



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 11.1i

Meeting Date: May 17, 2018

Subject: Approve Resolution No. 3015 Transportation Facility Relocation Project
Mitigated Negative Declaration (MND)

- ☐ Information Item Only
- ☒ Approval on Consent Agenda
- ☐ Conference (for discussion only)
- ☐ Conference/First Reading (Action Anticipated: _____)
- ☐ Conference/Action
- ☐ Action
- ☐ Public Hearing

Division: Facilities Support Services

Recommendation: Receive for review the Mitigated Negative Declaration (MND), including the public comments received, and the Mitigation Reporting Program (MRP) for the Transportation Facility Relocation Project. The California Environmental Quality Act (CEQA) requires the adoption of such a resolution for the planning and construction of the Transportation Facility Relocation Project. Resolution No. 3015 is attached.

Background/Rationale: The Transportation Facility Relocation Project consists of relocating the District's Transportation Facilities from 3101 Redding Avenue to the new location across the street at 7050 San Joaquin Street. The project also includes the construction of a new warehouse on the 3101 Redding Ave site.

The proposed project is subject to review under CEQA. For every non-exempt public project, CEQA generally requires the Lead Agency to prepare an Initial Study in order to determine the level of environmental review that is required for CEQA compliance. If the Initial Study indicates that the project will not result in significant environmental impacts, the Lead Agency may adopt a "negative declaration" rather than preparing a full Environmental Impact Report. (Pub. Res. Code Section 21080 (c).)

If the Initial Study reveals substantial evidence that significant environmental impacts might occur, but also identifies mitigation measures that reduce those impacts to a level of less than significant, the lead agency may satisfy CEQA obligations with a "Mitigated Negative Declaration." (Pub. Res. Code Section 21064.5 & Section 21080 (d).)

Consistent with this process, an Initial Study was prepared which determined that the proposed project may result in significant environmental impacts, but that the mitigation measures would reduce those impacts to a level of less than significant. Therefore, a Mitigated Negative Declaration (MND) was prepared. In compliance with CEQA Guidelines 15072 & 15073, the District provided notice of and circulated the MND for public review. The Notice of Availability was published in the Sacramento Bee and mailed to residents immediately adjacent to the new location at 7050 San Joaquin Street.

The District received two (2) comments from members of the public which are included in the Summary of Comments for the Board's review. None of the Comments affects the adequacy of the MND for the purposes of CEQA compliance. The MND including the Appendices and Mitigation Reporting Program (MRP), represents the proposed final environmental document for the Project. Approval for the MND, along with the MRP will satisfy the District's obligation under CEQA and is a prerequisite to final District approval of the Project.

Financial Considerations: None

LCAP Goal(s): Operational Excellence

Documents Attached:

1. Resolution No. 3015
2. Mitigated Negative Declaration for the Transportation Facility Relocation Project and Technical Appendix for MND Link:
<http://www.scusd.edu/draft-mitigated-negative-declaration-transportation-facility-relocation-project>
3. Mitigation Reporting Program
4. Public Comments and Responses

Estimated Time of Presentation: N/A

Submitted by: Cathy Allen, Chief Operations Officer

Approved by: Jorge A. Aguilar, Superintendent

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION RESOLUTION NO. 3015**

**RESOLUTION OF THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT ADOPTING
THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE MITIGATION
REPORTING PROGRAM FOR THE TRANSPORTATION FACILITY RELOCATION
PROJECT**

WHEREAS, the Board of Education ("Board") of the Sacramento City Unified School District (the "District") has received a Mitigated Negative Declaration/Initial Study ("MND") dated April 3, 2018, prepared for the Transportation Facility Relocation Project ("Project"); and

WHEREAS, the Project consists of relocating the District's Transportation Facilities from 3101 Redding Avenue to the new location at 7050 San Joaquin Street,

WHEREAS, on April 1, 2018, the District published the Notice of Availability and Intent to Adopt the MND in the Sacramento Bee; and

WHEREAS, on April 3, 2018, the District posted the Notice of Availability and Intent to Adopt the MND and the MND in its entirety on the District's website

WHEREAS, on April 3, 2018, the District also filed a Notice of Completion with the State Clearinghouse allowing the State to circulate copies of the MND to any affected State agencies for comment; and

WHEREAS, the public comment period on the MND commenced on April 3, 2018, and ended on May 3, 2018, following said notice to the public and all public agencies; and

WHEREAS, the District received two (2) written comments on the MND from the public and reviewing public agencies during the public review period; and

WHEREAS, such comments and responses thereto have been incorporated into the MND through a Summary of Comments; and

WHEREAS, all actions required to be taken by applicable law relating to the preparation, circulation, and review of the MND have been taken; and

WHEREAS, the Board has reviewed and considered the MND (including the Appendices, the Summary of Comments and Responses) and has evaluated and considered the comments received from persons who have reviewed the MND and any written responses thereto;

WHEREAS, the Board has reviewed and considered the mitigation measures identified in the MND and listed in the Mitigation Reporting Program ("MRP") set forth in Exhibit A; and

WHEREAS, the facts and findings regarding the Project set forth in this Resolution are supported by substantial evidence in the administrative record and by the MND; and

WHEREAS, the MND has identified all significant environmental effects of the Project and all significant and known potentially significant impacts; and

WHEREAS, the MND has described reasonable mitigation measures that will reduce potentially significant impacts to less than significant; and

WHEREAS, the MND reflects the Board's independent judgment and analysis on the potential for environmental impacts from the Project

NOW, THEREFORE, BE IT RESOLVED by the Sacramento City Unified School District Board of Education at the meeting held on May 17, 2018 the following:

SECTION 1: The foregoing recitals are true and correct and made part of this Resolution. SECTION 2: For every non-exempt public project, the California Environmental Quality Act ("CEQA") generally requires the lead agency to prepare an initial study in order to determine the level of environmental review required for CEQA compliance. If the initial study indicates that the project will not result in significant adverse environmental impacts, the lead agency may adopt a "negative declaration." (Pub. Res. Code § 21080(c)). If the initial study reveals substantial evidence that significant environmental impacts might occur, but also identifies mitigation measures that reduce those impacts to a level of less than significant, the lead agency may satisfy CEQA obligations with a "Mitigated Negative Declaration." (Pub. Res. Code §§ 21064.5 & 21080(d))

SECTION 3: As set forth in the Recitals, in compliance with CEQA, the District prepared the MND and circulated it for public review.

SECTION 4: The Board hereby certifies that all comments received in response to the MND and responses thereto have been considered by the Board, which comments and responses are included in the Summary of Public Comment. Further, for the purposes of CEQA and the findings set forth herein, the record of proceedings for the District decision on the Project includes, but is not limited to all information in the administrative record including but not limited to the MND, all public notices related to the Project; all comments submitted by any agencies and members of the public; all reports, studies memoranda (excluding confidential memoranda) and other documents relevant to the Project prepared by the District; the District's consultants, or responsible or trustee agencies with respect to the District compliance with the requirements of CEQA and with respect to the District's action on the Project; any documentary or other evidence submitted to the District at public meetings or hearings related to the Project; and matters of common knowledge to the District. The materials in the record are located at and available upon request at the District office.

SECTION 5: The MND for the Project has been completed and is in compliance with the provisions of CEQA, with State and local Guidelines implementing CEQA, and all other applicable laws and regulations.

SECTION 6: In accordance with CEQA, the Board determines that the findings made in the MND with respect to the potential environmental impacts of the Project and the proposed mitigation measures are complete and accurate and hereby incorporates such findings of the MND by reference.

SECTION 7: The Board finds and declares that the MND for the Project was presented to the Board and the Board independently reviewed and considered the information contained in the MND prior to approving the Project, as the Project is defined in the MND.

SECTION 8: Based on its review of the MND, the Board finds that the MND for the Project is an adequate assessment of the potentially significant environmental impacts of the Project, as described in the MND.

SECTION 9: The Board has reviewed the findings of the Project, comments regarding the Project, and other relevant Project records. Based on the evidence contained therein, the Board finds and determines that, following implementation of the mitigation measures set forth in the MND, there is no substantial evidence of a significant, unmitigated environmental impact caused by the Project.

SECTION 10: The Board hereby adopts the Mitigated Negative Declaration as complete and adequate under CEQA, and certifies that the MND represents the independent judgment of the Board.

SECTION 11: The MRP has been prepared to meet the requirements of Public Resources Code Section 21081.6. This program is designed to ensure compliance with Project changes and mitigation measures imposed to avoid or substantially lessen the significant effects identified in the MND. The Board hereby adopts the Mitigation Reporting Program.

SECTION 12: The MND and the MRP are on file and available at the administrative office of the Sacramento City Unified School District. The custodian of the documents and records referred to herein shall be the Chief Operations Officer, Facility Support Services and shall be located at 5735 47th Avenue, Sacramento, CA.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this date May 17, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jessie Ryan
President of the Board of Education

ATTESTED TO:

Jorge A. Aguilar
Secretary to the Board of Education

EXHIBIT A

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT District Transportation Facility Relocation Project

Mitigation Reporting Program

In January 1989, Assembly Bill 3180 went into effect requiring the lead agency to monitor or report on all mitigation measures applicable to this District Transportation Facility Relocation Project (Project) and included in the Mitigated Negative Declaration (MND). The Sacramento City Unified School District (District) is the lead agency for the CEQA review of the proposed Project. The District prepared a CEQA Initial Study for the Project and determined that the proposed Project could result in impacts, but these impacts would be reduced to a less-than-significant level with incorporation of the following mitigation measures.

Required Mitigation Measures

1. MITIGATION MEASURE AIR QUALITY 1: DUST CONTROL. The School District shall require all construction contractors on the site to comply with Sacramento Metropolitan Air Quality Management District Rule 403 which requires the following construction period dust control practices:

- a. 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.
- b. 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.
- c. Use wet power vacuum street sweepers to remove any visible track out of mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- d. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- e. 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.
- f. The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board enforces the idling limitations. Minimize idling time either by shutting equipment

off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.

- g. The District shall ensure these measures are included in the construction specifications.
- h. 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.

Responsible Party: District Facilities Support Services

2. MITIGATION MEASURE BIOLOGY 1: NESTING BIRDS. Prior to any tree removals the District shall retain a biologist to determine if there are any active migratory bird nests. If there are active nests the District shall make all possible efforts to leave the tree with an active migratory bird nest undisturbed until all young have fledged and are capable of foraging independently.

Responsible Party: District Facilities Support Services

3. MITIGATION MEASURE HAZARDS 1: VEHICLE OIL DISPOSAL. Disposal of oils shall be in accordance with State guidelines and regulations including disposal of any used motor oil at a State Certified Collection Center.

Responsible Party: District Facilities Support Services and Transportation Services

4. MITIGATION MEASURE NOISE 1: CONSTRUCT A SOUND WALL ON THE WESTERN AND SOUTHERN PERIMETER OF THE SITE. The District shall construct a pre-cast concrete sound wall along the west and south Project property lines. On the western perimeter of the Project the sound wall shall have a minimum height of 8 and 12 feet as shown on Figure 21. The southern perimeter of the Project shall have a sound wall of a minimum of 10 feet in height as shown on Figure 21 (Attached).

Responsible Party: District Facilities Support Services

SUMMARY REPORT. A report to the District's Chief Operations Officer shall be made upon completion of all mitigation measures for the Project.



FIGURE 21: PROPOSED SOUND WALL LOCATIONS AND CONFIGURATIONS

RESPONSES TO WRITTEN COMMENTS RECEIVED ON THE PUBLIC DRAFT MITIGATED NEGATIVE DECLARATION (MND) FOR THE DISTRICT TRANSPORTATION RELOCATION FACILITY

On April 3, 2018, a Notice of Availability (NOA) for the Mitigated Negative Declaration (MND) for the Sacramento Unified School District's Transportation Relocation Project was published by the Sacramento City Unified School District (SCUSD). The District published the NOA in the Sacramento Bee on April 1, 2018, a newspaper of general circulation serving the greater Sacramento area in which the project is located. In addition, the District sent a copy of the NOA to property owners adjacent to the proposed new Transportation Facility site. A full copy of the MND and Appendices was available for public review at the District's website at www.scusd.edu/facilities-services.

The MND and the NOA were also submitted to the State Clearinghouse for review in accordance with Section 15073 of the California Environmental Quality Act Guidelines. The 30-day public review period began April 3, 2018 and closed May 3, 2018. Two letters of comment were received by the District.

1. Letter from Stephanie Tadlock, Environmental Scientist, Central Valley Regional Water Quality Control Board (CVRWQCB), dated April 26, 2018 (Attachment 1).
2. Letter from Karen Huss, Associate Air Quality Planner, Sacramento Air Metropolitan Air Quality Management District (SMAQMD), dated May 2, 2018 (Attachment 2).

A summary of responses to each letter follows:

Letter 1 CVRWQCB: This letter summarizes the regulations which the CVRWQCB is responsible for implementing or enforcing. Section 1 of the letter summarizes the requirements of the Porter Cologne Water Quality Act which requires that a Basin Plan be prepared for the Central Valley Basin by the CVWQCB. This section also recites the State Water Board's Antidegradation Policy. Section IX Water Quality and Hydrology of the MND discusses the project's potential impacts on the water basin. The project will retain and bio-swale storm water on-site and the project does not result in any off-site discharges which would affect waters of the basin.

Section II of the letter discusses Permitting Requirements administered by CVWQCB. Among the activities which require a permit are Construction Period Storm Water discharges. For these types of discharges the National Pollution Discharge Prevention and Elimination Act (NPDES) requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The District has prepared a SWPPP for the project.

Section II also summarizes the requirements for Industrial Storm Water Permits which also requires the use of best management practices which are included in the SWPPP for the project.

Section II summarizes Sections 404 and 401 of the Clean Water Act. Page 41 of the MND determined that the project would not affect any jurisdictional waters of the United States which would require a 404 or 401 permit.

The project does not require de-watering, off-site discharges or propose any commercially irrigated agricultural activities and as such, these permits are not applicable to the project.

These comments provide information but do not change the conclusions of the MND.

Letter 2 Sacramento Air Quality Management District (SMAQMD): SMAQMD suggests that the MND provide more information on diesel particulate emissions. Particulate emissions were quantified using the CALEEMOD model. However, the District requested that diesel particulate concentrations be modeled and quantified. As result, the District retained Air Quality Permitting Specialists to use the recommended AERMOD model to estimate the 24-hour and annual concentrations of diesel particulates.

The results of the AERMOD model show that diesel particulate matter estimates are below both State and federal toxic air contaminants standards. In order to reflect this in the MND the District has added this information to the Air Quality Section of the MND and the Technical Appendix (see Errata).

The results of the particulate matter concentration analysis do not change the conclusions of the MND which are that the project would result in less-than-significant concentrations of PM10 and PM2.5 from the operation of buses.

SMAQMD suggests that a vegetative barrier be planted between the bus parking area and the residences. The project does include a landscaped barrier along the southern and western perimeter which generally follows the recommendations of the SMAQMD's *Landscape Guidance for Improving Air Quality Near Roadways* (2017). Due to space limitations, the vegetative barrier averages between 15 and 40 feet in width and roughly conforms to the recommended guideline of 30 feet from roadways. The vegetative barrier includes 62 trees and a variety of shrubs as recommended by the guidelines.

SMAQMD also suggests that the MND discuss particulate filters used on the buses and discuss the District's progress in reducing diesel emission. Ninety percent (90%) of the District's diesel bus fleet is equipped with particulate filters. The District is also in the process of replacing approximately 10 older buses with electrical buses which will be added to the existing fleet of 3 electrical buses. The District has an existing bus charging station at the 3101 Redding Street site and the new Transportation Facility has been prepared to add additional charging stations when necessary.

SMAQMD further suggests that the District install bike and pedestrian facilities on both sides of Redding Street. The proposed project includes such facilities on the south side of San Joaquin Street and it is proposed that when the District approves the Central Kitchen Project, that bike and pedestrian facilities be included along the north side of San Joaquin Street.

Finally, the Air District requests information on off-site mobile air emissions. As noted in the MND, the project does not increase vehicle or bus traffic. The project relocates the existing bus facility from the north side of San Joaquin Street to the south side of San Joaquin Street. The bus routes and vehicle miles traveled remain the same. As such, there is no change and no new mobile emissions.

In accordance with Section 15074 of the California Environmental Quality Act Guidelines, the District has reviewed and considered these comments and determined that the above comments provide supplemental information, but do not change the conclusions of the Mitigated Negative Declaration regarding impacts or the significance of impacts or the effectiveness of the mitigation measures.

ERRATA TO

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT PROPOSED TRANSPORTATION FACILITY RELOCATION PROJECT MITIGATED NEGATIVE DECLARATION

The following changes are included in the Mitigated Negative Declaration for the District Transportation Facility Relocation Project and are hereby incorporated as part of the administrative record. Additions are noted in **bold** and deletions are noted in ~~strikeout~~.

PAGE 32, AIR QUALITY: This section should be changed to read.

III. d) Would the project result in exposure to substantial pollutant concentrations?

“Because the proposed action does not exceed any of the threshold criteria established by SMAQMD, it is not anticipated that there would be a change in substantial pollutant concentrations. However, because the new Transportation Facility and bus operations will be located nearer residential areas, the AERMOD model was used to determine if **CO and/or diesel particulate concentrations from the bus operations would affect the adjacent residents.** Figures 13 and 14 show the results of this model (see also Appendix B, CO and PM Concentrations Technical Memorandum). The concentration of CO emissions was estimated for both a one-hour period and eight-hour period. Figure 13 shows that a one-hour period, emissions, residents would experience CO concentrations below the state and federal standards and the SMAQMD’s threshold of significance for one-hour CO concentrations. The highest one-hour concentration of CO for adjacent residential area is 20.2 ug/m³ which is substantially below the 23,000 ug/m³ (or 23 mg/m³) threshold of significance which reflects the state and federal standards for CO. Similarly, Figure 14 shows the 8-hour CO concentrations for which are also below SMAQMD standard of 10,000 ug/m³ (or 10 mg/m³). Thus, although the project will generate CO in closer proximity to residential uses, the concentration of CO will be below threshold.

The AERMOD model was also used to estimate the concentration of diesel particulate emissions. The results of this analysis show that particulate emissions are substantially below the Toxic Air Contamination thresholds set by State and Federal standards. The results are summarized in the Table below:

Comparison of PM-10 Impacts with Air Quality Standards		
Averaging Time	Project Impact	Current Standard
24-Hour	0.001 ug/m ³	50 ug/m ³
Annual	< 0.001 ug/m ³	20 ug/m ³

The technical memorandum prepared for CO and PM concentrations is included in the Appendix to this document.

It should also be noted that 90% of the District’s buses are equipped with particulate filters which substantially reduces particulate emissions.”

APPENDIX B: Appendix B, the Air Quality Technical Memorandum for CO Impacts should be replaced with the updated Air Quality Technical Memorandum for CO and Particulate Matter Impacts (dated May 9, 2018).

Central Valley Regional Water Quality Control Board

26 April 2018

Jim Dobson
Sacramento City Unified School District
5735 47th Avenue
Sacramento, CA 95824

CERTIFIED MAIL
91 7199 9991 7036 7028 5943

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, SCUSD TRANSPORTATION FACILITY RELOCATION PROJECT, SCH# 2018042009, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 3 April 2018 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 SCUSD Transportation Facility Relocation 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.

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 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 Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

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

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

(SWPPP).

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

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

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

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

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

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

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 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.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project 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 Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

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

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 Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. 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 Risk 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 Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

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

(Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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

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

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:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

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

May 2, 2018

Mr. James C. Dobson, Director, Planning and Operations
Sacramento City Unified School District, Serna Center
5735 47th Avenue
Sacramento, CA 95824

SCUSD Transportation Facility Relocation Project, Mitigated Negative Declaration (SMAQMD # SAC201801989, State Clearinghouse # 2018042009)

Dear Mr. Dobson:

The Sacramento Metropolitan Air Quality Management District (SMAQMD) is required to represent the citizens of Sacramento in influencing the decisions of other agencies whose actions may have an adverse impact on air quality.¹ In that spirit, SMAQMD staff reviewed the SCUSD Transportation Facility Relocation Project, Mitigated Negative Declaration (MND) and provides the following comments for your consideration.

When answering the air quality question "Would the project result in exposure to substantial pollutant concentrations?" the MND only discusses carbon monoxide emissions (CO), not diesel particulate exhaust (PM), which has been designated a toxic air contaminant. This section of the MND provides an opportunity to disclose the levels of diesel PM from SCUSD's vehicle fleet, through air dispersion modeling, and further describe the actions SCUSD is undertaking to reduce community exposure.

The most common measures SMAQMD recommends for reducing exposure to toxic air contaminants from vehicle exhaust are providing a buffer or planting a vegetative barrier between the emissions source and the receptors.^{2,3} Since space may be problematic at the new transportation facility site to implement these measures, SMAQMD recommends at a minimum choosing tree species from the SMAQMD's *Landscaping Guidance for Improving Air Quality Near Roadways*⁴ to place along the western and southern sound walls to provide better filtration of pollutants.

Since the buses are being moved closer to residents, it is critical that SCUSD continues its efforts to invest in cleaner technology and infrastructure. Particulate filters should be installed on all diesel buses that are not currently equipped. With three new electric buses coming to the fleet, and additional electric buses being sought, SCUSD must plan to install adequate electrical infrastructure in the construction of the new transportation facility to provide chargers for all

¹ California Health and Safety Code §40961

² <https://ww2.arb.ca.gov/resources/fact-sheets/strategies-reduce-air-pollution-exposure-near-high-volume-roadways>

³ <http://www.airquality.org/LandUseTransportation/Documents/SMAQMDFinalLandscapingGuidanceApril2017.pdf>

⁴ *ibid*

Mr. Dobson
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current planned and future buses providing student transportation and continue to provide capacity for regenerating diesel particulate filters.

SMAQMD encourages SCUSD to provide bike and pedestrian improvements on the north side of San Joaquin Street along SCUSD's property in addition to the proposed improvements already proposed on the south side of San Joaquin Street for the new transportation facility. This action would fill the infrastructure gap in that neighborhood, providing safe access between SCUSD's facilities, and providing a community benefit with better access to the ball fields on San Joaquin Street.

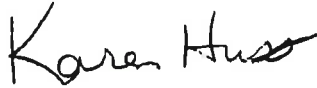
The Technical Appendix to the MND includes a CalEEMod summary report of the air quality analysis conducted for the project. Thank you for providing the additional reports and CalEEMod model run file to review. SMAQMD appreciates the attempt to capture the school bus fleet emissions in the modeling, although changing the fleet mix in the "parking lot" land use does not result in any air quality calculations for operational mobile source emissions. Modifications to CalEEMod would be needed to capture those emissions, or the calculation could be conducted off-model using EMFAC.

If SCUSD has equipment that is currently permitted with SMAQMD and will be moved to the new transportation facility, please contact Brian Krebs at 916-874-4856 or Bkrebs@airquality.org to determine the requirements for moving that equipment.

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916-874-4800. Specific rules that may relate to demolition, construction activities and building design are attached.

You may contact me at 916-874-4881 or khuss@airquality.org if you have any questions regarding these comments.

Sincerely,



Karen Huss
Associate Air Quality Planner/Analyst

Attachment

Cc: Paul Philley, SMAQMD
Heather Taylor, SMAQMD
Brian Krebs, SMAQMD
Tom Buford, City of Sacramento

SMAQMD Rules & Regulations Statement (revised 1/2017)

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the SMAQMD early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a permit include, but are not limited to, dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower is required to have a SMAQMD permit or a California Air Resources Board portable equipment registration (PERP) (see Other Regulations below).

Rule 402: Nuisance. The developer or contractor is required to prevent dust or any emissions from onsite activities from causing injury, nuisance, or annoyance to the public.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour. The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

Rule 417: Wood Burning Appliances. This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 453: Cutback and Emulsified Asphalt Paving Materials. This rule prohibits the use of certain types of cut back or emulsified asphalt for paving, road construction or road maintenance activities.

Rule 460: Adhesives and Sealants. The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

Other Regulations (California Code of Regulations (CCR))

17 CCR, Division 3, Chapter 1, Subchapter 7.5, §93105 Naturally Occurring

Asbestos: The developer or contractor is required to notify SMAQMD of earth moving projects, greater than 1 acre in size in areas “Moderately Likely to Contain Asbestos” within eastern Sacramento County. The developer or contractor is required to comply with specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

13 CCR, Division 3, Chapter 9, Article 5, Portable Equipment Registration Program: The developer or contractor is required to comply with all registration and operational requirements of the portable equipment registration program such as recordkeeping and notification.

13 CCR, Division 3, Chapter 9, Article 4.8, §2449(d)(2) and 13 CCR, Division 3, Chapter 10, Article 1, §2485 regarding Anti-Idling: Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes. These apply to diesel powered off-road equipment and on-road vehicles, respectively.