



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 11.1j

**Meeting Date:** June 23, 2022

**Subject:** **Approve Resolution No. 3276: Hiram Johnson High School Athletic Improvements 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 Hiram Johnson High School Athletic Improvements project. The California Environmental Quality Act (CEQA) requires the adoption of such a resolution for the athletic field improvements. Resolution No. 3276 is attached which approves the MND and mitigation measures included in the MRP.

**Background/Rationale:** The Hiram Johnson Athletic Improvements is the second phase of the athletic field improvements that took place in 2019. Proposed work will improve athletic field safety and optimal field use. The project will include the following upgrades to the football field stadium:

- Replacement of older bleachers,
- Installation of permanent stadium lights, and
- Add a concession stand.

The project will also include the following upgrades to the remaining ball field area:

- Leveling and re-seeding of the current ballfields and surrounding turf,
- Installation of new dugouts,
- Addition of equipment storage,
- Installation of fencing and netting to catch errant balls, and
- Addition of a golf practice area.

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 Hiram Johnson athletic fields at 6879 14<sup>th</sup> Ave.

The District received four (4) letters of comment which are included in the attached Summary of Comments for the Board’s review. Of these three (3) letters were received from neighbors adjacent from the site and one (1) of the letters was received the Central Valley Water Quality Control Board. None of these letters raised an issue related to the adequacy of the MND under CEQA.

The MND, the Appendices, and the Mitigation Reporting Program (MRP) represents the proposed final environmental document for the Project. The approval of Resolution No. 3276 will approve the MND, and adopt the MRP which 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. 3276
2. Mitigated Negative Declaration for the Hiram Johnson High School Athletic Improvements and Technical Appendix for MND Link: <https://www.scusd.edu/mnd-hjhs-sports>
3. Mitigation Reporting Program
4. Public Comments and Responses

<p><b>Estimated Time of Presentation:</b> N/A <b>Submitted by:</b> Rose F. Ramos, Chief Business &amp; Operations Officer Nathaniel Browning, Director of Facilities <b>Approved by:</b> Jorge A. Aguilar, Superintendent</p>
---

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION RESOLUTION NO. 3276**

**RESOLUTION OF THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
ADOPTING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE  
MITIGATION REPORTING PROGRAM FOR HIRAM JOHNSON HIGH SCHOOL  
ATHLETIC IMPROVEMENTS 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 May 7, 2022, prepared for the Hiram Johnson High School Athletic Improvements (“Project”) in accordance with the California Environmental Quality Act (“CEQA”) (Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.);

**WHEREAS**, the Project consists of improving athletic field safety and optimal field use for students on the site;

**WHEREAS**, on the basis of the initial study (“IS”), the District has determined that there will not be significant environmental effects in this case because revisions in the proposed Project, in the form of mitigation measures, were made by the project proponent (the District) prior to the release of the document for public review, and will avoid the effects or mitigate the effects to a less than significant level making the preparation of a MND appropriate;

**WHEREAS**, on May 10, 2022, the District published the Notice of Availability and Intent to Adopt the MND in the Sacramento Bee;

**WHEREAS**, on May 9, 2022, 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 May 10, 2022, 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;

**WHEREAS**, the public comment period on the MND commenced on May 11, 2022, and ended on June 9, 2022, following said notice to the public and all public agencies;

**WHEREAS**, the District received four (4) written comments on the MND from the public and reviewing public agencies during the public review period and any comment that raised an issue related to the adequacy of the environmental document was responded to;

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

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

**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 Attachment 3; 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 June 23, 2022 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 and incorporates the Mitigation Reporting Program into the Project.

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 Director of Capital Projects, Facilities, and Resource Management, Facility Support Services and shall be located at 425 1<sup>st</sup> Avenue, Sacramento, CA.

SECTION 13. The Board approves the Project as specifically described in the Final MND.

SECTION 14. The Board directs the Superintendent and/or his/her designee to take any and all required or appropriate actions necessary to proceed with the Project.

SECTION 15. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Sacramento City Unified School District Board of Education on this date June 23, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTESTED TO:

---

Christina Pritchett  
President of the Board of Education

---

Jorge A. Aguilar  
Superintendent

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT**  
**Hiram Johnson High School Athletic Improvements Project**  
**Mitigated Negative Declaration**

**Mitigation Reporting Program**

In January 1989, Assembly Bill 3180 went into effect requiring the lead agency to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration (MND). This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Hiram Johnson High School Athletic Improvements project. The MMRP is required for the proposed project because the Mitigated Negative Declaration has identified significant adverse impacts which require mitigation measures to reduce the impacts.

The MMRP, describes mitigation measure, the timing for implementation of the measure and the responsible party for implementing and monitoring the mitigation measures.

The Sacramento City Unified School District (District) is the lead agency for this project and will be the primary agency responsible for implementing the mitigation measures. In most cases, the construction contractor will be responsible for implementation of measures and the District's role is to monitor the implementation of the measures.

**Required Mitigation Measures**

Although the emissions are less than the thresholds, the applicant is required to comply with all Air District rules including Air District Rule 403, regarding dust control. To ensure compliance with this rule, the following Mitigation Measure is proposed.

**Mitigation Measure Air Quality 1: Dust Control:** The applicant 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:

- 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 track out of 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.
- 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. The District shall ensure these measures are included in the construction specifications.
- Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

**Responsible Party:** District Facilities Management and the Construction Contractor(s), Subcontractors and Crews.

**Timing:** Prior to start of construction, the District shall include these requirements in the contract specifications and/or review these requirements at the pre-construction conference and any follow up meetings with the contractor.

**Date(s) of Phases of Compliance:** \_\_\_\_\_

**Comments:**

---



---



---

**Mitigation Measure 2: Event Traffic and Management Planning.** For major events with an expected attendance of over 1,200 persons, the District shall develop an Event Management Plan which could include such actions as:

- 1) *Provide Event Attendees with Parking Instructions.* As part of the ticket sales for a major event provide ticket holders including those from visiting schools, information regarding of the limited availability of on-site parking during worst case events, encourage carpooling, and inform attendees that on-street parking is prohibited on sections 65<sup>th</sup> Street and 14<sup>th</sup> Street. The parking information should also be posted on the School’s website where the game/events are advertised. When the parking lot is full, temporary signs should be posted “Lot Full” to reduce hazardous parking in the parking area and cars trying to park such that the travel ways are blocked.
- 2) *Close off local streets to all but local traffic during “worst case” events when*



necessary. For major events with an expected attendance of more than 1,200 person, a traffic control plan could be developed with the City of Sacramento to preclude vehicular access to the adjoining neighborhoods during worst case events, while making access available to residents.

- 3) *Monitor Major Events for continued improvement in event management.* Additional event management measures should be employed if problems arise such as the need for parking lot attendants to direct cars in the parking lot; signage to designate entrance only or exit only driveways to reduce vehicle conflicts; signage to limit left turn movements (right turn only) out of the parking lot driveway on 65<sup>th</sup> Street to maintain the flow of exiting cars and other measures as appropriate to address event issues as they arise. If traffic cones or other traffic control measures (such as crosswalk guards) are needed in the City right-of-way, the District shall work with City Transportation Department in the development of such measures.

**Responsible Party:** Hiram Johnson High School’s Principal and staff.

**Timing:** Whenever a major event (more than 1,200 attendees expected) is planned.

**Date(s) of Phases of Compliance:** \_\_\_\_\_

**Comments:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Mitigation Measure 3: Avoidance of Tribal Resources if Discovered On-Site.** The following mitigation measure is intended to address the evaluation and treatment of inadvertent or unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project’s ground disturbing activities.

- 1) If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment, as necessary.
- 2) When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials

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

- 3) The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.
  
- 4) Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

**Responsible Party:** District Facilities Management, the project’s contractors and Subcontractors and Crews

**Timing:** The District shall ensure that the above mitigation measure is included in any contract involving earth grading, excavation, or removal on site, and shall cover these requirements at any Pre-construction meeting held for the project.

**Date(s) of Phases of Compliance:** \_\_\_\_\_

**Comments:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## COMMENTS RECEIVED

Four comments (attached) were received during the public review period from:

- Central Valley Regional Water Quality Control Board
- Ms. J Angelo, Neighbor, Redding Avenue
- T. Bodeman, Neighbor, 9<sup>th</sup> Avenue
- Scott Hunter, Neighbor, 65<sup>th</sup> Street

## RESPONSES TO COMMENTS

### 1. Central Valley Regional Water Quality Control Board

The Central Valley Water Quality Control Board provides a summary of applicable plans and regulations governing water quality in the basin. These plans, regulations and applicable permits are also discussed in the MND in the Hydrology Section. As noted in that section, the project is subject to compliance with a National Pollution Discharge Elimination System Permit (NPDES) and with compliance with both construction period and operating period run-off best practices through implementation of a SWPPP (Stormwater Pollution Protection Plan). The letter does not raise issues regarding the adequacy of the environmental document.

### 2. J. Angelo, Neighbor

Ms. Angelo is a neighbor to the east of Hiram Johnson on Redding Street. She expresses her opposition to night events at the athletic field because of traffic, light and noise issues related to crowd gathering and crime. She is opposed to the stadium lights and having night events. Ms. Angelo addresses her concerns about the merits of the project but does not raise issues as to the adequacy of the MND under California Environmental Quality Act (CEQA).

### 3. Scott Hunter, Neighbor

Mr. Hunter is a neighbor to the west of the project site on 65<sup>th</sup> Street. He is concerned regarding light glare and noise from the stadium. He is concerned that the permanent lights will cause glare directly into the windows of residents on 65<sup>th</sup> Street. As noted in the MND, the proposed lighting design was submitted to the International Darksky Association (IDA) for an independent review. IDA has developed "Community Friendly Outdoor Sports Lighting Program" which includes criteria for minimizing spillover light. IDA reviewed the project lighting plan and determined that the lighting design met all criteria and should not present unacceptable levels of light and glare. Among the criteria for meeting the IDA standards is that estimated luminous intensity at 150 feet from the edge of the field shall not exceed 1,000 candela or 92.9-foot candles. For reference, 100-foot candles is the luminous intensity of the average overcast day. Thus, residents along 65<sup>th</sup> Street will experience diffuse light, as opposed to sharp or blinding glare. The threshold for significance for light and glare is if it would be cast in such a way as to cause public hazard or annoyance for a sustained period of time. The field lights are supposed to be turned down at 9:00 p.m. per the District, unless it is a competition game with overtime which may only occur 2 to 3 times a year. In reviewing the sports calendar for Hiram Johnson High School stadium use at night is very limited and occurs mostly in the fall football season. Given this, the

MND concluded that light would not be experienced for a sustained period of time such as every night or many nights in a row past 10 pm.

**4. T. Boderman, Neighbor**

T. Boderman is a neighbor to the north of the site on 9<sup>th</sup> Avenue. This neighbor is concerned about any additional fencing for the baseball/softball area and also about privacy. The neighbor provides a number of design recommendations including the addition of additional landscaping for privacy and visual screening. The comment letter concerns the characteristics and merits of the project, but does not raise substantial issues under the California Environmental Quality Act (CEQA).

---

## Central Valley Regional Water Quality Control Board

9 June 2022

Nathaniel Browning  
Sacramento City Unified School District  
5735 47th Avenue  
Sacramento, CA 95824  
[nathanielbrowning@scusd.edu](mailto:nathanielbrowning@scusd.edu)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, HIRAM JOHNSON ATHLETIC IMPROVEMENTS PROJECT, SCH#2022050207, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 10 May 2022 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 Hiram Johnson Athletic Improvements 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/](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\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.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 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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

### **Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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/](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](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](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 (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

---

<sup>1</sup> 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.

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:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](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/](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](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/wgo/wgo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wgo/wgo2003-0003.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](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

### **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 *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](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

May 13, 2022

Ms. J. Angelo  
Redding Avenue  
Sacramento, California 95820

Nathaniel Browning, Facilities Director  
425 1<sup>st</sup> Avenue  
Sacramento, California 95818

***RE: Hiram Johnson High School Athletic Field Improvements***

To Whom It May Concern:

I have been a Redding Avenue resident for almost thirty years. I received a notice in the mail from Nathaniel Browning on May 11, 2022, regarding proposed changes to the athletic fields at our neighboring high school Hiram Johnson. I attempted to review the information by clicking on the link provided in Mr. Browning's letter, but the web page was unavailable at that time. So, I contacted Mr. Browning by email to let him know the link was not working and let him know my concerns about the proposed project. Mr. Browning reiterated that any concerns I have would be best addressed in a formal written comment letter submitted to him through US Mail.

I have reviewed the extensive project proposal now that the link is active and working. Most of the project I absolutely applaud, especially the improvements to the baseball field which has been inoperative and vacant for years forcing the kids to play off campus at a local park. I also support the much needed upgrades to the football and softball fields. I absolutely support improving all the athletic field areas on campus because the school and students deserve to have the most up to date/up to code facilities for sports. There is one aspect of the proposed project I am opposed to, the addition of permanent lights and scheduling of night sports games.

As a Redding Avenue resident for decades, I have witnessed genuinely concerning changes to what used to be a quiet peaceful neighborhood. I can honestly say this is the first time in my life I am afraid to live in my neighborhood, and I have contemplated selling my home. Over the last few years our neighborhood has been inundated with aggressive and confrontational homeless campers with no recourse for residents. People living in their cars in front of our homes and using our yards for garbage and waste disposal. We have dealt with extensive car thefts, smash and grab robberies, home and vehicle vandalism, and dangerous street racing up and down our street. There are sirens and helicopters circling at all hours. There are homes on our street that have sketchy visitors at all hours of the night, with residents that change daily/weekly, and the police are constantly called out. Most recently our street endured a violent police/SWAT standoff and shootout with a mentally disturbed neighbor that resulted in us being evacuated from our homes for nearly twelve hours and the suspect being shot just feet from our home. For days after we were cleaning up bullet casings on the street, in our lawn, and our flowerbeds. School did not even resume the following day because there were so many bullet casings on campus. I used to enjoy being outside with my neighbors, walking my dog etcetera. Now, I am reluctant to speak to new neighbors or passing strangers because of the uncertainty of my safety.

Aside from the escalating crime in our neighborhood, the issues we face as neighbors of Hiram Johnson have also intensified with no recourse for residents. We are constantly dealing with students jumping

fences and skipping school, loitering in our yards and at the park, openly smoking (cigarettes, weed, and vaping), leaving their trash in our yards and over our fences, using profane language, blaring offensive music, and parking wherever they want despite no parking signs. Those issues are extremely annoying yes, but are tolerable and honestly expected since we choose to live by a public high school. But over the last few years the violence on campus and around campus is what worries those in my neighborhood the most. The violence has gotten so out of hand that numerous teachers and students have been seriously injured trying to break up fights, and the school has been placed on lockdown multiple times. And to make matters worse there is now a culture of students and even parents that encourage the violent fighting by cheering on the chaos, and even filming the brawls for entertainment purposes. Sac PD and school staff can only do so much when situations like this occur, because honestly, they are afraid of losing their jobs for breaking up fights and using any level force on children. The issue is these kids have no fear anymore. They don't care about getting into trouble, they don't fear getting hurt or hurting others, and they enjoy the notoriety. They have no respect for authority, they have no respect for other people's property, and they have no comprehension of how their actions today will follow them for the rest of their lives.

That brings me to my concern over the proposed project of installing permanent lighting at Hiram Johnson. The issue is not even the nuisance of having bright lights shining into my windows late into the evening, I can honestly get over and deal with that. I understand that installing permanent lights on campus means night games at Hiram Johnson, and that is where I absolutely and adamantly say **NO**. With the amount of violence and chaos that is occurring DURING the school day at Hiram Johnson, why would anyone think it would be beneficial or positive to start adding nighttime events? The faculty, staff, and security are already overwhelmed with the lack of safety and security for staff/students on campus during the school day *in a controlled and gated environment*. After school events into the evening cannot be safely controlled, and anyone, at any age, from any area can show up looking for trouble. I guarantee that late events under these proposed lights will only cause further fighting, violence and harm to students, staff, security. And these fights, violence, and harm will not just be on the football field, they will also be in our front and back yards. So, I am asking you and anyone else that is contemplating adding lights and night games/events at Hiram Johnson High School to please reconsider and restrict sporting events to daytime hours only. I know that won't eliminate all the issues occurring, but thankfully it won't add an additional layer of worry and fear to those of us who must live here. If you do proceed with the proposed project and choose to ignore my concerns, and any other concerns raised to you, please understand any damages or injuries that occur will be on your hands.

To whom it may concern,

My name is Scott Hunter, I live at 3520 65<sup>th</sup> street with my wife and our three-year-old daughter. We are now 5<sup>th</sup> generation residents of this home purchased in 1963 by my daughter's great-great grandmother Leela Luckenbach... to us this is far more than just a house. We vehemently protest the installation of the proposed stadium lighting at the Hiram Johnson football field, the proposed project would directly impact our wellbeing by inundating our yards and home with an elevated level of noise and light pollution that is very likely to deprive us of quiet enjoyment.

Noted on page 22 the declaration states "Adjacent residents may see some change in ambient light levels at the playing fields when the field lights are used. Residents in the area currently experience some light effects from streetlights, porch lights, the headlights of cars, and the temporary stadium lights currently in use at the site." The two west facing lights proposed will cause significant changes in light levels on our property as the temporary lighting noted in the declaration has been all but nonexistent since the onset of COVID 19. These proposed elevated lights will surely cause substantial glare and light trespass onto our property as there are currently no streetlights or porchlights emitting light towards our east facing windows and the orientation of thru traffic doesn't aim any headlights at our house. Nonetheless, to compare the light from a streetlight to that of a 60,000 lumen stadium light is deceitful.

We have multiple complaints recorded with our councilmember Eric Guerra and Hiram Johnson principal Garrett Kirkland regarding excessive noise emitted from the football field. The noise and light pollution emitted in the past does not typically conclude by 9 PM as falsely stated multiple times throughout the declaration (Page 22: "the seasonal nature of the use of the lights and the expected limited duration of the lighting (lights generally off at 9 pm), the project is not expected to create a public hazard or annoyance for a sustained period of time"). Past events on this field have gone as late as 10:30 PM and were in fact an annoyance for a sustained period, we suspect that the proposed development will facilitate further intrusion. Regarding the "the seasonal nature of the use of the lights", in years past the football field has also been made available for other recreational uses such as pee-wee football and recreational soccer, organizations like these could take advantage of the expanded facilities and exacerbate their impact of use. These facts are not reflected anywhere in the declaration.

We find it offensive how this declaration is so flippant and dismissive of the proposed projects impact on the adjacent neighbors such as us. We have two bedrooms that face east directly across the street from the football field; with a direct line of sight our sleep and wellbeing will surely be affected by this project. We certainly don't see this proposed intrusion as "less-than-significant" and respectfully ask you to consider how this project will affect the wellbeing of our family as you would your own.

I encourage you to reach out to me to further discuss the proposed project, I can be reached at [scotthunteris@hotmail.com](mailto:scotthunteris@hotmail.com). Thank you for your time and attention to the matter.

Scott Hunter 05-21-22

June 3, 2022

Nathaniel Browning

Facilities Support Services

425 1<sup>st</sup> Avenue

Sacramento, Ca 95818

Dear Nathaniel,

Thank you for your time today explaining the changes to the Hiram Johnson High School Athletic Field. Per our conversation, we are concerned about the proximity of the baseball field to our home on 6724 9<sup>th</sup> Avenue Sacramento and request that we remove that aspect of the project as it is an eyesore to the residents of 9<sup>th</sup> avenue that share a fence with the school.

The current proposal has another home run fence being placed a small distance away from our existing fence. This causes the appearance of a "fence- to -fence" barrier- like what you would see at a prison. To have both a baseball and softball field seems unnecessary. That said, we would appreciate rearranging the positioning to leverage as much of Redding Street side as possible. Further, adding this area will result in more foot traffic close to our fence line. As I explained we have a pool and already have more trash accumulating in our yard from the school AND several teenagers gawking through our fence to the pool area- which is concerning.

It seems completely unnecessary to disturb the residents along 9<sup>th</sup> avenue any further than they already are by the loud PE noises, the constant alarm going off and the stadium and football scoreboard. To that end, we implore you to assist us in keeping our home safe and our home values up and reconsidering aspects of this project to include:

- Eliminate or reposition the softball/ baseball fields to utilize more of the Redding side and fence line.
- Add shrubs and attractive plants to prevent the appearance of a fenced in prison for any fences added.
- Increase the height of the fence along 9<sup>th</sup> avenue to prevent trash, gawkers and softballs/ baseballs from coming over the fence.
- Ensure the baseball field and any lighting or Scoreboards are not close to our home or fence line
- We would like a privacy screen installed along the fence line to minimize the view of yet another fence so close to our home
- We want to ensure that there are not any bleachers near the homes along 9<sup>th</sup> avenue and that the foot traffic is minimal in this area. This will ensure that trash, mayhem, gawking, noise and the eyesore associated with bleachers does not occur.

Thank you for your help and assistance,

*J. Badenmann*

A handwritten signature in black ink, appearing to be initials or a stylized name, located below the typed name J. Badenmann.