Sacramento Municipal Utility District

El Rio Substation Project

Final Initial Study and Proposed Mitigated Negative Declaration •
State Clearinghouse Number 2023090056 •
November 2023

Powering forward. Together.

SMUD®

Sacramento Municipal Utility District

El Rio Substation Project

Final Initial Study and Proposed Mitigated Negative Declaration •
State Clearinghouse Number 2023090056 •
November 2023

Lead Agency:

Sacramento Municipal Utility District
6201 S Street, MS B209
Sacramento, CA 95817-1899

or

P.O. Box 15830 MS B209
Sacramento, CA 95852-1830
Attn: Ammon Rice
(916) 732-7466 or ammon.rice@smud.org

Prepared by:

Area West Environmental, Inc.
6248 Main Ave Suite #C
Orangevale, CA 95662
Contact: Aimee Dour-Smith
adour-smith@areawest.net

TABLE OF CONTENTS

ACRONYMS AND OTHER ABBREVIATIONS

ACM	asbestos-containing material
APN	Assessor's Parcel Number
CARB	California Air Resources Board
ATSDR	Agency for Toxic Substances and Disease Registry
BMP	best management practice
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNG	compressed natural gas
dB	decibel
dBA	A-weighted decibel
DPM	diesel-exhaust particulate matter
IS/MND	Initial Study/Mitigated Negative Declaration
EMD	Environmental Management Department
HMBP	Hazardous Materials Business Plan
kV	Kilovolt
L_{eq}	Energy Equivalent Noise Level
LBP	lead-based paint
LNG	liquefied natural gas
MMRP	mitigation monitoring and reporting program
mph	miles per hour
NAHC	Native American Heritage Commission
NESHAP	National Emission Standard for Hazardous Air Pollutants
NPDES	National Pollution Discharge Elimination System
project	El Rio Substation Project
RLECP	Rio Linda and Elverta Community Plan
SF_6	Sulfur Hexafluoride
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utility District
SWPPP	storm water pollution prevention plan
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
WEAT	Worker Environmental Awareness Training

Executive Summary

Introduction

This Initial Study (IS) and Mitigated Negative Declaration (MND) has been prepared to evaluate the potential physical environmental impacts associated with Sacramento Municipal Utility District's (SMUD) El Rio Substation Project (project) in compliance with the California Environmental Quality Act (CEQA). SMUD is the lead agency responsible for complying with the provisions of CEQA.

Project Description

SMUD is proposing to construct and operate a new 230-115-69 kilovolt (kV) substation that would replace the existing Elverta Substation located south of Elverta Road and just west of El Rio Avenue in Elverta, California. Using transformers, substations transfer power from the transmission system to the distribution system that serves a particular area. The substation reduces the voltage from the large transmission lines and moves power into a system that powers residential and commercial customers. The proposed substation would convert or "step down" voltage from 230 kV transmission lines to 115 kV and 69 kV through transformers for local distribution. The project is proposed to be constructed on a portion of the existing Elverta Substation as well as on the 4.4-acre property immediately east of the Elverta Substation. The existing Elverta Substation would be decommissioned and removed from the site as it is nearing the end of its service life. The proposed project components would include the El Rio Substation and the installation of two or three new towers for relocation of existing transmission lines to tie the proposed substation into the existing grid.

Findings

As lead agency for compliance with CEQA requirements, SMUD finds that the project would be implemented without causing a significant adverse impact on the environment. Mitigation measures for potential impacts associated with Air Quality, Biological Resources, Tribal Cultural Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, and Noise would be implemented as part of SMUD's project through adoption of a mitigation monitoring and reporting program (MMRP).

Cumulative Impacts

CEQA requires lead agencies to assess whether a project's incremental effects are significant when viewed in connection with the effects of other past, present, and foreseeable future projects. Based on the analysis presented in the Draft IS/MND, the project would not contribute incrementally to considerable environmental changes when considered in combination with other projects in the area. Therefore, the potential cumulative environmental effects of the project were determined to be less than cumulatively considerable. All identified potentially significant impacts would be mitigated to a less-than-significant level.

Growth-Inducing Impacts

SMUD exists as a public agency to supply electrical energy to customers in the Sacramento area. It has an obligation to serve all new development approved by the local agencies and Sacramento County. SMUD does not designate where and what new development may occur. The project would replace an existing substation that is near the end of its service life. The project would not have the potential to foster economic or population growth. The project would be consistent with SMUD's established strategic direction, which includes environmental leadership; is consistent with long-range planning documents prepared by Sacramento County, such as the Rio Linda and Elverta Community Plan (RLECP) and the 2030 General Plan; and would support development at levels approved by the County of Sacramento as the governing land use authority.

Determination

On the basis of this evaluation, SMUD concludes:

- The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered species, or eliminate important examples of the major periods of California history or prehistory.

- The project would not achieve short-term environmental goals to the disadvantage of long-term environmental goals.

- The project would not have impacts that are individually limited, but cumulatively considerable.

- The project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

- No substantial evidence exists to demonstrate that the project would have a substantive negative effect on the environment.

11/03/2023

Ammon Rice
Supervisor, Environmental Services

Date

1 Introduction

1.1 Project Overview

The Sacramento Municipal Utility District (SMUD) is proposing the El Rio Substation Project ("project") to construct and operate a new substation and decommission and remove outdated equipment at the existing Elverta Substation. The proposed El Rio Substation would be located on and adjacent to the existing Elverta Substation, south of Elverta Road and west of El Rio Avenue, in the unincorporated community of Elverta, California. The proposed El Rio Substation would include new transformers and circuit breakers, a substation control building, paved access, fencing, lighting, stormwater drainage and utilities. North of the substation, two existing electrical towers carrying 230-kilovolt (kV) transmission lines would be replaced with two or three steel monopoles (also known as steel tubular poles) on a new alignment to tie the proposed substation into the existing grid. A stormwater retention basin would be constructed on the proposed El Rio Substation property. Following the energization of the proposed El Rio Substation, the existing Elverta Substation would be decommissioned and outdated substation equipment dismantled and removed from the site.

1.2 Environmental Process Summary

1.2.1 Review of the Draft IS/MND

Copies of the Draft IS/MND were made available in hard copy form for public review at SMUD offices (Customer Service Center and East Campus Operations Center), posted on SMUD's public website, and were distributed to the State Clearinghouse via the Governor's Office of Planning and Research. A notice of intent was distributed to property owners and occupants of record within 1,000 feet of the project site. The 30-day public review period began on September 5, 2023, and ended on October 5, 2023. SMUD held a public meeting on September 26, 2023. No comments regarding the CEQA document were received during the public meeting. Four comment letters were received from property owners and agencies during the comment period. These comment letters and SMUD's written responses to each comment received are presented in Section 2.0 of this document. As noted in Section 2.0, the conclusions presented in the Draft IS/MND were not altered in response to comments received.

1.2.2 Preparation of the Final IS/MND

The comment letters from property owners and agencies received during the comment period were reviewed, and responses were prepared (see Section 2.0). Based on the comments received, there were no new environmental effects identified. The Final Initial Study/Mitigated Negative Declaration (IS/MND) does not incorporate any changes to the project description. However, SMUD has added language to Mitigation Measure 3.3-1 to provide clarity regarding the mitigation requirements from the Sacramento Municipal Air Quality Management District (SMAQMD). These changes are reflected in the final text of the MMRP.

1.2.3 CEQA Guidelines

CEQA Guidelines Section 15073.5 provides the conditions for determining if recirculation of a negative declaration is required before adoption. Section 15073.5(a) states:

> *A lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to adoption.*

According to Section 15073.5(b), a substantial revision is defined as:

> *(1) A new, avoidable significant effect is identified, and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or*
>
> *(2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.*

SMUD has determined that none of the aforementioned conditions were satisfied following public notice; therefore, recirculation of the Draft IS/MND is not required. SMUD, as the lead agency, may proceed to present the Final IS/MND to the SMUD Board for action.

Circumstances under which recirculation is not required include:

> (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
>
> (2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
>
> (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
>
> (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration. (Section 15073.5[c])

The changes to Mitigation Measure 3.3-1 are made to clarify SMUD's mitigation obligation. These changes do not meet the above criteria for recirculation; therefore, recirculation of the Draft IS/MND is not required.

1.3 Mitigation Measures

This section presents the mitigation measures SMUD would implement to address potential impacts on Air Quality, Biological Resources, Tribal Cultural Resources, Cultural

Resources, Geology and Soils, Hazards and Hazardous Materials, and Noise. These measures reflect text revisions as documented in the Final IS/MND.

1.3.1 Air Quality

As discussed in Section 3.3 of the Draft IS/MND, project construction activities would result in temporary generation and emissions of criteria air pollutants and precursors. The modeling of anticipated construction-generated emissions revealed that the project, without the application of *Best Management Practices* (BMPs) and *Basic Construction Emission Control Practices,* would generate daily emissions of particulate matter less than 10 microns in diameter and particulate matter less than 2.5 microns in diameter in excess of SMAQMD thresholds. Mitigation Measure 3.3-1 requires SMUD's contractor to implement SMAQMD emission control practices and would reduce project effects to a less-than-significant impact. Mitigation Measure 3.3-1 has been updated since circulation of the Draft IS/MND in response to input from SMAQMD.

Mitigation Measure 3.3-1: Implement SMAQMD Emissions Controls and BMPs.

SMUD or the authorized contractor will adhere to the SMAQMD basic construction emissions control practices, including, but not limited to the measures listed below, and additional measures designed to limit Diesel-exhaust particulate matter (DPM):

- *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.*
- *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.*
- *Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.*
- *Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).*
- *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.*
- *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.*
- *Provide current certificate(s) of compliance for the California Air Resources Board's (CARB's) In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1].*
- *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.

- *Wheel washers shall be installed for all trucks and equipment exiting unpaved areas, or wheels shall be washed to remove accumulated dirt before such vehicles leave the site.*
- *Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1 percent.*
- *Excavation and grading activities shall be suspended when winds exceed 20 mph.*
- *The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible.*
- *Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines shall be used to the extent locally available.*
- *On-road heavy-duty equipment with model year 2010 engines or newer shall be used to the extent locally available.*
- *Diesel powered equipment shall be replaced by electric equipment whenever available.*
- *Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, shall be used on-site where locally available.*
- *Catalytic converters shall be installed on gasoline-powered equipment, if available, and in accordance with manufacturer's recommendations.*

Demolition activities have potential negative air quality impacts, which require the proper handling, demolition, and disposal of asbestos-containing material (ACM). Based on the age of multiple buildings constructed onsite, the potential exists for ACM and lead-based paint (LBP) to be present. Mitigation Measure 3.3-2 would require an ACM and LBP survey prior to demolition activities, and if present, the materials would be remediated prior to any renovation or demolition consistent with applicable state and local regulations. The potential impact on air quality and health would be reduced to a less-than-significant level.

Mitigation Measure 3.3-2: Survey, Remove, and Dispose of ACM and LBP.

The presence or absence of ACM and LBP will be verified by conducting a survey for these materials prior to demolition activities, and if present, they will be remediated prior to any renovation or demolition at the project site that involves the disturbance or potential disturbance of ACM or LBP, in accordance with applicable regulatory requirements, including requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M-Asbestos; NESHAP). These

requirements include but are not limited to: 1) notification, within at least 10 business days of activities commencing, to the air quality management district, 2) an asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. The SMAQMD is delegated authority by the USEPA to implement the Federal Asbestos NESHAP.

1.3.2 Biological Resources

As discussed in detail in Section 3.4 of the Draft IS/MND, the project may impact sensitive habitats. The project has potential to adversely affect vernal pool fairy shrimp, vernal pool tadpole shrimp, western spadefoot, giant garter snake, burrowing owl, grasshopper sparrow, Swainson's hawk, white-tailed kite, nesting birds, and American badger. SMUD would implement the following mitigation measures to reduce impacts to less-than-significant level.

Mitigation Measure 3.4-1: Avoid or Minimize Effects on Special-status Aquatic Species and Waters of the U.S. and State

- *All on-site construction personnel will receive worker environmental awareness training, which instructs workers regarding the presence of listed species and the importance of avoiding impacts to these species and their habitat.*

- *Access, egress, and ground-disturbing activities will be sited to avoid aquatic features to the extent possible. Where present, existing paved and unpaved roads will be used to access the work area.*

- *All work in or near potential aquatic species habitat will be performed in the dry season (approximately April 15 through October 15).*

- *Temporary fencing shall be placed along the boundary of the work areas to avoid and protect environmentally sensitive areas (waters of the U.S. and State, special-status species habitat) during construction activities. Fencing must be installed prior to the initiation of any vegetation removal, equipment staging, construction, or other project activity. Fencing will consist of temporary construction barrier fencing or silt fencing. The fencing will be checked regularly and maintained until all construction is complete.*

- *All temporarily disturbed areas will be returned to pre-project conditions upon completion of construction. Soil stabilization may include, but is not limited to, seeding with a native grass seed mix and/or planting native plants. These areas will be properly protected from washout and erosion using appropriate erosion control devices including coir netting, hydroseeding, and revegetation. The existing grades in temporary impact areas will be recontoured to existing conditions.*

- *Rubber matting, or similar equivalent, will be used where temporary access for heavy equipment is required through vernal pools and seasonal wetlands/swales.*

- *For pole installations in or within 250 feet of wetlands, the upper four inches of topsoil will be stockpiled separately on Visqueen or plastic sheets during*

excavations. The area between the pole and the pole hole will be backfilled with cement, and the upper portion will be backfilled with native soil commensurate with the topography and stratigraphy of the surrounding soil. When this topsoil is replaced, compaction shall be minimized to the extent consistent with utility standards. Areas of disturbed soil will be reseeded with a native seed mix.

- *For pole removal, clay (native or bentonite) will be used to fill the pole hole.*
- *No pesticides or herbicides will be applied within 250 feet of vernal pools.*

Mitigation Measure 3.4-2: Compensate for Permanent Impacts to Wetlands and Aquatic Species Habitat

If the new monopole locations result in permanent impacts on wetland features, the appropriate permits would be obtained and the U.S. Fish and Wildlife Service (USFWS) would be consulted. As part of the consultation process, SMUD would prepare and implement a Compensatory Mitigation Plan for project impacts on wetlands and vernal pool branchiopods. The Compensatory Mitigation Plan may include, but is not limited to, the purchase of mitigation credits for vernal pool fairy shrimp and vernal pool tadpole shrimp from the SMUD Nature Preserve Mitigation Bank or an alternative USFWS-approved mitigation bank in accordance with USFWS guidance on mitigation ratios. This mitigation requirement may be refined or superseded by the USFWS and U.S. Army Corps of Engineers permit terms.

Mitigation Measure 3.4-3: Conduct Pre-construction Survey for Western Spadefoot

A biologist will conduct a survey no less than 7 days prior to the initiation of any ground disturbing activities within or adjacent to suitable habitat for western spadefoot. This survey will comprise walking transects while conducting visual encounter surveys within areas that will be subject to staging, vegetation clearing, grubbing, grading, cut and fill, or other ground disturbing activities. The survey will include wetlands and adjacent grassland. All potential habitat features in the project site, such as crevices and burrows western spadefoot often use, will be searched to the maximum extent practicable.

If western spadefoot are present within the project work limits (including their egg masses or tadpoles), then the California Department of Fish and Wildlife (CDFW) will be notified and additional avoidance and minimization measures will be implemented. Any special-status species observed will be allowed to voluntarily move outside of the work area on its own volition.

Mitigation Measure 3.4-4: Avoid or Minimize Effects on Giant Garter Snake

- *Avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat to the greatest extent feasible.*
- *Construction activity within 200 feet of giant garter snake aquatic habitat should be conducted between May 1 and October 1. This is the active period for giant garter snakes and direct mortality is lessened, because snakes are expected to actively move and avoid danger. If activities occur between October 2 and*

April 30 within 200 feet of giant garter snake habitat, SMUD will contact the USFWS Sacramento Fish and Wildlife Office to determine if additional measures are necessary to minimize and avoid take.

- *Confine clearing to the minimal area necessary to facilitate construction activities. Flag and designate avoided giant garter snake habitat within or adjacent to the project site as Environmentally Sensitive Areas. This area should be avoided by all construction personnel.*

- *Construction personnel shall receive worker environmental awareness training. This training instructs workers to recognize giant garter snakes and their habitat(s).*

- *24 hours prior to construction activities, the project site should be surveyed for giant garter snakes. The survey of the project site should be repeated if a lapse in construction activity of two weeks or more has occurred. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake will not be harmed.*

- *Any dewatered habitat should remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.*

Mitigation Measure 3.4-5: Avoid or Minimize Effects on Nesting Swainson's Hawk, White-Tailed Kite, Grasshopper Sparrow, and Other Nesting Birds
The following measures shall be implemented to avoid or minimize loss of active Swainson's hawk, white-tailed kite, grasshopper sparrow, and other raptor nests:

- *If construction (including vegetation removal) would occur during the nesting season (between February 1 and August 31), an authorized project biologist/biological monitor shall conduct pre-construction nesting bird surveys to determine whether birds are nesting in the work area or within 0.25 mile for Swainson's hawk and 500 feet for all other nesting birds of the project site.*

- *The pre-construction nesting bird surveys will identify on-site bird species and any nest-building behavior. If no nesting Swainson's hawks are found on or within 0.25 mile of the project site or if no nesting birds are found on or within 500 feet of the project site during the pre-construction clearance surveys, construction activities may proceed as scheduled.*

- *If pre-nesting behavior is observed but an active nest of common nesting bird has not yet been established (e.g., courtship displays but no eggs in a constructed nest), a nesting bird deterrence and removal program will be implemented. Such deterrence methods include removal of the previous year's nesting materials and removal of partially completed nests in progress. After a nest is situated and identified with eggs or young, it is considered to be "active," and the nest cannot be removed until the young have fledged.*

- *If active Swainson's hawk nests are found within the survey area, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around the nest. Monitoring of the nest by a qualified biologist during construction activities shall be required if the activity has the*

potential to adversely affect the nest. Based on guidance for determining a project's potential for affecting Swainson's hawks (Swainson's Hawk Technical Advisory Committee 2000), projects in urban areas have a low risk of adversely affecting nests greater than 600 feet from project activities. Therefore, 600 feet is anticipated to be the adequate buffer size for protecting nesting Swainson's hawks from disturbances associated with the project. However, the qualified biologist shall consult with CDFW to confirm the adequacy of the no-disturbance buffer and/or whether the buffer may be reduced based on the biologist's professional judgment.

- *If an active white-tailed kite, grasshopper sparrow, or common bird species nest is found on or within 500 feet of the project site during construction, a "no-construction" buffer zone will be established around the active nest (usually a minimum radius of 50 feet for passerine birds and 500 feet for raptors) to minimize the potential for disturbance of the nesting activity. The project biologist/biological monitor will determine and flag the appropriate buffer size required, based on the species, specific activities being conducted, tolerances of the species, and the nest location. Project activities will resume in the buffer area when the project biologist/biological monitor has determined that the nest(s) is (are) no longer active or the biologist/biological monitor has determined that with implementation of an appropriate buffer, work activities would not disturb the bird's nesting behavior.*

Mitigation Measure 3.4-6: Avoid or Minimize Effects on Burrowing Owls
The following measures shall be implemented to avoid or minimize effects to burrowing owl during construction of the proposed project:

- *Pre-construction surveys for burrowing owls would be completed before the project begins. A survey to determine presence or absence of burrowing owls may be performed at any time to facilitate passive relocation efforts, which must occur during the nonbreeding season (generally September 1 to January 31). In addition, a pre-construction survey would be conducted no more than 14 days prior to the initiation of any project activities, including vegetation removal, equipment staging, or construction. This survey would be conducted in all areas of potential habitat within the project area plus a 500-foot buffer and would follow the methods described in the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012) or an updated version of this document.*

- *If the biologist finds an active burrowing owl burrow, the biologist would establish a buffer around the site. The buffer location would be based on the CDFW Staff Report on Burrowing Owl Mitigation (2012) or at the distance which the biologist, in consultation with CDFW, determines that burrowing owls would not be harassed by the proposed project.*

Mitigation Measure 3.4-7: Conduct an American Badger Pre-construction Survey
A qualified biologist would conduct a preconstruction survey for American badger individuals and active dens in the project site and within a 250-foot buffer of the project site.

- *The preconstruction survey would be conducted no more than 14 days before the initiation of construction activities.*

- *For surveys in inaccessible areas, the biologist would use binoculars to scan any suitable denning substrate for potential individuals or dens.*

- *If no active dens are found during the preconstruction surveys, then no additional mitigation is required.*

- *If an active den is identified within the survey area, a no-disturbance buffer would be established around the nest/den to avoid disturbance of the denning mammal until a qualified biologist determines that the young have dispersed. The extent of these buffers would be determined by the biologist and would depend on the level of noise or construction disturbance, line-of-sight between the den and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.*

- *If any non-denning individuals are observed in the survey area before or during construction, the species would be allowed to move out of harm's way on its own.*

1.3.3 Cultural Resources

Although the study area is considered low sensitivity for the presence of cultural materials, there remains the possibility that previously undiscovered historical or archaeological resources may be found during ground disturbing activities associated with construction of the proposed project. SMUD would implement the following mitigation measure to reduce potential impacts to a less-than-significant level.

Mitigation Measure 3.5-1: Worker Environmental Awareness and Cultural Respect Training and Procedures for Inadvertent Discovery of Cultural Resources

Prior to excavation or other subsurface disturbance activities, individuals conducting the work will be required to participate in Worker Environmental Awareness and Cultural Respect Training. Workers will be advised to watch for cultural resource materials. If workers observe any evidence of pre-contact cultural resources (freshwater shells, beads, bone tool remnants or an assortment of bones, soil changes including subsurface ash lens or soil darker "midden" in color than surrounding soil, lithic materials such as flakes, tools or grinding rocks, etc.), or historic cultural resources (adobe foundations or walls, structures and remains with square nails, refuse deposits or bottle dumps, often associated with wells or old privies), all ground-disturbing activity within 100 feet of the discovery must immediately cease and a qualified archaeologist must be consulted to assess the significance of the cultural materials. SMUD will be notified of the potential find and a qualified archeologist shall be retained to investigate its significance. If the qualified archaeologist determines the archaeological material to be Native American in nature, Mitigation Measure 3.18-1 shall be implemented. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall work with SMUD to develop and implement 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, archival research, subsurface testing, or contiguous block unit excavation and data recovery.

There are no known past cemeteries or burials on the project site or immediate area. However, because earthmoving activities associated with project construction would occur, there is potential to encounter buried human remains or unknown cemeteries in areas with little or no previous disturbance. SMUD would implement Mitigation Measure 3.5-2 to reduce potential impacts related to human remains to a less-than-significant level.

Mitigation Measure 3.5-2: Procedures for Discovery of Human Remains

If human remains are discovered, all work within a100 feet of the find must immediately cease, and the local coroner must be contacted. Procedures for the discovery of human remains will be followed in accordance with provisions of the State Health and Safety Code, Sections 7052 and 7050.5 and the State Public Resources Code Sections 5097.9 to 5097.99. If the Coroner determines that the remains are those of Native American origin, the Coroner shall contact the Native American Heritage Commission (NAHC) and subsequent procedures shall be followed, according to State Public Resources Code Sections 5097.9 to 5097.99, regarding notification of the Native American Most Likely Descendant. Following the coroner's and NAHC's findings, SMUD and the NAHC-designated Most Likely Descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed.

1.3.4 Tribal Cultural Resources

Although Tribal consultation revealed no known Tribal cultural resources on the project site as defined in PRC Section 21074 and the Sacred Lands File search conducted by the NAHC reported that the project area is negative for Sacred Lands, the area is potentially sensitive for unknown Tribal cultural resources. Therefore, it is possible that yet-undiscovered Tribal cultural resources could be encountered or damaged during ground-disturbing construction activities. SMUD would implement the following mitigation measures to reduce potential impacts to a less-than-significant level.

Mitigation Measure 3.18-1: Worker Environmental Awareness and Cultural Respect Training and Procedures for Discovery of Potential Tribal Cultural Resources

All construction personnel must receive Tribal Cultural Resources Sensitivity and Awareness Training (Worker Environmental Awareness Program [WEAP]), including field consultants and construction workers. The WEAP shall be developed in coordination with interested Native American Tribes.

The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and Tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and Tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or Tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American Tribal values. The training may be done in

coordination with the project archaeologist.

All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training.

During excavation or other substantial subsurface disturbance activities, all construction personnel must follow procedures and the direction of archeologists and Tribal monitors if any cultural resource materials are observed.

Mitigation Measure 3.18-2: Spot Check Monitoring for Tribal Cultural Resources

SMUD shall invite representatives of Wilton Rancheria and SSBMI to periodically inspect the active areas of the project, including any soil piles, trenches, or other disturbed areas. Wilton Rancheria and SSBMI shall be notified at least 48 hours prior to start of construction.

Mitigation Measure 3.18-3: Unanticipated Discovery of Tribal Cultural Resources

If any suspected Tribal cultural resources are discovered during ground disturbing construction activities, including midden soil, artifacts, cultural belongings, chipped stone, exotic rock (nonnative), or unusual amounts of baked clay, shell, or bone, all work shall pause within 100 feet of the find. Consulting Tribe(s) shall be immediately notified and shall determine if the find is a Tribal cultural resource (pursuant to PRC section 21074). The Tribal representative will make recommendations for further evaluation and treatment, as necessary. Preservation in place is the preferred alternative, and every effort must be made to preserve the resources in place, including through project redesign. 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, and returning objects to a location within the project area where they will not be subject to future impacts. Curation of Tribal cultural resources is not considered appropriate or respectful; materials would not be permanently curated, unless approved by the consulting Tribe. Treatment that preserves or restores the cultural character and integrity of a Tribal cultural resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

1.3.5 Geology and Soils

As discussed in Section 3.8 of the Draft IS/MND, project-related earthmoving activities would occur in the Pleistocene-age Riverbank Formation. Because numerous vertebrate fossils have been recovered from the Riverbank Formation in northern and central California, including localities that are close to the project site, this formation is considered paleontologically sensitive. While there are no known paleontological resources within the project alignment, implementation of Mitigation Measure 3.8-1 would reduce potential effects on previously unknown paleontological resources to a less-than-significant level.

Mitigation Measure 3.8-1: Worker awareness and response for paleontological resources

A Worker Environmental Awareness Training (WEAT) will be presented for all construction workers prior to the start of ground disturbing activities (including vegetation removal, grading, excavation, etc.). The training session shall discuss the

recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. Documentation shall be retained demonstrating that all construction/ decommissioning personnel attended the training.

SMUD will retain an on-call paleontologist to respond to potential finds during project construction. If potential paleontological resources are uncovered during on-site construction activities, all work must stop immediately within 100 feet of the find and a qualified paleontologist shall evaluate the deposits. The paleontologist will be responsible for assessing any evidence of paleontological resources encountered during construction. If the find is deemed significant, it should be salvaged by the paleontologist following the standards of the Society of Vertebrate Paleontology (2010) and curated with a certified repository. Work in the area may resume after authorization is granted by SMUD's project manager in consultation with the paleontologist.

1.3.6 Hazards and Hazardous Materials

As discussed in Section 3.9 of the Draft IS/MND, construction of the project would involve use, transport, storage, and disposal of hazardous materials. Use of these materials could potentially result in accidental spills that could release hazardous materials into the environment. With compliance with state and federal regulations, accidental releases of hazardous materials during construction of the project would be unlikely to occur. SMUD would implement Mitigation Measure 3.9-1 to reduce potential impacts to a less-than-significant level.

Mitigation Measure 3.9-1: Manage Accidental Discovery of Hazardous Materials

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., Sacramento County Environmental Management Department [EMD]) 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.

1.3.7 Noise

As discussed in Section 3.13 of the Draft IS/MND, noise levels associated with construction activities would not exceed the threshold. However, activities occurring during the more noise-sensitive evening and nighttime hours are of increased concern. With the implementation of Mitigation Measure 3.13-1, noise impacts during construction would be less than significant.

Mitigation Measure 3.13-1. Limit Construction Noise
The following measures shall be implemented to reduce short-term construction noise impacts:

- *Construction activities shall be limited to between the hours of 6 a.m. and 8 p.m., Monday through Friday, and 7 a.m. to 8 p.m. on Saturdays*, *where* practicable*. Construction activities would be prohibited on Sundays and legal*

holidays. Haul truck operations shall be limited to these same hourly restrictions.

- *Construction equipment shall be properly maintained and equipped with exhaust mufflers and engine shrouds in accordance with manufacturers' recommendations.*
- *To the extent locally available, electrified, or alternatively powered construction equipment shall be used.*
- *Construction equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses* (residences).
- *Stationary noise sources such as generators, pumps, and pavement crushers, shall be located at the furthest distance possible from noise-sensitive uses.*

1.4 CEQA Determination

SMUD has determined that although the proposed project could have a significant effect on the environment, a significant effect would not occur with implementation of the aforementioned mitigation measures because the proposed mitigation measures would reduce the effects of any impacts to below the established thresholds of significance. Therefore, SMUD's Board of Directors will consider adoption of the MND at a board meeting in November 2023.

2 Comments and Responses

2.1 Introduction

The Draft IS/MND for the proposed project was circulated for a 30-day public review period (September 5, 2023 to October 5, 2023). During the public comment period, SMUD received four comment letters that pertained to the proposed project (see Table 2-1).

Table 2-1: List of Commenters

Letter Number	Name
1	David Field September 25, 2023
2	Gena Powell October 5, 2023
3	Central Valley Regional Water Quality Control Board Peter Minkel, Engineering Geologist October 5, 2023
4	Sacramento Metropolitan Air Quality Management District Molly Wright, Air Quality Planner/Analyst October 9, 2023

2.2 Responses to Comments

The comment letters identified above and SMUD's responses to comments are provided on the following pages.

Letter
1

From: DAVID FIELD [redacted]
To: Ammon.Rice@smud.org <ammon.rice@smud.org>
Sent: Monday, September 25, 2023 at 11:58:38 AM PDT
Subject: El Rio Sub.

Hi Ammon,

I live on parcel 202-0090-025,

I have several questions,

1-1 The Orange project line on your map, Is shown cutting across our parcel. Why?

1-2 The red " footprint " line, is shown west of the existing roadway (El Rio Ave). Are they (SMUD) moving the existing 12KV tap line also, or leaving it as a sitting duck, to be hit by traffic on the road?

1-3 It's hard to tell what the final configuration is going to be.....Maybe the existing fence stays?

1-4 Why abandon the name " Elverta Sub "?

I look forward to hearing from you.

Dave Field
[redacted] cell

Letter 1	David Field September 25, 2023

1-1 The comment is inquiring about the orange line shown over APN 202-0090-025 on Figure 2-2 on page 9 of the Draft ISMND. The orange line is representing the full extent of the project. This portion of the orange line is showing a potential aerial easement for the Western Area Power Administration (WAPA) overhead 69kV line to tie into the new substation equipment. No ground-disturbing activities would occur on this parcel. No changes are required to the Draft IS/MND in response to this comment.

1-2 The comment is inquiring about the red “Proposed Substation Footprint” line shown on Figure 2-2 on page 9 of the Draft ISMND. The footprint line is showing a setback of 31 feet from public street frontages per Sacramento County Zoning Code Section 3.6.6.A Utility and Public Service Facility Uses, 3.6.6.A.1.c.

The existing 12kV line on El Rio Avenue will stay in place. These poles are set back from the El Rio Avenue edge of pavement by approximately 7 feet. No changes are required to the Draft IS/MND in response to this comment.

1-3 The comment is inquiring about the final configuration of the perimeter fence for the proposed substation. The existing fence on the southern portion of the existing substation site will stay in place as it will still be the southern extent of the proposed substation footprint. The proposed new portions of fence on the acquired parcel will align with the current fence on the property line between APN 202-0090-025 and APN 202-0090-024. No changes are required to the Draft IS/MND in response to this comment.

1-4 The comment is inquiring about the name change for the proposed substation. The proposed substation will be named El Rio Substation and will replace the existing Elverta Substation, which is planned for decommissioning. The name change is needed to avoid confusion in record keeping. No changes are required to the Draft IS/MND in response to this comment.

Gena Powell
[redacted] El Rio Avenue
Elverta, CA 95626
[redacted]

October 5, 2023

Via Email to
Ammon.Rice@smud.org

Ammon Rice
SMUD Environmental Services
P.O. Box 15830 MS B209
Sacramento, CA 95852-1830

Dear Mr. Rice,

The home my husband and I built in 1984 is located on El Rio Avenue to the East of the proposed El Rio Substation Project (the "Project"). While the Elverta Substation predated our home build, the existing home and related acreage along El Rio Avenue has provided my property with insulation from the substation's aesthetics, light and noise. I have the following comment/concerns regarding the Project's Draft Initial Study/Mitigated Negative Declaration ("Draft IS/MND" and "Report"):

2-1

1. Access on El Rio Avenue – The current Elverta Substation is accessed through a gated driveway on Elverta Road. The Draft IS/MND indicates that another access gate will be created off of Elverta Road and a third gate will be placed on Elverta Road for the Project. El Rio Avenue is a rural road used for local traffic for two residential homes and ABC Ready-Mix ("ABC") (see Report Section 2.3, P. 7). When we built our home, El Rio Road was a dirt road that was later chip sealed. It is not maintained by the County. It is maintained by a Road Agreement between the neighbors and ABC which is recorded with the County. As ABC grew their business and expanded their site they paved the road to accommodate their large concrete trucks and related equipment and employee traffic. The traffic generated by ABC and the contractors that lease space at ABC already heavily impact this short dead-end rural road. Traffic for construction and operation of the Project should not be routed down this rural road. I believe that two access gates off Elverta Road should be sufficient to service the Project. If a gate must be installed on El Rio Avenue for safety reasons it should be an emergency access gate only. There is also a drainage ditch for El Rio Avenue which runs the length of the road that will need to be maintained and a culvert for any access gate will need to be installed for road drainage to prevent flooding of the only access route to the residential properties.

2-2

2. Retention Pond – I am concerned that the proposed location of the retention pond to the South of the existing Elverta Substation may cause flooding which may impact the only access I have to my home on El Rio Avenue. This is very close to a flooding area shown on in the FEMA map on page 92. I would like confirmation that this issue has been studied. Also, the homes on El Rio Avenue are on well water. I would like assurance that there will be monitoring of the retention pond for hazardous waste that might leach into our groundwater supply. I request that reports of this monitoring be provided annually to the properties that received notice of the Project from SMUD.

2-3

3. Noise – I am especially concerned about the nighttime noise during the construction and demolition related to the Project. Per the Construction Schedule listed in the Report at P. 18 "Crews would normally work Monday through Saturday from 7 a.m. to 6 p.m." (emphasis added). Under the Lighting Mitigation section of the Report at P. 28 "Construction activities would occur during daylight hours and would not require nighttime lighting apart from occasional deliveries of equipment" (emphasis added). However, the Construction Noise Mitigation section of the Report at P. 106 states "Construction activities shall be limited to between the hours of 6 a.m. and 8 p.m., Monday through Friday, and 7 a.m. to 8 p.m. on Saturdays where practicable. Construction activities would be prohibited on Sundays and legal holidays. Haul truck operations shall be limited to these same hourly restrictions." (emphasis added). The Report is therefore inconsistent with regard to the construction hours and needs to be clarified. I believe the construction hours should be limited to 6 p.m. Monday through Saturday in order to lessen the noise pollution which will be suffered by nearby residences during construction. Additionally, I propose that the County require that noise measurements be taken randomly by the County to ensure compliance with noise limits stated in the Report of 80 dBA Leq during construction and 48 dBA Leq/L50 during operation of the El Rio Substation. Finally, I propose that the residents be provided with a contact person at the County to field any complaints/concerns regarding noise especially during construction.

2-4

4. Lighting – While I appreciate the proposed downlighting for the El Rio Substation Project, I feel there will be a substantial glow emanating from the Project which is now much closer to nearby residents. Shade mesh or slats could be added to the proposed chain link fencing which might cut down on the light pollution.

2-5

5. Fencing and Landscaping – I propose the addition of shade mesh or slats to the chain link fence along El Rio to help conceal the development, decrease light pollution and cut down dust from the Project. It would also be more aesthetically pleasing since this 9 foot tall fence is also topped by razor wire. Also, the proposed landscaping treatment of Agavaceae plants (Report P. 27) between the fenceline and El Rio Avenue seems insufficient. The addition of trees or tall shrubs would provide a better light, sound and aesthetic barrier between the project and residents.

2-6

6. Future use of Elverta Substation Site – I couldn't locate any information in the Draft IS/MND regarding the proposed future use of the existing Elverta Substation site following it's decommissioning. I am concerned that it may become a storage yard for abandoned equipment containing potentially hazardous materials.

Thank you for considering my concerns. Please call me at [redacted] if you have any questions or comments regarding same.

Very truly yours,

Gena Powell

Gena Powell

Letter 2	Gena Powell October 5, 2023

2-1 The comment is inquiring about the use of and need for the proposed access gate on El Rio Avenue, which is not a county-maintained road.

Use of the proposed El Rio Avenue gate would be primarily during construction. The access gate along El Rio Avenue is needed for delivery and installation of large substation components including transformers. The gate location on El Rio Avenue has been updated from the location shown in the Draft IS/MND; the gate has been moved slightly south (see revised Figure 2-4 below). Operational use of access gates will be limited. Operation and maintenance of the proposed substation would be similar to the existing operation and maintenance of the Elverta Substation. During normal operations, the substation would be operated remotely and continuously. Substation maintenance would occur on a regular basis, estimated as two to four times per month for internal inspections and four times per year for perimeter maintenance. It is expected that the Elverta Road gate would continue to be used as the primary entrance to the substation.

Construction of the new access from El Rio Avenue would include an appropriately sized culvert under the access driveway to maintain flow in the drainage ditch.

The comment references an existing Road Agreement between the neighbors on El Rio Avenue and the ABC Ready Mix concrete batch plant, which is located south of the proposed substation. It is SMUD policy to evaluate pre- and post-construction conditions on roads used for equipment access. SMUD will repair damage caused by the construction activities on any road not maintained by the County and coordinate with the County to repair any damage attributable to SMUD's use of County roads.

The location of the El Rio Avenue access gate has been updated on Figure 2-4; see Section 3 *Changes to Draft IS/MND Text* below.

2-2 The comment requests more information regarding impacts from the proposed retention basin for the project. Additionally, the commenter requests monitoring of the retention pond for hazardous waste.

Studies have been completed to determine the size requirements of the stormwater detention basin proposed at the El Rio Substation. Additional studies will be completed as the design of the substation progresses to ensure that the detention basin is of adequate size to retain stormwater on site. It is SMUD policy to size the detention basins to accommodate the runoff associated with a 100-year storm. Additionally, the bioretention basin would be vegetated to help capture pollutants.

The project would be required to comply with existing laws and regulations regarding the transportation, use, and disposal of hazardous materials. These regulations are specifically designed to protect the public health and the

environment and must be adhered to during project construction and operation. Similar to the existing substation, the El Rio Substation would utilize a highly refined mineral oil within transformers and other components. Each transformer would have a secondary containment system made of concrete and sufficiently sized to collect and hold any oil leaks from the transformer. Monitor pumps will be installed on equipment to monitor potential leaks. Transformers are required to be inspected regularly and any leaks are addressed promptly to maintain reliability.

Due to the battery system which would be located inside the control building or in an enclosure in the substation and amount of SF6 that would be onsite, a Hazardous Materials Business Plan (HMBP) is required. While there are exceptions, a HMBP is generally required if operation of the project includes the handling or storage of hazardous materials equal to or greater than the minimum reportable quantities. These quantities are 55 gallons for liquids, 500 pounds for solids and 200 cubic feet (at standard temperature and pressure) for compressed gases (CalEPA 2023). The HMBP includes emergency response plans and procedures to prevent or minimize harm to the public and the environment if a release of a hazardous material were to occur.

As described in Section 3.10 Hydrology and Water Quality, the project would be required to obtain coverage under the Construction General Permit, which requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would include good site housekeeping measures for proper storage and management of hazardous materials, as well as spill prevention, control, and countermeasures. Implementation of the SWPPP would greatly reduce the potential for construction activities to result in accidental releases of hazardous materials.

The description of the retention basin and optional locations for stormwater retention and treatment have been updated for clarity. See Section 3 *Changes to Draft IS/MND Text* below for the updated text and revised Figure 2-4.

2-3 The comment requests additional information on construction-related noise.

While the Sacramento County noise standard limits construction activities between the hours of 6 a.m. and 8 p.m., Monday through Friday, and 7 a.m. to 8 p.m. on Saturdays (Sacramento County Code 6.68.090[e]), SMUD will primarily work Monday through Saturday from 7 a.m. to 6 p.m. as stated on page 18 of the Draft IS/MND. Exceptions to these hours will occur for specific equipment installation, including oil filtering for transformer installation which requires the use of a generator for 3 days at 24-hours/day, and equipment deliveries which may occur outside the daytime hours. The El Rio Substation Project Noise Impact Assessment determined for residential land uses, noise levels associated with construction activities would not exceed the 80 dBA Leq threshold. Mitigation Measure 3.13-1 will be implemented to reduce short-term construction noise impacts include work hour restrictions. The proper maintenance of construction equipment and use of manufacturer-recommended mufflers and engine shrouds would reduce equipment noise levels by approximately 10 dB. The installation of temporary noise barriers, where required, would decrease noise levels by approximately 5 to 10 dB.

With mitigation, this impact would be considered less than significant. Based on

the predicted noise levels noted in the El Rio Substation Project Noise Impact Assessment and assuming that all noise sources were to operate simultaneously, predicted exterior noise levels at the nearest residential outdoor activity area would be approximately 48 dBA Leq/L50. Assuming an average exterior-to-interior noise reduction of 20 dBA, predicted interior noise levels at the nearest residence would be 28 dBA Leq/L50. Predicted noise levels would not exceed the County's exterior daytime/nighttime noise standards of 55/50 dBA Leq/L50 or the County's interior noise standard of 35 dBA Leq/L50. As a result, this impact would be considered less than significant.

When notifying neighbors of the start of construction, SMUD will provide neighbors with contact information for the SMUD Construction Manager responsible for contractor oversight. Noise complaints can be made to this SMUD employee. Minor changes have been made to the discussion of construction-related noise; see Section 3 *Changes to Draft IS/MND Text* below for the updated text.

2-4 The comment is inquiring about the lighting associated with the proposed project.

Most substation lighting would be off during standard operating conditions, except for footpath and security lighting, which incorporates fixtures with photocell on/off and motion high/low with low light output at 30% or less, and on rare occasions when nighttime access is required for urgent repairs or inspections. All substation lighting would be oriented downward toward major equipment and shields may be used on fixtures to help prevent light trespass and minimize glare onto surrounding properties, as long as SMUD security standards are still met. The substation lighting standards would be approximately 30 feet above ground level and at least 31 feet from adjacent roadways per Sacramento County setback requirements. Hence, impacts from new lighting are less than significant.

No changes are required to the Draft IS/MND in response to this comment.

2-5 The comment states concern regarding the proposed fencing and landscaping and suggests the addition of shade fabric or slats to the fence and changes to the proposed landscaping.

SMUD specifications for fencing do not include fence fabric or slats. SMUD uses a higher security 1-inch-mesh chain link fence, and readily available fence slats are not made for this smaller mesh size. Privacy fence fabric is also not recommended due to maintenance cost and effort. Once constructed, the substation would not generate dust and, as explained in response to comment 2-4, use of lighting at the substation would be limited and light standards have been designed to minimize glare and light trespass. As discussed in Section 3.1 of the Draft IS/MND, the project would have a less-than-significant impact on aesthetics.

Landscaping is subject to final design determination. SMUD strives to implement perimeter landscaping that requires low water use and minimal maintenance while being visually appealing. SMUD appreciates the commentor's concern for the visibility of the site and the request for additional trees and shrubs will be added to the record. The comments will be considered in the final landscape plan. No changes are required to the Draft IS/MND in response to this comment.

2-6 The comment is inquiring about the future use of the Elverta Substation site.

As shown on Figure 2-4, some of the existing equipment will remain following the decommissioning of the Elverta Substation. The site may be used for short-term storage of parts or materials, which could include steel structures or spare equipment that is in good working condition. This site would not be used to store abandoned equipment containing hazardous materials. No changes are required to the Draft IS/MND in response to this comment.

California Water Boards

Gavin Newsom
Governor

Yana Garcia
Secretary for
Environmental Protection

Central Valley Regional Water Quality Control Board

5 October 2023

Ammon Rice
Sacramento Municipal Utility District (SMUD)
6201 S Street, MS B209
Sacramento, CA 95817-1899
ammon.rice@smud.org

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, EL RIO SUBSTATION PROJECT, SCH#2023090056, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 5 September 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the El Rio Substation Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

3-1

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

3-1 cont.

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

3-2

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

3-3

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

3-3 cont.

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

3-3 cont.

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

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

Letter 3	Central Valley Regional Water Quality Control Board Peter Minkel, Engineering Geologist October 5, 2023

3-1 The comment provides background information about the Basin Plan and the process for amending the Basin Plan. It is understood that the standards of the Basin Plan may be amended over time. The comment does not address the adequacy of the analysis of the Draft IS/MND. No further response is needed.

3-2 The comment states that all wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

The Basin Plan is discussed on page 87 of the Draft IS/MND. Furthermore, as discussed on page 90 of the Draft IS/MND, the project would obtain coverage under the National Pollution Discharge Elimination System (NPDES) General Construction Permit. The permit would require preparation and implementation of a stormwater pollution prevention plan (SWPPP) that would specify storm water best management practices (BMPs). No changes are required to the Draft IS/MND in response to this comment.

3-3 The comment provides information about the permitting requirements that may be applicable to the project. Section 2.5 beginning on page 20 of the Draft IS/MND discusses the potential permits that may be required and includes permits issued by the Central Valley Regional Water Quality Control Board. Additionally, the impact discussion on page 90 of the Draft IS/MND discusses the applicable permits and requirements related to water quality. No changes are required to the Draft IS/MND in response to this comment.

Letter
4

From: Molly Wright <MWright@airquality.org>
Sent: Monday, October 9, 2023 3:32 PM
To: Ammon Rice <Ammon.Rice@smud.org>
Cc: Paul Philley <PPhilley@airquality.org>
Subject: [EXTERNAL] Sacramento Metropolitan Air Quality Management District comments on the El Rio Substation MND

Dear Ammon Rice:

Thank you for providing the Sacramento Metropolitan Air Quality Management District (SMAQMD) with notice of the draft Mitigated Negative Declaration (MND) for the El Rio Substation Project. Our comment on the MND pertains to use of our Basic Construction Emission Control Practices (BMPs).

The MND correctly indicates that "The project's projected maximum construction emissions do not exceed SMAQMD's daily or annual construction emission standards. However, SMAQMD predicates the particulate matter standard on adherence to their Basic Construction Emission Control Practices and Best Management Practices. Without the application of the SMAQMD's BMPs, this impact would be potentially significant." It further indicates that "Mitigation Measure 3.3-1 would require that the project implement the SMAQMD's BMPs."

4-1

Mitigation Measure 3.3-1 is commendable, however, it does not include the entirety of our BMPs. Our BMPs, proper predications for their use, and other CEQA guidance is available in our *Guide to Air Quality Assessment in Sacramento County*, available online here: https://www.airquality.org/Residents/CEQA-Land-Use-Planning/CEQA-Guidance-Tools

- SMAQMD recommends that all measures from our Basic Construction Emission Control Practices be included in Mitigation Measure 3.3-1, so that the MND can correctly use our non-zero thresholds of significance for particulate matter. The other elements of Mitigation Measure 3.3-1 could still be included therein.

Thank you for your consideration. Please let me know if you have any questions at all.

Best Regards,

Molly Wright
Air Quality Planner/Analyst
Desk: (279) 207-1157
mwright@airquality.org
www.AirQuality.org
@AQMD

SACRAMENTO METROPOLITAN
AIR QUALITY
MANAGEMENT DISTRICT

Letter 4	Sacramento Metropolitan Air Quality Management District Molly Wright, Air Quality Planner/Analyst October 9, 2023

4-1 In response to the comment, Mitigation Measure 3.3-1 has been revised to include the entirety of the SMAQMD BMPs. The updates to the mitigation measure requested by the commenter are reflected in the final text of the MMRP to be implemented by SMUD, and do not change the conclusion of the IS/MND. See Section 3 *Changes to Draft IS/MND Text* below for the updated mitigation measure text.

3 Changes to Draft IS/MND Text

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

It should be noted that the following revisions do not change the intent or content of the analysis or effectiveness of mitigation measures presented in the Draft IS/MND and do not necessitate recirculation of the Draft IS/MND or preparation of an Environmental Impact Report.

3.1 Changes to Draft IS/MND Project Description

Figure 2-4 Conceptual Substation Plan on page 13 of the Draft IS/MND has been updated to show options for stormwater drainage and revision to the El Rio Avenue gate. The revised figure is provided below.

The text on page 14 of the Draft IS/MND describing the stormwater drainage has been revised as follows.

> Stormwater Drainage
> The substation would be designed such that on-site runoff would be collected into an underground storm drain pipe system and a stormwater retention basin. The stormwater retention basin would be constructed south of the existing Elverta Substation or within the El Rio Substation footprint after the Elverta Substation is dismantled and in accordance with site drainage design requirements. Figure 2-4 shows optional locations for the retention basin or bioretention basin south of the existing substation (Option B) or along the north side of the new and existing substation (Option A). In order to minimize drainage impacts from the increased amount of non-permeable surfaces (estimated to be 60,000 square feet), the proposed on-site retention basin would collect stormwater in the basin, allowing pollutants to be captured by vegetation and the water to percolate into the soil. If constructed within the substation property, the bioretention basin or retention basin would collect stormwater and allow pollutants to be captured by vegetation before entering the existing roadside stormwater collection system. If the stormwater retention basin were constructed outside of SMUD's current easement area on the WAPA-owned parcel, SMUD would modify the existing easement with WAPA to include the basin area.

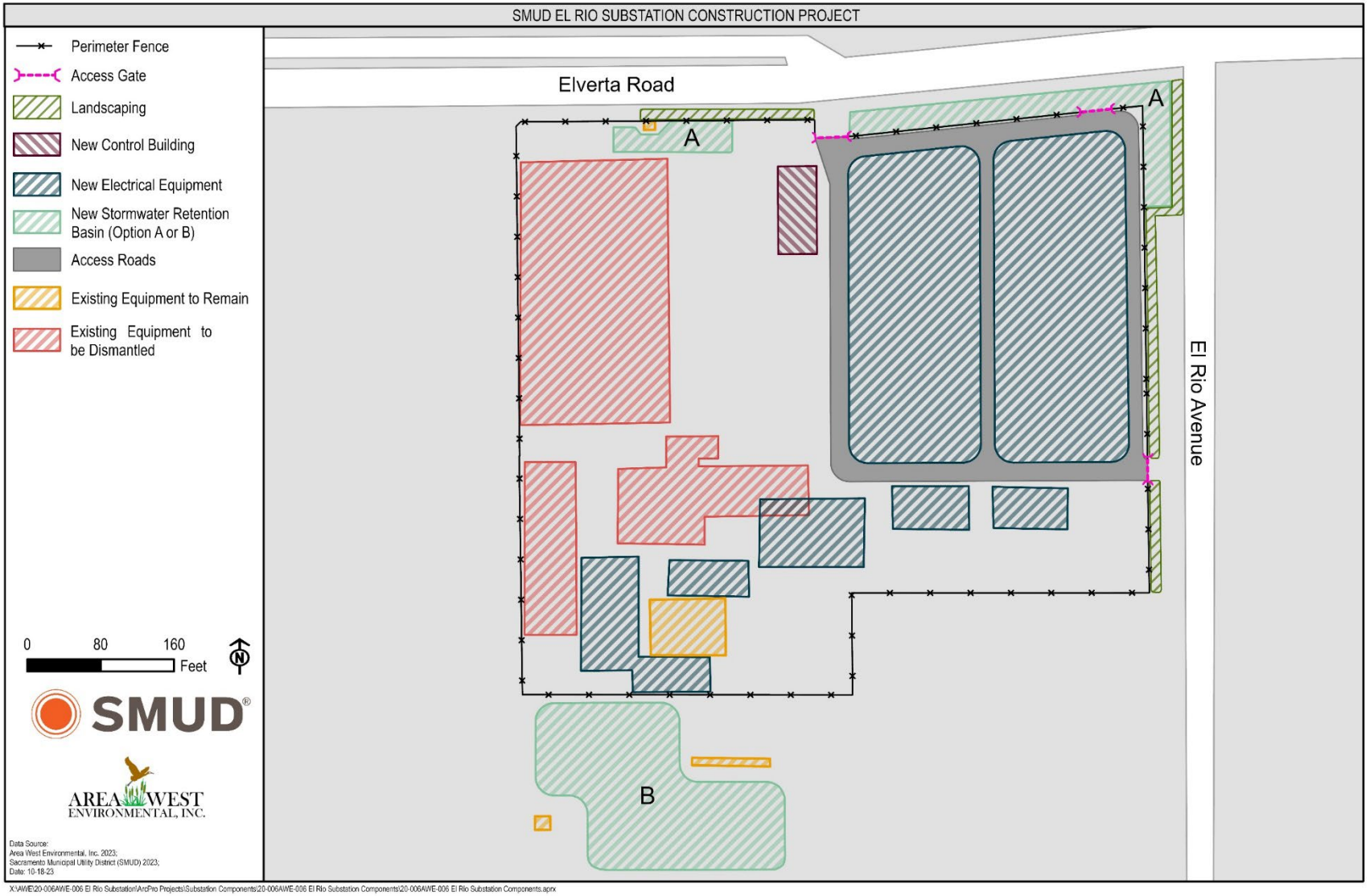

Figure 2-1. Conceptual Substation Plan

3.2 Changes to Draft IS/MND Environmental Impact Evaluation

The text of Mitigation Measure 3.3-1 beginning on page 39 of the Draft IS/MND is revised as follows.

Mitigation Measure 3.3-1: Implement SMAQMD Emissions Controls and BMPs.

SMUD or the authorized contractor will adhere to the SMAQMD basic construction emissions control practices, including, but not limited to the measures listed below, and additional measures designed to limit DPM:

- *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.*

- *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.*

- *Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.*

- *Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).*

- *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.*

- *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.*

- *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].*

- *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.*

- ~~*All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover. Soil shall be kept moist at all times.*~~

- ~~*All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or*~~

~~*suppressant.*~~

- ~~*When materials are transported offsite, all material shall be covered, effectively wetted to limit visible dust emissions, or maintained with at least 2 feet of freeboard space from the top of the container.*~~

- ~~*All operations shall limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring.*~~

- ~~*After materials are added to or removed from the surfaces of outdoor storage piles, the storage piles shall be effectively stabilized of fugitive dust emissions using sufficient water or a chemical stabilizer/suppressant.*~~

- ~~*Onsite vehicle speeds on unpaved roads shall be limited to 15 mph*~~

- *Wheel washers shall be installed for all trucks and equipment exiting unpaved areas, or wheels shall be washed to remove accumulated dirt before such vehicles leave the site.*

- *Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1%.*

- *Excavation and grading activities shall be suspended when winds exceed 20 mph.*

- *The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible.*

- ~~*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.*~~

- ~~*Maintain all construction equipment in proper working condition according to manufacturer's specifications. Equipment will be checked by a certified mechanic and determined to be running in proper condition before it is operated.*~~

- ~~*All on and off-road diesel equipment shall not idle when not in use. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit.*~~

- ~~*Provide current certificate(s) of compliance for ARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1].*~~

- *Diesel equipment meeting the ARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines shall be used to the extent locally available.*

- *On-road heavy-duty equipment with model year 2010 engines or newer shall be used to the extent locally available.*

- *Diesel powered equipment shall be replaced by electric equipment whenever available.*

- *Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, shall be used on-site where locally available.*

- *Catalytic converters shall be installed on gasoline-powered equipment, if available, and in accordance with manufacturer's recommendations.*

The text under Construction-Related Noise beginning on page 104 of the Draft IS/MND is revised as follows.

> With regard to residential land uses, noise levels associated with construction activities would not exceed the 80 dBA Leq threshold commonly recommended by federal agencies (FTA 2018). However, activities occurring during the more noise-sensitive evening and nighttime hours (i.e., 8:00 p.m. to 6:00 a.m.) are of increased concern. Because exterior ambient noise levels typically decrease during the evening and nighttime hours, as community activities (e.g., commercial activities, vehicle traffic) decrease, construction activities performed during these more noise-sensitive periods of the day can result in increased annoyance and potential sleep disruption for occupants of nearby residential dwellings. Nighttime construction activities would be infrequent; equipment deliveries may be made at night or early morning and oil filtering for transformer installation would require a generator for three days (24 hours a day). For these reasons, noise-generating construction activities would be considered to have a ***potentially significant*** impact.

4 Mitigation Monitoring and Reporting Program

4.1 Introduction

This mitigation monitoring and reporting program summarizes identified mitigation measures, implementation schedule, and responsible parties for the SMUD El Rio Substation Project (project). SMUD will use this mitigation monitoring and reporting program to ensure that identified mitigation measures, adopted as conditions of project approval, are implemented appropriately. This monitoring program meets the requirements of CEQA Guidelines Section 15074(d), which mandates preparation of monitoring provisions for the implementation of mitigation assigned as part of project approval or adoption.

4.2 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 implementing the mitigation. SMUD will retain the primary responsibility for ensuring that the project meets the requirements of this mitigation plan 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 confirming 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 (Mitigation Monitoring and Reporting Program) lists each identified environmental resource being affected, the corresponding monitoring and reporting requirement, and the party responsible for ensuring implementation of the mitigation measure and monitoring effort.

4.3 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.

Table 4-1: Mitigation Monitoring and Reporting Program

Air Quality

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.3-1. Implement SMAQMD Emissions Controls and BMPs. *SMUD or the authorized contractor will adhere to the Sacramento Metropolitan Air Quality Management District (SMAQMD) basic construction emissions control practices, including, but not limited to the measures listed below, and additional measures designed to limit DPM:* • *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.* • *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.* • *Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.* • *Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).* • *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.*	Before Construction During Construction After construction	Authorized Construction Contractor	SMUD	Site Inspection		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
• *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.* • *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].* • *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.* • *Wheel washers shall be installed for all trucks and equipment exiting unpaved areas, or wheels shall be washed to remove accumulated dirt before such vehicles leave the site.* • *Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1%.* • *Excavation and grading activities shall be suspended when winds exceed 20 mph.* • *The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible.* • *Diesel equipment meeting the ARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines shall be used to the extent locally available.*						

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
• *On-road heavy-duty equipment with model year 2010 engines or newer shall be used to the extent locally available.* • *Diesel powered equipment shall be replaced by electric equipment whenever available.* • *Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, shall be used on-site where locally available.* • *Catalytic converters shall be installed on gasoline-powered equipment, if available, and in accordance with manufacturer's recommendations.*						
Mitigation Measure 3.3-2. Survey, Remove, and Dispose of ACM and LBP *The presence or absence of asbestos-containing material (ACM) and lead-based paint (LBP) will be verified by conducting a survey for these materials prior to demolition activities, and if present, they will be remediated prior to any renovation or demolition at the project site that involves the disturbance or potential disturbance of ACM or LBP, in accordance with applicable regulatory requirements, including requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M-Asbestos; NESHAP). These requirements include but are not limited to: 1) notification, within at least 10 business days of activities commencing, to the air quality management district, 2) an asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. The SMAQMD is delegated authority by the United States Environmental Protection Agency (USEPA) to implement the Federal Asbestos NESHAP.*	Before Construction	Authorized Construction Contractor	SMUD	Construction Contractor will provide results of ACM and LBP testing. & Site Inspection		

Biological Resources

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
<u>Mitigation Measure 3.4-1: Avoid or Minimize Effects on Special-status Aquatic Species and Waters of the U.S. and State</u> • *All on-site construction personnel will receive worker environmental awareness training, which instructs workers regarding the presence of listed species and the importance of avoiding impacts to these species and their habitat.* • *Access, egress, and ground-disturbing activities will be sited to avoid aquatic features to the extent possible. Where present, existing paved and unpaved roads will be used to access the work area.* • *All work in or near potential aquatic species habitat will be performed in the dry season (approximately April 15 through October 15).* • *Temporary fencing shall be placed along the boundary of the work areas to avoid and protect environmentally sensitive areas (waters of the U.S. and State, special-status species habitat) during construction activities. Fencing must be installed prior to the initiation of any vegetation removal, equipment staging, construction, or other project activity. Fencing will consist of temporary construction barrier fencing or silt fencing. The fencing will be checked regularly and maintained until all construction is complete.*	Before Construction (*training, ESA fence installation)* During Construction (*work windows and soil salvage)* After Construction (restoration of disturbed area)	Authorized Construction Contractor	SMUD	Construction Contractor will advise SMUD in writing that the environmental training has been completed. & Site Inspection		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
• *All temporarily disturbed areas will be returned to pre-project conditions upon completion of construction. Soil stabilization may include, but is not limited to, seeding with a native grass seed mix and/or planting native plants. These areas will be properly protected from washout and erosion using appropriate erosion control devices including coir netting, hydroseeding, and/or revegetation. The existing grades in temporary impact areas will be recontoured to existing conditions.* • *Rubber matting, or similar equivalent, will be used where temporary access for heavy equipment is required through vernal pools and seasonal wetlands/swales.* • *For pole installations in or within 250 feet of wetlands, the upper four inches of topsoil will be stockpiled separately on Visqueen or plastic sheets during excavations. The area between the pole and the pole hole will be backfilled with cement, and the upper portion will be backfilled with native soil commensurate with the topography and stratigraphy of the surrounding soil. When this topsoil is replaced, compaction shall be minimized to the extent consistent with utility standards. Areas of disturbed soil will be reseeded with a native seed mix.* • *For pole removal, clay (native or bentonite) will be used to fill the pole hole.* • *No pesticides or herbicides will be applied within 250 feet of vernal pools.*						
<u>Mitigation Measure 3.4-2. Compensate for Permanent Impacts to Wetlands and Aquatic Species Habitat</u> *If the new monopole locations result in permanent impacts on wetland features, the appropriate permits would be obtained and the USFWS would be consulted. As part of the consultation process, SMUD would*	Before Construction	SMUD	SMUD	Completion of Compensatory Mitigation Plan and receipt of 404 permit, if applicable		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
prepare and implement a Compensatory Mitigation Plan for project impacts on wetlands and vernal pool branchiopods. The Compensatory Mitigation Plan may include, but is not limited to, the purchase of mitigation credits for vernal pool fairy shrimp and vernal pool tadpole shrimp from the SMUD Nature Preserve Mitigation Bank or an alternative USFWS-approved mitigation bank in accordance with USFWS guidance on mitigation ratios. This mitigation requirement may be refined or superseded by the USFWS and U.S. Army Corps of Engineers permit terms.						
Mitigation Measure 3.4-3: Conduct Pre-Construction Survey for Western Spadefoot *A biologist will conduct a survey no less than 7 days prior to the initiation of any ground disturbing activities within or adjacent to suitable habitat for western spadefoot. This survey will comprise walking transects while conducting visual encounter surveys within areas that will be subject to staging, vegetation clearing, grubbing, grading, cut and fill, or other ground disturbing activities. The survey will include wetlands and adjacent grassland. All potential habitat features in the project site, such as crevices and burrows western spadefoot often use, will be searched to the maximum extent practicable.* *If western spadefoot are present within the project work limits (including their egg masses or tadpoles), then CDFW will be notified and additional avoidance and minimization measures will be implemented. Any special-status species observed will be allowed to voluntarily move outside of the work area on its own volition.*	Before Construction	SMUD Biologist	SMUD	The project biologist will submit a summary of the pre-construction survey results to SMUD and CDFW, as appropriate.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.4-4: Avoid or Minimize Effects on Giant Garter Snake • *Avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat to the greatest extent feasible.* • *Construction activity within 200 feet of giant garter snake aquatic habitat should be conducted between May 1 and October 1. This is the active period for giant garter snakes and direct mortality is lessened, because snakes are expected to actively move and avoid danger. If activities occur between October 2 and April 30 within 200 feet of giant garter snake habitat, SMUD will contact the USFWS Sacramento Fish and Wildlife Office to determine if additional measures are necessary to minimize and avoid take.* • *Confine clearing to the minimal area necessary to facilitate construction activities. Flag and designate avoided giant garter snake habitat within or adjacent to the project site as Environmentally Sensitive Areas. This area should be avoided by all construction personnel.* • *Construction personnel shall receive worker environmental awareness training. This training instructs workers to recognize giant garter snakes and their habitat(s).* • *24 hours prior to construction activities, the project site should be surveyed for giant garter snakes. The survey of the project site should be repeated if a lapse in construction activity of two weeks or more has occurred. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake will not be harmed.*	Before Construction (*habitat flagging, training, pre-construction surveys)* During Construction (*work windows and agency contact)*	Authorized Construction Contractor & SMUD Biologist	SMUD	The project biologist will submit a summary of environmental training and pre-construction survey results to SMUD.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
• *Any dewatered habitat should remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.*						
Mitigation Measure 3.4-5: Avoid or Minimize Effects on Nesting Swainson's Hawk, White-Tailed Kite, Grasshopper Sparrow, and Other Nesting Birds • *The following measures shall be implemented to avoid or minimize loss of active Swainson's hawk, white-tailed kite, grasshopper sparrow, and other raptor nests:* • *If construction (including vegetation removal) would occur during the nesting season (between February 1 and August 31), a SMUD project biologist/biological monitor shall conduct pre-construction nesting bird surveys to determine whether birds are nesting in the work area or within 0.25 mile for Swainson's hawk and 500 feet for all other nesting birds of the project site.* • *The pre-construction nesting bird surveys will identify on-site bird species and any nest-building behavior. If no nesting Swainson's hawks are found on or within 0.25 mile of the project site or if no nesting birds are found on or within 500 feet of the project site during the pre-construction clearance surveys, construction activities may proceed as scheduled.* • *If pre-nesting behavior is observed but an active nest of common nesting bird has not yet been established (e.g., courtship displays but no eggs in a constructed nest), a nesting bird deterrence and removal program will be implemented. Such deterrence methods include removal of the previous year's nesting materials and removal of partially completed nests in progress. After a nest is situated and identified with eggs or young, it is considered to be "active," and the nest cannot be removed until the young have fledged.*	*If construction is planned between February 1 and August 31:* Before Construction	SMUD Biologist	SMUD	The project biologist will submit a summary of the pre-construction survey results to SMUD.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
• *If active Swainson's hawk nests are found within the survey area, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around the nest. Monitoring of the nest by a qualified biologist during construction activities shall be required if the activity has the potential to adversely affect the nest. Based on guidance for determining a project's potential for affecting Swainson's hawks (Swainson's Hawk Technical Advisory Committee 2000), projects in urban areas have a low risk of adversely affecting nests greater than 600 feet from project activities. Therefore, 600 feet is anticipated to be the adequate buffer size for protecting nesting Swainson's hawks from disturbances associated with the project. However, the qualified biologist shall consult with CDFW to confirm the adequacy of the no-disturbance buffer and/or whether the buffer may be reduced based on the biologist's professional judgment.* • *If an active white-tailed kite, grasshopper sparrow, or common bird species nest is found on or within 500 feet of the project site during construction, a "no-construction" buffer zone will be established around the active nest (usually a minimum radius of 50 feet for passerine birds and 500 feet for raptors) to minimize the potential for disturbance of the nesting activity. The project biologist/biological monitor will determine and flag the appropriate buffer size required, based on the species, specific activities being conducted, tolerances of the species, and the nest location. Project activities will resume in the buffer area when the project biologist/biological monitor has determined that the nest(s) is (are) no longer active or the biologist/biological monitor has determined that with implementation of an appropriate buffer, work activities would not disturb the bird's nesting behavior.*						
Mitigation Measure 3.4-6: Avoid or Minimize Effects on Burrowing Owls	Before Construction	SMUD Biologist	SMUD	The project biologist will submit a summary of		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
The following measures shall be implemented to avoid or minimize effects to burrowing owl during construction of the proposed project: • *Pre-construction surveys for burrowing owls would be completed before the project begins. A survey to determine presence or absence of burrowing owls may be performed at any time to facilitate passive relocation efforts, which must occur during the nonbreeding season (generally September 1 to January 31). In addition, a pre-construction survey would be conducted no more than 14 days prior to the initiation of any project activities, including vegetation removal, equipment staging, or construction. This survey would be conducted in all areas of potential habitat within the project area plus a 500-foot buffer and would follow the methods described in the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012) or an updated version of this document.* • *If the biologist finds an active burrowing owl burrow, the biologist would establish a buffer around the site. The buffer location would be based on the CDFW Staff Report on Burrowing Owl Mitigation (2012) or at the distance which the biologist, in consultation with CDFW, determines that burrowing owls would not be harassed by the proposed project.*				the pre-construction survey results to SMUD.		
Mitigation Measure 3.4-7: Conduct an American Badger Pre-construction Survey *A qualified biologist would conduct a preconstruction survey for American badger individuals and active dens in the project site and within a 250-foot buffer of the project site.* • *The preconstruction survey would be conducted no more than 14 days before the initiation of construction activities.*	Before Construction	SMUD Biologist	SMUD	The project biologist will submit a summary of the pre-construction survey results to SMUD.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
• *For surveys in inaccessible areas, the biologist would use binoculars to scan any suitable denning substrate for potential individuals or dens.* • *If no active dens are found during the preconstruction surveys, then no additional mitigation is required.* • *If an active den is identified within the survey area, a no-disturbance buffer would be established around the nest/den to avoid disturbance of the denning mammal until a qualified biologist determines that the young have dispersed. The extent of these buffers would be determined by the biologist and would depend on the level of noise or construction disturbance, line-of-sight between the den and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.* • *If any non-denning individuals are observed in the survey area before or during construction, the species would be allowed to move out of harm's way on its own.*						

Cultural Resources

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.5-1: Worker Environmental Awareness and Cultural Respect Training and Procedures for Inadvertent Discovery of Cultural Resources *Prior to excavation or other subsurface disturbance activities, individuals conducting the work will be required to participate in Worker Environmental Awareness and Cultural Respect Training. Workers will be advised to watch for cultural resource materials. If workers observe any evidence of pre-contact cultural resources*	Before Construction *(training)* During Construction *(discovery)*	Authorized Construction Contractor	SMUD	Construction Contractor will advise SMUD in writing that the environmental training has been completed.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
(freshwater shells, beads, bone tool remnants or an assortment of bones, soil changes including subsurface ash lens or soil darker "midden" in color than surrounding soil, lithic materials such as flakes, tools or grinding rocks, etc.), or historic cultural resources (adobe foundations or walls, structures and remains with square nails, refuse deposits or bottle dumps, often associated with wells or old privies), all ground-disturbing activity within 100 feet of the discovery must immediately cease and a qualified archaeologist must be consulted to assess the significance of the cultural materials. SMUD will be notified of the potential find and a qualified archeologist shall be retained to investigate its significance. If the qualified archaeologist determines the archaeological material to be Native American in nature, Mitigation Measure 3.18-1 shall be implemented. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall work with SMUD to develop and implement 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, archival research, subsurface testing, or contiguous block unit excavation and data recovery.				Construction Contractor will advise SMUD ASAP by phone of any discovery.		
Mitigation Measure 3.5-2: Procedures for Discovery of Human Remains *If human remains are discovered, all work within a100 feet of the find must immediately cease, and the local coroner must be contacted. Procedures for the discovery of human remains will be followed in accordance with provisions of the State Health and Safety Code, Sections 7052 and 7050.5 and the State Public Resources Code Sections 5097.9 to 5097.99. If the Coroner determines that the remains are those of Native American origin, the Coroner shall contact the Native American Heritage Commission (NAHC) and subsequent procedures shall be followed, according to*	During Construction *(discovery)*	Authorized Construction Contractor	SMUD	Construction Contractor will advise SMUD ASAP by phone of any discovery.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
State Public Resources Code Sections 5097.9 to 5097.99, regarding notification of the Native American Most Likely Descendant. Following the coroner's and NAHC's findings, SMUD and the NAHC-designated Most Likely Descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed.						

Geology and Soils (Paleontology)

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.7-1: Worker Environmental Awareness Training and Procedures for Inadvertant Discovery of Paleontological Resources *A Worker Environmental Awareness Training (WEAT) will be presented for all construction workers prior to the start of ground disturbing activities (including vegetation removal, grading, excavation, etc.). The training session shall discuss the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. Documentation shall be retained demonstrating that all construction/ decommissioning personnel attended the training.* *SMUD will retain an on-call paleontologist to respond to potential finds during project construction. If potential paleontological resources are uncovered during on-site construction activities, all work must stop immediately within 100 feet of the find and a qualified paleontologist shall evaluate the deposits. The paleontologist will be responsible for assessing any evidence of paleontological resources encountered during construction. If the find is deemed significant, it should be salvaged by the paleontologist following the standards of the SVP (2010) and curated with a certified repository. Work in the area may resume after*	*Before Construction (training)* *During Construction (discovery)*	*Authorized Construction Contractor*	*SMUD*	*Construction Contractor will advise SMUD in writing that the training has been completed. Construction Contractor will advise SMUD ASAP by phone of any discovery.*		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
authorization is granted by SMUD's project manager in consultation with the paleontologist.						

Hazards and Hazardous Materials

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.9-1: Manage Accidental Discovery of Hazardous Materials *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., Sacramento County EMD) 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 (discovery)*	*Authorized Construction Contractor*	*SMUD*	*Construction Contractor will advise SMUD ASAP by phone of any discovery.*		

Noise

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.13-1. Limit Construction Noise *The following measures shall be implemented to reduce short-term construction noise impacts:* • *Construction activities shall be limited to between the hours of 6 a.m. and 8 p.m., Monday through Friday, and 7 a.m. to 8 p.m. on Saturdays, where practicable. Construction activities would be prohibited on Sundays*	During Construction	Authorized Construction Contractor	SMUD	Site Inspection		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
and legal holidays. Haul truck operations shall be limited to these same hourly restrictions. • *Construction equipment shall be properly maintained and equipped with exhaust mufflers and engine shrouds in accordance with manufacturers' recommendations.* • *To the extent locally available, electrified, or alternatively powered construction equipment shall be used.* • *Construction equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses (residences).* • *Stationary noise sources such as generators, pumps, and pavement crushers, shall be located at the furthest distance possible from noise-sensitive uses.*						

Tribal Cultural Resources

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
Mitigation Measure 3.18-1: Worker Environmental Awareness and Cultural Respect Training and Procedures for Discovery of Potential Tribal Cultural Resources *All construction personnel must receive Tribal Cultural Resources Sensitivity and Awareness Training (Worker Environmental Awareness Program [WEAP]), including field consultants and construction workers. The WEAP shall be developed in coordination with interested Native American Tribes.* *The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and Tribal cultural resources,*	Before Construction *(training)* During Construction *(discovery)*	Authorized Construction Contractor	SMUD	Construction Contractor will advise SMUD in writing that the training has been completed. Construction Contractor will advise SMUD ASAP by phone of any discovery.		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and Tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or Tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American Tribal values. The training may be done in coordination with the project archaeologist. *All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training.* *During excavation or other substantial subsurface disturbance activities, all construction personnel must follow procedures and the direction of archeologists and Tribal monitors if any cultural resource materials are observed.*						
Mitigation Measure 3.18-2: Spot Check Monitoring for Tribal Cultural Resources *SMUD shall invite representatives of Wilton Rancheria and Shingle Springs Band of Miwok Indians (SSBMI) to periodically inspect the active areas of the project, including any soil piles, trenches, or other disturbed areas. Wilton Rancheria and SSBMI shall be notified at least 48 hours prior to start of construction.*	During Construction	SMUD	SMUD	Site Inspection		
Mitigation Measure 3.18-3: Unanticipated Discovery of Tribal Cultural Resources *If any suspected Tribal cultural resources are discovered during ground disturbing construction activities, including midden soil, artifacts, cultural belongings, chipped stone, exotic rock (nonnative), or unusual amounts of baked clay, shell, or bone, all work shall pause within 100 feet of the find. Consulting Tribe(s) shall be immediately*	During Construction *(discovery)*	Authorized Construction Contractor	SMUD	Construction Contractor will advise SMUD ASAP by phone of any discovery		

Mitigation Measure	Timing	Responsible for Implementation	Responsible for Verification	Form of Verification	Verified	Remarks
notified and shall determine if the find is a Tribal cultural resource (pursuant to PRC section 21074). The Tribal representative will make recommendations for further evaluation and treatment, as necessary. Preservation in place is the preferred alternative, and every effort must be made to preserve the resources in place, including through project redesign. 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, and returning objects to a location within the project area where they will not be subject to future impacts. Curation of Tribal cultural resources is not considered appropriate or respectful; materials would not be permanently curated, unless approved by the consulting Tribe. Treatment that preserves or restores the cultural character and integrity of a Tribal cultural resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.						

5 List of Preparers

5.1 Sacramento Municipal Utility District

Ammon Rice ..... Supervisor, Environmental Services

Rick Yin .....Principal Distribution Design Engineer

Jordan Lemmon..... Senior Civil Engineer

Gretchen Hildebrand..... Senior Land Specialist

5.2 Area West Environmental Inc.

Aimee Dour-Smith. ..... Project Manager/ CEQA Specialist

Kim Mays .....Environmental Planner

Colena Sankbeil.....Planner/ GIS Analyst