</li> <li>Activities that generate high noise levels such as pile driving and the use of jackhammers, drills, and impact wrenches, shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday.</li> <li>Smaller excavators and bulldozers shall be used during the demolition of the existing building within 25 feet of the building on the northwest site boundary, and this activity shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday only.</li> </ul>				
	<p><b>Mitigation Measure 3.10-1b: Employ Noise-Reducing Construction Measures for Project Construction Truck Traffic</b></p> <p>SMUD and its construction contractor(s) will implement the following measures:</p> <ul style="list-style-type: none"> <li>Establish and enforce construction site and haul road speed limits to less than 15 mph.</li> <li>Route construction-related truck traffic along roadways that will cause the least disturbance to residents.</li> <li>Use high-grade engine exhaust silencers and engine-casing sound insulation.</li> </ul>	During construction	During construction	SMUD, Contractor	SMUD
<p><b>Impact 3.11-3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</b></p>	<p><b>Mitigation Measure 3.11-3a: Protect Bike Facilities</b></p> <p>SMUD shall prepare site plans showing all required bikeway facilities in compliance with City of Sacramento Standards. The Project entitlements shall be conditioned to provide the required bikeway facilities as part of an improvement plan which includes alternate on-street and separated bikeway facilities that connect to the City's bicycle network. The project applicant shall work with the City to ensure that the proposed bikeway facilities would achieve the intent of the Bikeway Master Plan and meet the City's standards. Modifications to the proposed bikeways shall be made to satisfy the requirements of the City.</p>	Before and during construction	Before and during construction	SMUD	SMUD

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
	<p><b>Mitigation Measure 3.11-3b: Repair Damaged Roadways and Bike Paths Following Construction</b></p> <p>During project construction, signage and flaggers will be deployed at locations where construction trucks cross roadways, pedestrian routes and bikeways, to reduce the potential hazard posed to other drivers, pedestrians, and bicyclists. Details regarding traffic control, including any alternate access routes to existing facilities and timing of control measures, will be further described in a Traffic Control Plan to be submitted for approval by the City of Sacramento. Furthermore, following completion of construction, SMUD will assess and repair any project-related damage to roadways and paved bicycle/pedestrian paths that were affected during construction, including all project-related potholes, fractures, or other damages.</p>	During and after construction	During and after construction	Contractor, SMUD	SMUD
<p><b>Impact 3.12-1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</b></p> <p><b>Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical</b></p>	<p><b>Mitigation Measure 3.4-2: Halt ground-disturbing activity upon discovery of subsurface archaeological features or Tribal cultural resources</b> (see above)</p> <p><b>Mitigation Measure 3.12-1a: TCRs and Human Remains</b></p> <p>Although TCRs, including human remains, have not been identified for this project, the following mitigation measure was provided by UAIC and is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential TCRs, archaeological, or cultural resources during a project's ground-disturbing activities. If any suspected TCRs are discovered during ground disturbing construction activities, all work shall pause within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.</p> <p>When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA, and every effort shall be made to preserve the resources in place, including through project</p>	During construction	During construction	SMUD, Contractor	SMUD

Impact	Mitigation Measure	Implementation Duration	Monitoring Duration	Responsibility	
				Implementation	Monitoring
<p><b>resources as defined in Public Resources Code section 5020.1(k), or A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</b></p>	<p>redesign, if feasible. If redesign is determined to not be feasible, SMUD shall continue consultation with Tribes to determine appropriate treatment of the find.</p> <p>Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe that is traditionally and culturally affiliated with the project area.</p> <p>The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects and belongings, and reburial of cultural objects and belongings or cultural soil.</p> <p>Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, have been satisfied.</p>				
	<p><b>Mitigation Measure 3.12-1b: Forensic Canines</b></p> <p>In consultation with the California Native American Tribe that is traditionally and culturally affiliated with the project area, SMUD will obtain the service of forensic canines to determine the potential for the presence of human remains following site demolition of buildings and hardscape surfaces (e.g., foundations and parking areas). If the results are positive an appropriate burial mitigation plan will be developed and implemented in consultation with the California Native American Tribe that is traditionally and culturally affiliated with the project area.</p>	During construction	During construction	SMUD	SMUD



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## **5.0 References**

### **5.1 Chapter 1, Introduction**

No references cited.

### **5.2 Chapter 2, Response to Comments**

No references cited.

### **5.3 Chapter 3, Revisions to the Draft EIR**

No references cited.

### **5.4 Chapter 4, Mitigation Monitoring and Reporting Program**

No references cited.



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