Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

2018052079

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: PASO VERDE SCHOOL

Lead Agency: Natomas Unified School District
Contact Person: Paul Anderson
Mailing Address: 1901 Arena Boulevard
Phone: (916) 567-5467
City: Sacramento
Zip: 95834
County: Sacramento

Project Location: County: ____ City/Nearest Community: ____
Cross Streets: Del Paso Road and Wyndview Way
Zip Code: 95834
Longitude/Latitude (degrees, minutes and seconds): 38 ° 39 ′ 40.12″ N / 121 ° 33 ′ 11.32″ W
Total Acres: 18
Assessor's Parcel No.: ____ Section: ____ Twp.: ____ Range: ____ Base: ____
Within 2 Miles: State Hwy #: I-5, I-80
Waterways: Sacramento River, West Drainage Canal
Airports: Sacramento International
Railways: UPRR
Schools: Natomas Pacific Pathway

Document Type:

CEQA:
- [x] NOP
- [ ] Early Cons
- [ ] Neg Dec
- [ ] Mit Neg Dec
- [ ] Draft EIR
- [ ] Supplement/Subsequent EIR (Prior SCH No.) ____
- Other: ____

NEPA:
- [ ] NOI
- [ ] EA
- [ ] Draft EIS
- [x] FONSI

Other:
- [ ] Joint Document
- [ ] Final Document
- [ ] Other: ____

Governor's Office of Planning & Research
MAY 30 2018
AFTER 12
STATE CLEARINGHOUSE

Local Action Type:

- [ ] General Plan Update
- [ ] General Plan Amendment
- [ ] General Plan Element
- [ ] Community Plan
- [ ] Specific Plan
- [ ] Master Plan
- [ ] Planned Unit Development
- [x] Site Plan
- [ ] Rezone
- [ ] Prezone
- [ ] Use Permit
- [ ] Land Division (Subdivision, etc.)
- [ ] Annexation
- [ ] Redevelopment
- [ ] Coastal Permit
- [ ] Other: ____

Development Type:

- [ ] Residential: Units ____ Acres ____
- [ ] Office: Sq.ft. ____ Acres ____ Employees ____
- [ ] Commercial: Sq.ft. ____ Acres ____ Employees ____
- [ ] Industrial: Sq.ft. ____ Acres ____ Employees ____
- [x] Educational: K-8 school, up to 1,000 students, 18 ac. ~90k sqft
- [ ] Recreational: ____
- [ ] Water Facilities: Type ____ MGD ____
- [ ] Transportation: Type ____
- [ ] Mining: Mineral ____
- [ ] Power: Type ____ MW ____
- [ ] Waste Treatment: Type ____ MGD ____
- [ ] Hazardous Waste: Type ____
- [ ] Other: ____

Project Issues Discussed in Document:

- [x] Aesthetic/Visual
- [x] Agricultural Land
- [x] Air Quality
- [x] Archeological/Historical
- [x] Biological Resources
- [ ] Coastal Zone
- [x] Drainage/Absorption
- [ ] Economic/Jobs
- [ ] Fiscal
- [x] Flood Plain/Flooding
- [ ] Forest Land/Fire Hazard
- [x] Geologic/Seismic
- [x] Minerals
- [x] Noise
- [x] Population/Housing Balance
- [x] Public Services/Facilities
- [x] Recreation/Parks
- [x] Schools/Universities
- [ ] Septic Systems
- [x] Sewer Capacity
- [x] Soil Erosion/Compaction/Grading
- [x] Solid Waste
- [x] Toxic/Hazardous
- [x] Traffic/Circulation
- [x] Vegetation
- [x] Water Quality
- [x] Water Supply/Groundwater
- [x] Wetland/Riparian
- [x] Growth Inducement
- [x] Land Use
- [x] Cumulative Effects
- [x] Other: GHGs, Energy, TCF

Present Land Use/Zoning/General Plan Designation:

General Plan land use designation is Agricultural Cropland. Zoning is AG-80 (Agricultural, 80-acre minimum lot size).

Project Description: *(please use a separate page if necessary)*

The Natomas Unified School District (NUSD) will oversee preparation of a draft environmental impact report (EIR) for the Paso Verde School (the project) to address potential adverse physical environmental effects, in compliance with the California Environmental Quality Act (CEQA). NUSD is proposing to construct and operate a new school (Kindergarten through 8th grade [K–8]) west of Interstate 5 (I-5) and north of Del Paso Road with the capacity to accommodate up to approximately 1,000 students in a student-growth attendance area, with these students currently housed elsewhere in NUSD facilities. NUSD will complete the CEQA and permitting process during 2018 and 2019. The school is expected to open in 2020.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "**X**".
If you have already sent your document to the agency please denote that with an "**S**".

x Air Resources Board
x Boating & Waterways, Department of
___ California Emergency Management Agency
x California Highway Patrol
x Caltrans District #3
x Caltrans Division of Aeronautics
___ Caltrans Planning
x Central Valley Flood Protection Board
___ Coachella Valley Mtns. Conservancy
___ Coastal Commission
___ Colorado River Board
x Conservation, Department of
___ Corrections, Department of
___ Delta Protection Commission
x Education, Department of
___ Energy Commission
x Fish & Game Region #2
___ Food & Agriculture, Department of
___ Forestry and Fire Protection, Department of
___ General Services, Department of
___ Health Services, Department of
___ Housing & Community Development
x Native American Heritage Commission

___ Office of Historic Preservation
x Office of Public School Construction
___ Parks & Recreation, Department of
___ Pesticide Regulation, Department of
___ Public Utilities Commission
x Regional WQCB #5
x Resources Agency
___ Resources Recycling and Recovery, Department of
___ S.F. Bay Conservation & Development Comm.
___ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
___ San Joaquin River Conservancy
___ Santa Monica Mtns. Conservancy
___ State Lands Commission
___ SWRCB: Clean Water Grants
x SWRCB: Water Quality
___ SWRCB: Water Rights
___ Tahoe Regional Planning Agency
x Toxic Substances Control, Department of
___ Water Resources, Department of

___ Other: ___
___ Other: ___

Local Public Review Period (to be filled in by lead agency)

Starting Date May 31, 2018 Ending Date June 29, 2018

Lead Agency (Complete if applicable):

Consulting Firm: AECOM
Address: 2020 L Street, Suite 400
City/State/Zip: Sacramento, CA 95811
Contact: Matthew Gerken
Phone: 916-414-5800

Applicant: Natomas Unified School District
Address: 1901 Arena Boulevard
City/State/Zip: Sacramento, CA 95834
Phone: (916) 567-5467

Signature of Lead Agency Representative: Matthew Gerken **Date:** 5/30/2018

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

for NUSD

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PASO VERDE SCHOOL PROJECT

Date: May 31, 2018

To: Public Agencies and other Interested Parties

From: Natomas Unified School District

The Natomas Unified School District (NUSD) will oversee preparation of a draft environmental impact report (EIR) for the Paso Verde School (the project) to address potential adverse physical environmental effects, in compliance with the California Environmental Quality Act (CEQA). NUSD is proposing to construct and operate a new school (Kindergarten through 8th grade [K–8]) west of Interstate 5 (I-5) and north of Del Paso Road with the capacity to accommodate up to approximately 1,000 students in a student-growth attendance area, with these students currently housed elsewhere in NUSD facilities. NUSD will complete the CEQA and permitting process during 2018 and 2019. The school is expected to open in 2020.

REQUESTED INPUT

The purpose of this Notice of Preparation (NOP) is to solicit input from interested individuals, groups, and agencies regarding the scope of the draft EIR. The NOP provides the project location and a project description. It also discusses the potential environmental effects and the anticipated regulatory permits and approvals NUSD may need to obtain prior to construction. NUSD will rely on responsible and trustee agencies to provide information relevant to the analysis of resources falling within the jurisdiction of such agencies. Specifically, input is required on:

- **Scope of Environmental Analysis**. Guidance on the scope of analysis for this EIR, including identification of specific issues that will require closer study due to the location, scale, and character of the project;
- **Mitigation Measures**. Ideas for feasible mitigation, including mitigation that would avoid, eliminate, or reduce potentially significant or significant impacts;
- **Alternatives**. Suggestions for alternatives to the proposed project that could potentially reduce or avoid potentially significant or significant impacts; and
- **Interested Parties**. Identification of public agencies, public and private groups, and individuals that NUSD should notice regarding this proposed project and the accompanying EIR.

Please provide your written response to the address shown **before 5:00 pm on June 29th, 2018** to:

Mr. Paul Anderson, Director of Planning & Construction
Natomas Unified School District
1901 Arena Boulevard
Sacramento, CA 95834
E-mail: panderson@natomas.k12.ca.us

SCOPING MEETING

An "open house style" public scoping meeting on the proposed project will be held between 4:30 p.m. and 6:00 p.m. on June 19th, 2018 at the Paso Verde Interim School Site, 3800 Del Paso Road, Sacramento 95834. Participants can participate in this public scoping meeting at any time during this 90-minute window – there will be no formal presentation. The objectives of the meeting will be to receive input on the scope and content of the draft EIR.

PROJECT LOCATION

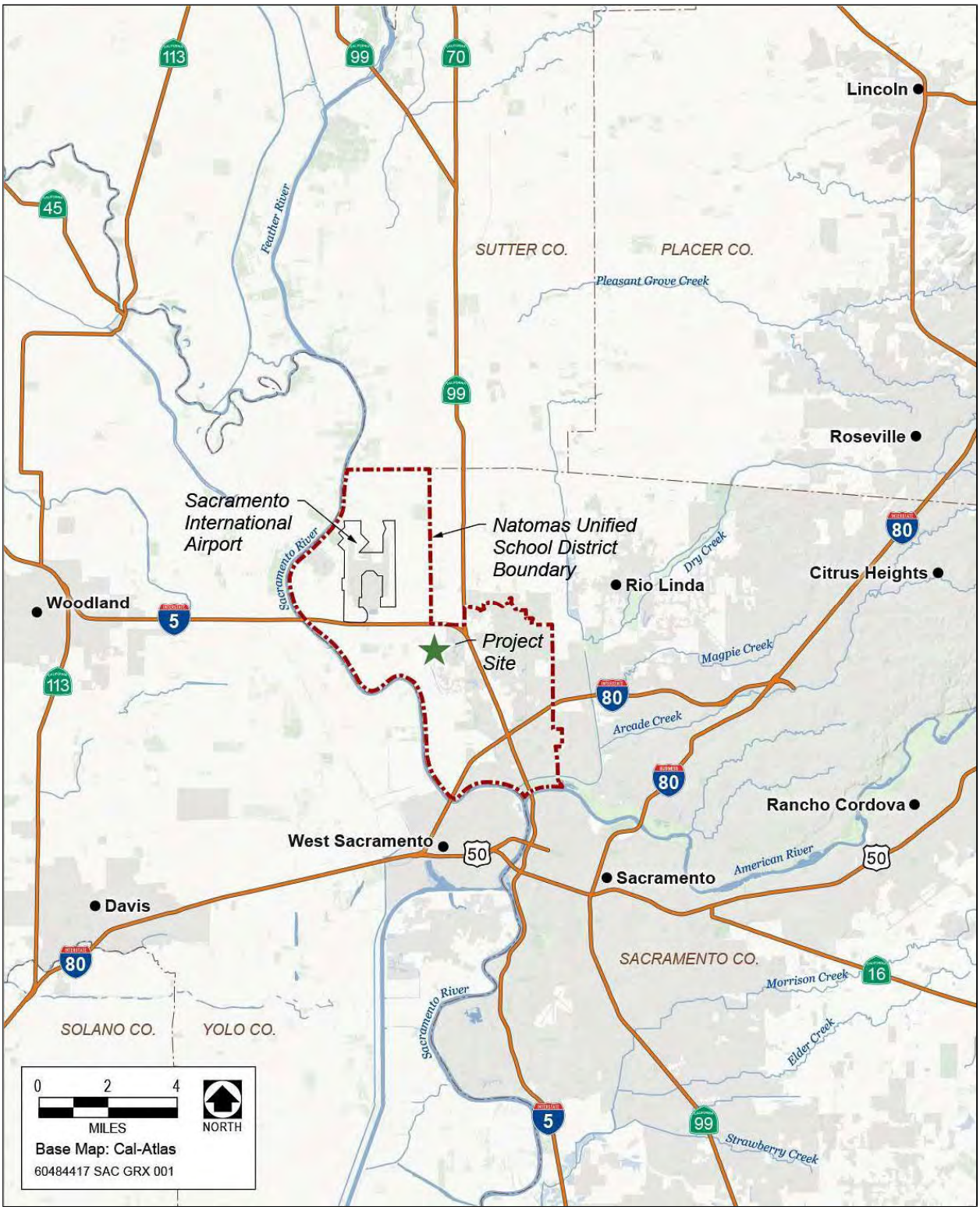
The project site is located on an approximately 34-acre property owned by NUSD north of Del Paso Road and directly west of the Westlake residential development in the Natomas area of unincorporated Sacramento County (Exhibit 1). The site is bordered on the north and west by a different parcel adjacent to the Reclamation District (RD) No. 1000 West Drainage Canal and on the east by a 200-foot wide parcel adjacent to the City of Sacramento (Exhibit 2). The site is located approximately 1 mile east of the Sacramento River.

BACKGROUND

NUSD and the City of Sacramento have been planning for new school development in the area west of I-5 for many years. The City of Sacramento identified and described the need for a 40-acre high school site in the area west of I-5 in the 2008 Draft North Natomas Community Plan (adopted in 2009). However, a specific site was not identified. Concurrent with the City's land use planning efforts, NUSD identified a 41-acre property north of Del Paso Road and west of El Centro Road and investigated its potential purchase.

NUSD completed a Preliminary Environmental Assessment Report and a Phase I Environmental Site Assessment and obtained review and approval by the California Department of Toxic Substances Control pursuant to California Education Code (CEC) Section 17213.1 (a), in 2007.[1] NUSD recently completed an updated Phase 1 Environmental Site Assessment and there have been no changes.

[1] Letter from Mark Malinowski, California Department of Toxic Substances Control (DTSC) Schools Unit, to Michael Cannon, NUSD Facilities and Planning. October 19, 2007.



Source: AECOM 2017

Exhibit 1. Regional Location

Exhibit 2. Vicinity of Project Site

Pursuant to Public Resources Code Section 21151.2, NUSD requested site review by Sacramento County. On December 12, 2006, the Sacramento County Policy Planning Commission held a hearing regarding the proposed site acquisition and on January 2, 2007, issued a letter to NUSD[2] stating that the Commission "has determined that the proposed acquisition is consistent with the County General Plan and is appropriate for acquisition by the School District." Both the County's General Plan and the Sacramento International Airport Land Use Compatibility Plan (ALUCP) have since been updated.

NUSD also obtained an initial site evaluation from the California Department of Education (CDE).[3] CDE obtained a Caltrans Division of Aeronautics evaluation of the school's proximity to the Sacramento International Airport, which found that the school site provides an appropriate level of safety. With these initial steps completed, NUSD purchased the 41-acre "West Lakeside" site on March 23, 2007 and began site planning.

The project was originally envisioned as a high school. NUSD published a NOP in 2008, anticipating a high school. However, the project was put on hold because of concerns regarding levee safety in the Natomas Basin and a decision by the Federal Emergency Management Agency (FEMA) in 2008 to change the area's flood zone designation to (AE), which corresponds to the 100-year floodplain. This change required extensive flood-proofing of new structures and effectively stopped projects that were not issued building permits before the change took effect.

Since then, the Sacramento Area Flood Control Agency (SAFCA) completed levee improvements along the Sacramento River east levee and Natomas Cross Canal, which, along with funding authorization for the remaining improvements, allowed FEMA to improve the area's flood zone designation to A99 in June of 2015. The A99 Zone designation means that FEMA has made an adequate progress determination, allowing permitting and construction of new structures in advance of the completion of flood protection improvements.

With SAFCA's initial levee improvements completed and the housing market recovering, development has resumed within NUSD's service boundary. NUSD's enrollment has increased, schools are overcrowded, and NUSD has a pressing need for a new school to serve the area west of I-5. Furthermore, NUSD anticipates that student enrollment will increase substantially over the next 10 years. Therefore, NUSD has been taking steps to address current overcrowding, such as moving 6th graders to middle schools, adjusting school boundaries, and adding classroom facilities. While a high school had been originally planned for this site, high schools now have capacity, while K–8 schools do not. In particular, growth in the western portion of the District is driving the immediate need for a K–8 school. Paso Verde will ease enrollment pressure on H. Allen Hight Elementary School and Witter Ranch Elementary School primarily, but also aid enrollment issues for Heron School, as Heron is a K–8 school and this is the same desired grade level configuration for Paso Verde. NUSD must now move forward with new schools to accommodate existing needs and anticipated population growth from planned development.

Since the initial purchase of the 41.2-acre site in 2007, the parcel size has been reduced. In 2012, NUSD deeded the eastern 200 feet of the site to West Lakeside LLC. NUSD reserved the right to install utilities and road improvements to access Del Paso Road to the south, as well as utilities and

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[2] Letter from Faith Grunwaldt, Sacramento County Policy Planning Commission, to Frank Harding, NUSD Director of Facilities. January 2, 2007.

[3] Letter from Michael J. O'Neill, California Department of Education, to NUSD. Initial School Site Evaluation. February 13, 2007.

emergency vehicle access to the east. With the transfer of this 7.31-acre parcel (Assessor's Parcel Number [APN] 225-0030-064), the NUSD-owned parcel is now 33.89 acres in land area.

EXISTING SITE CONDITIONS

Historically, the site has been used for agricultural crop production, including wheat, barley, and rice. Surrounding land uses include fallow agricultural lands to the north, residential development to the east, fallow agricultural lands to the south, and habitat conservation lands in agricultural production managed by The Natomas Basin Conservancy (TNBC) to the west (across the West Drainage Canal). The TNBC lands are managed as habitat for species covered under the Natomas Basin Habitat Conservation Plan (NBHCP), including Swainson's hawk (*Buteo swainsoni*). The adjacent West Drainage Canal provides potential aquatic habitat for common fishes and amphibians, but also the giant garter snake (*Thamnophis gigas*), which is federally listed and State-listed as a threatened species, and for western pond turtle (*Emys marmorata*), a California species of special concern.

PROJECT DESCRIPTION

NUSD is proposing to construct and operate the Paso Verde School on a portion of the project site to accommodate up to 1,000 K–8 students. Planning, detailed design, and environmental review has occurred in 2017 and will occur in 2018, along with permitting in 2018 and 2019. Construction will occur in 2019 and 2020. The school will open in the fall of 2020. The school would have a footprint of approximately 18 acres. The balance of the ~34-acre NUSD-owned property is not planned for development. The school site will include approximately 90,000 square feet of buildings, including classrooms, science labs, offices, a gymnasium, a multi-purpose room, a cafeteria, hardcourts, and playing fields. The grounds will include an internal quad, hardcourts, and playing fields (Exhibit 3). The academic program will be focused on science, technology, engineering, arts, and mathematics (STEAM). The project will include outdoor urban teaching garden space to provide outdoor learning environments, particularly for science classes.

Access

Primary access will be from a new north-south oriented roadway that would connect to the existing intersection of Del Paso Road and Hovnanian Drive (See Exhibit 4). In addition, a new auxiliary access road will also be provided to the east, connecting to an existing adjacent cul-de-sac in the Westlake residential development. This access to the east will be for emergency vehicles, pedestrians, and bicyclists.

Water Supply

Potable and fire protection water supply are available to the school by extending existing infrastructure in Westlake Parkway. The City will provide water through an agreement with NUSD, along with encroachment permit conditions, maintenance easements, and compliance with relevant City improvement standards. With approval of the City's Director of Utilities, irrigation water will also be provided by the City.

Sewer Service

The project site is within the service boundaries of the Sacramento Area Sewer District (SASD) and Sacramento Regional County Sanitation District (Regional San). SASD's 12-inch sewer line in Del Paso Road was designed to provide service to the property and would be connected to the school via the

main access road. SASD's conveyance facilities connect to Regional San conveyance facilities and ultimately the regional wastewater treatment plant near Elk Grove. Both SASD and Regional San have stated they will serve the property and connect it to the existing sewer system.

Stormwater Drainage

The drainage system would be designed to minimize runoff and to promote water quality treatment. Drainage pipelines would be installed in trenches excavated with a backhoe. The school site would ultimately drain to a stormwater detention pond. The detention pond would drain within no more than 48 hours after the design storm event to the West Drainage Canal via a concrete pipe and outfall protected by a concrete headwall and riprap. The discharge rate would be at or under RD 1000's criteria for accepting runoff, which is 0.1 cubic feet per second per acre (0.1 cfs/acre).

SACRAMENTO COUNTY GENERAL PLAN AND ZONING CODE

The General Plan land use designation for the site is Agricultural Cropland. The County's Zoning Code, which implements the General Plan, was adopted on July 22, 2015, following the County's last comprehensive General Plan update adopted on November 11, 2011. The project site's zoning designation is AG-80 (Agricultural, 80-acre minimum lot size). Kindergarten through 12th grade public schools are permitted by right within the AG-80 zoning district. The project would not require a General Plan land use designation change or a zoning change.

Source: Lionakis 2018

Exhibit 3. Preliminary Site Plan (Subject to Change)

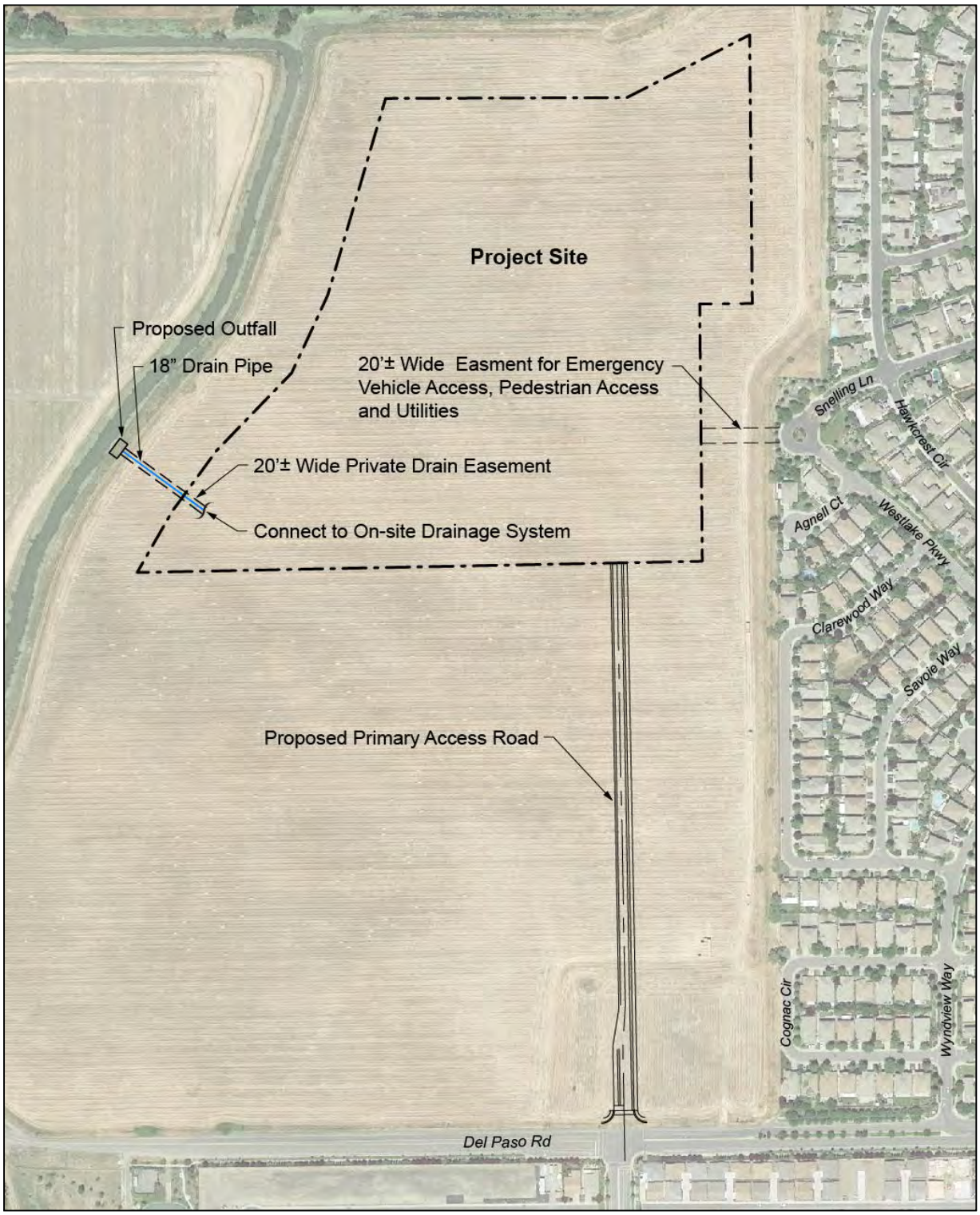

Exhibit 4. Preliminary Plan for Off-Site Improvements (Subject to Change)

PROJECT OBJECTIVES

The primary objectives for the proposed Paso Verde School project are as follows:

- meet the educational needs of up to approximately 1,000 NUSD students
- meet NUSD's geographical needs for additional schools within its service boundary and west of I-5
- slow enrollment growth at nearby overcrowded elementary schools
- provide safe and efficient school site access for students and NUSD staff

SCOPE OF THE EIR

The EIR will evaluate the potential adverse physical environmental impacts of constructing and operating the proposed Paso Verde School. In addition to the school buildings and on-site features, the EIR sections will address the environmental impacts from construction of off-site access, a new outfall into the West Drainage Canal, utilities connecting to Del Paso Road and to Westlake Parkway, and, potentially, a trail connection to Egret Park, northeast of the project site. For each resource area, the EIR will address the existing environmental setting, regulatory framework, thresholds of significance, methodology, environmental impacts, and feasible mitigation measures for potentially significant effects.

Preliminarily, NUSD and the County have determined that the EIR will address the following topics.

Aesthetics

The aesthetics section will evaluate the potential visual impacts on scenic vistas, scenic resources, and on visual character and quality from adjacent residential areas and Del Paso Road. The section will also assess the potential for impacts related to lighting and glare, including consideration of the location of the Sacramento International Airport vis-à-vis the project site.

Agricultural and Forestry Resources

The EIR will evaluate the impacts of converting agricultural land to urban uses and will identify any indirect impacts on surrounding agricultural lands, such as potential land use conflicts, including habitat conservation lands managed by The Natomas Basin Conservancy west of the project site across the West Drainage Canal. The site has a Sacramento County General Plan land use designation of Agricultural Cropland and is zoned AG-80, which allows public schools as a permitted use.

Based on the Important Farmland map for Sacramento County,[4] the entire project site is classified as Farmland of Local Importance. The project site is not encumbered by a Williamson Act contract. There would be no impacts on forestry resources, as the proposed school site has no trees and is not zoned as forestland, timberland, or a Timberland Production Zone.

Air Quality and Greenhouse Gas Emissions

The EIR will describe regional and local air quality and evaluate the potential impacts of school construction (temporary, short term) and operation (long term). Construction and operation would also generate greenhouse gas emissions, which will be evaluated in light of the framework established in State legislation.

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[4] California Department of Conservation, Farmland Mapping and Monitoring Program, California Important Farmland Finder. http://maps.conservation.ca.gov/ciff/ciff.html

Biological Resources

This section of the EIR will evaluate potential impacts on habitat, special-status species (raptors, migratory birds, giant garter snake, and plants), sensitive natural communities, wetlands, wildlife migration corridors, and potential conflicts with the provisions of the Natomas Basin Habitat Conservation Plan (NBHCP) and Metro Air Park Habitat Conservation Plan. The proposed project would be constructed on agricultural land that provides potential habitat for burrowing owl and foraging habitat for Swainson's hawk. Construction of the stormwater drain and outfall to the West Drainage Canal could affect aquatic and terrestrial areas that provide habitat for special-status wildlife species, including giant garter snake and western pond turtle. Therefore, the EIR may need to consider feasible mitigation measures to reduce potential impacts on Swainson's hawk, giant garter snake, and other special-status species. These measures could include avoidance and minimization measures, habitat restoration, and/or habitat conservation measures.

Cultural Resource

The cultural resources section of the EIR will evaluate potential impacts on historic and archaeological resources, human remains, and tribal cultural resources. The project will require a new drainage outfall into West Drainage Canal, which is a RD 1000 facility. Impacts to the RD 1000 historic district have previously been evaluated and mitigated under a Historic Property Treatment Plan.[5] Because construction of the school would require grading and excavation, it is possible that school construction could affect previously identified or unidentified cultural resources. The EIR will also address potential impacts on tribal cultural resources, in compliance with Assembly Bill 52, as well as consultation requirements described in SB 18.

Energy

The EIR will describe the project's energy consumption, consistency with energy conservation standards, and whether the project would lead to wasteful or inefficient use of energy or affect local or regional energy supplies such that a significant environmental impact would occur that is not already reported in another section of the EIR.

Geology, Soils, Minerals, and Paleontology

This section will evaluate the potential for seismic impacts, loss of topsoil, and potential effects related to soil constraints. It will describe how design measures and building code requirements would address potential seismic impacts, such as seismic shaking and liquefaction, and how required erosion control best management practices (BMP) would be used to minimize soil erosion. Furthermore, this section will evaluate the potential impacts of expansive soils on structures. Finally, this section will evaluate whether the project would result in the permanent loss of access to a valuable mineral resource and whether grading and excavation could affect paleontological resources.

Hazards and Hazardous Materials

This section will evaluate potential impacts related to the use, transport, and disposal of hazardous materials; potential hazards related to proximity to Sacramento International Airport; whether the project could physically interfere with emergency response or evacuation plans; and potential effects from wildland fires. The proposed site plan does not place buildings within Safety Zone 4 of the Sacramento

[5] Dames & Moore. 1994. Historic Property Treatment Plan for Reclamation District 1000 Rural Historic Landscape District for the Cultural Resources Inventory and Evaluations for the American River Watershed Investigation, Sacramento and Sutter Counties, California. Report on file, North Central Information Center, California State University, Sacramento, CA.

International Airport Land Use Compatibility Plan, and instead any buildings would be placed in Safety Zone 6, where K–12 schools are a normally compatible use. On-site detention will drain within 48 hours and will be designed and landscaped to avoid attracting birds. The EIR will describe how existing regulations minimize potential effects related to hazards and hazardous materials. The EIR will also summarize the results of past and recent studies showing that the site has a low potential for discovery of contaminated soils.

Hydrology and Water Quality

This section will evaluate potential impacts on water quality, groundwater supplies, alteration of drainage patterns that could result in erosion or flooding, creation of excessive stormwater drainage, and exposure of people or structures to risks from flooding or other hydrologic risks. The EIR will consider the school's construction grading and site drainage needs to evaluate potential impacts from stormwater runoff, post-construction hydrologic changes (i.e., addition of impervious surfaces, such as parking lots), and on downstream water quality. The potential impacts of stormwater runoff will focus on the adjacent West Drainage Canal. Furthermore, the flooding potential of the Natomas Basin will be described in light of the recent and ongoing levee improvements.

Land Use and Planning

The EIR will evaluate the project's consistency with all adopted applicable plans and policies intended to mitigate environmental impacts, such as the Comprehensive Airport Land Use Plan for Sacramento International Airport, Sacramento Area Council of Governments Blueprint and Metropolitan Transportation Plan/Sustainable Communities Strategy, the Sacramento County General Plan, and other relevant adopted plans and policies.

Noise and Vibration

This section will evaluate potential impacts construction-related and long-term noise and vibration in relation to applicable standards and noise ordinances and existing ambient noise and vibration conditions. This evaluation will provide an estimate of construction and operational (e.g., traffic, buses, events) noise and a comparison with ambient noise levels measured at the project site and near adjacent noise-sensitive receptors.

The project site is almost entirely in the 60-65 CNEL noise contour of the Sacramento International Airport. For the 60-65 CNEL noise contour, the Airport Land Use Compatibility Plan (ALUCP) identifies schools as a Conditional Use. The conditions for schools in areas above 60 dB CNEL are identified in Policies 3.2.2(a) and 4.1.5. Policy 3.2.2 discusses special circumstances and special measures that can address adverse consequences, with reference to Section 4.2. Section 4.2 then references Policy 4.1.5. Under Policy 4.1.5, the ALUCP explains that the Airport Land Use Commission can find a normally incompatible use to be compatible with findings that the land use will neither (1) create a safety hazard to people on the ground or aircraft in flight nor (2) result in excessive noise exposure for the proposed use. The proposed site plan does not place buildings within Safety Zone 4 of the Sacramento International Airport Land Use Compatibility Plan, and instead any buildings would be placed in Safety Zone 6, where K–12 schools are a normally compatible use. Based on State standards, the school is required to be designed so that interior noise levels are appropriate for the function of classrooms. The EIR will provide additional detail on this and related topics.

Population and Housing

The proposed project does not include any housing nor would it displace people or housing. As described above, development within NUSD's service boundary has resulted in overcrowding and a

pressing need for a new school. The project would serve existing students and students generated through existing, planned development.

Public Services and Recreation

The EIR will evaluate the potential for increased demand for public services and facilities if the extension or expansion of such services or facilities could have adverse environmental effects. This will preliminarily include a review of fire protection and law enforcement. It will also evaluate whether the new school would increase the use of existing neighborhood parks to a degree that could result in their physical deterioration that could be considered an adverse physical environmental impact.

Transportation/Traffic

This section of the EIR will provide information regarding the potential for the project to increase travel demand that would lead to an adverse physical environmental impact not reported elsewhere in the EIR. It will also evaluate potential changes to the function of local roadways and intersections and I-5 ramps that could result from school construction and operation. The EIR will evaluate the project relative to any applicable transit, bicycle, and pedestrian policies. The EIR will evaluate the proposed safety and convenience of walking and biking routes compared to existing conditions. The EIR will also describe the plan to modify the intersection on Del Paso Road at Hovnanian Drive and evaluate the availability of emergency access routes.

Utilities and Service Systems

The utilities section will evaluate whether extension of utilities will result in significant adverse environmental effects aside from those disclosed in other sections of the EIR. The project would not require any changes in municipal or service area boundaries, but would require extensions of existing, nearby infrastructure. The EIR would describe how NUSD would comply with drinking water and water treatment regulations and how NUSD would apply the project's biological and cultural resource mitigation measures to reduce the environmental impacts of utility construction.

Alternatives

CEQA requires evaluation of a range of reasonable alternatives to the proposed project. The selected comparative alternatives must be ones that avoid or reduce the significant impacts of the proposed project. In addition, CEQA requires evaluation of the no project alternative. The environmental impacts of each alternative will be compared with the proposed project using a comparative matrix. NUSD and the County specifically seek input on alternatives that would be feasible, and that would address one or more potentially significant impacts.

Cumulative Impacts

Cumulative impacts for each resource area will be evaluated and will address past, present, and reasonably foreseeable future projects, either approved or proposed, that could interact with the proposed project to result in cumulative effects.

Other CEQA Required Analysis

CEQA requires EIRs to evaluate other potential environmental effects, including growth-inducing effects, irreversible and irretrievable commitment of resources, and significant and unavoidable impacts. Growth-inducing effects may result from unintended growth that may occur because an obstacle to growth has been removed. The EIR will provide an analysis of potential growth inducement through

providing water and sewer service and transportation access to the project site and the additional student capacity provided by the project.

Irreversible and irretrievable impacts may include use of nonrenewable resources or loss of access to a resource. The EIR will also identify and summarize any significant impacts that are unavoidable and cannot be reduced to a less-than-significant level with mitigation.

USES OF THE EIR

The EIR will be prepared by NUSD as the lead agency under CEQA. Several agencies may serve as responsible and trustee agencies pursuant to Sections 15381 and 15386 of the CEQA Guidelines. These agencies may include, but are not limited to the following:

Federal

- U.S. Army Corps of Engineers – Clean Water Act Section 404 Nationwide Permit
- U.S. Fish and Wildlife Service – Endangered Species Act Section 7 consultation

State

- Regional Water Quality Control Board – Clean Water Act Section 401 Water Quality Certification, Section 402 National Pollutant Discharge Elimination System, Stormwater General Permit
- California Department of Fish and Wildlife – California Fish and Game Code Section 1600 Streambed Alteration Agreement, California Endangered Species Act compliance
- California Department of Education/Division of State Architect – final school site and design approval (per California Education Code Section 17213)
- Caltrans Division of Aeronautics – consultation with CDE on proximity to Sacramento International Airport
- California Department of Toxic Substances Control – review of preliminary endangerment assessment and Phase I ESA (complete)

Local

- Sacramento County – grading permit, plan check for off-site infrastructure, maintenance agreement for drainage outfall and retention basin
- City of Sacramento – approval to provide service outside City limits (pursuant to Sacramento City Code Section 13.04.400), review of a water study for proposed connections to the City's water system, encroachment permit for the proposed service connection, easement to the City for access and maintenance of City water meters, approval of the City's Director of Utilities to provide irrigation water.

Draft

Environmental Impact Report
Paso Verde School

Prepared for:

Natomas Unified School District
Connecting students to their future

Natomas Unified School District
Facilities and Strategic Planning Department

Prepared by:

AECOM

November 2018

Central Valley fall-run Chinook Salmon exhibit an ocean-type life history. Adult fall-run Chinook Salmon generally migrate through the Delta and into Central Valley rivers from June through December and spawn from September through December. Peak spawning activity usually occurs in October and November. The life history characteristics of late fall-run Chinook Salmon are not as well understood; however, they are thought to exhibit a stream-type life history. Adult late fall-run Chinook Salmon generally migrate through the Delta and into the Sacramento River from October through April and may wait 1 to 3 months before spawning from December through April. Peak spawning activity occurs in February and March.

Fall- and late fall-run Chinook Salmon rear in streams and rivers with sufficient water flow and floodplain connectivity. The channeled, leveed, and riprapped river reaches and sloughs common in the Sacramento and San Joaquin rivers and throughout the Delta typically have low habitat diversity and complexity, have low abundance of food organisms, and offer little protection from predation by fish and birds. As such, the channelized lower reaches of the Sacramento and San Joaquin rivers are not considered high quality rearing habitat. Similarly, the West Drainage Canal near the project site is channelized, does not contain high quality flowing water that supports a diverse food base, and also is considered poor quality rearing habitat for Chinook Salmon.

Giant Garter Snake

Giant garter snake is federally listed and State listed as threatened and is a primary covered species under the NBHCP. This species formerly ranged throughout the wetlands of California's Central Valley, from Buena Vista Lake near Bakersfield in Kern County to the vicinity of Chico in Glenn and Butte counties (Hansen and Brode 1980:3). This species appears to have been extirpated from the San Joaquin Valley south of Mendota in Fresno County (Hansen and Brode 1980:13) and has suffered serious declines in other parts of its former range. The primary cause of decline, loss of aquatic habitat or degradation caused by agricultural development, has been compounded by the loss of upland refugia and bankside vegetation cover (Thelander 1994:283–287). Habitat loss has resulted in the fragmentation of giant garter snake populations and the isolation of remnant habitats, making the species vulnerable to genetic loss (USFWS 2012:18-19).

This aquatic snake inhabits agricultural wetlands and other waterways, such as irrigation and drainage canals, rice fields, marshes, sloughs, ponds, small lakes, low-gradient streams, and adjacent uplands in the Central Valley. Rice fields and their adjacent irrigation and drainage canals serve an important role as aquatic habitat for giant garter snake. Managed marsh can also provide important habitat for giant garter snake. In contrast to rice, managed marsh provides habitat year round, including such habitat elements as dense cover, basking sites, and refugia, which meet all of the giant garter snake's daily and seasonal needs. Specific habitat requirements consist of (USFWS 2012:1):

(1) adequate water during the snake's active season (early-spring through mid-fall);

(2) emergent, herbaceous wetland vegetation, such as cattails and bulrushes, for escape cover and foraging habitat during the active season;

(3) grassy banks and openings in waterside vegetation for basking; and

(4) higher elevation uplands for cover and refuge from flood waters during the snake's dormant season in the winter.

EXCERPT

Many summer basking and refuge areas are immediately adjacent to canals and other aquatic habitats, and they have been observed using burrows for refuge in the summer as far as 164 feet from aquatic habitat (USFWS 2015:I-3). During the winter, giant garter snakes take refuge in mammal burrows, riprap, holes, cracks, or crevices adjacent to their aquatic habitat, but above flood elevations (USFWS 2015:I-3, Wylie et al. 1997:4). Overwintering snakes have been observed using burrows as far as 820 feet from their summer aquatic habitat in response to high flood waters, but this is atypical and occurs only when refugia are not available closer to their summer aquatic habitat (USFWS 2015:I-3, Wylie et al. 1997:4). Recent improvements to the flood protection system in the Sacramento area have reduced the flood risk in the Natomas Basin. Flood risk is discussed in detail in Section 3.9, "Hydrology and Water Quality."

This species is present in the Natomas Basin and inhabits waterways, including Fisherman's Lake, and irrigation canals in the area, and has been documented in the West Drainage Canal northwest of the project site as recently as 2009 (Exhibit 3.4-2) (CNDDB 2018). TNBC conducts an annual assessment of giant garter snake populations in the Natomas Basin, as required by the NBHCP and its Implementing Agreement (City of Sacramento et al. 2003). TNBC's most recent evaluation (TNBC 2018) cited recent improvements in habitat connectivity between Fisherman's Lake and habitats north of Interstate 5 (I-5) with completion of a canal connecting the North Drainage Canal and the West Drainage Canal. The new canal was constructed as mitigation for the Natomas Levee Improvement Program (NLIP) (TNBC 2018). However, TNBC described the habitat in the West Drainage Canal as marginal (TNBC 2018:3-14). The West Drainage Canal adjacent to the project site provides marginal quality habitat for giant garter snake because it lacks some requisite habitat components, such as emergent vegetation that provides cover from predators. Nonetheless, this portion of the West Drainage Canal could be used by giant garter snakes for dispersal between more suitable habitat patches. Fragmentation by I-5 interferes with dispersal via the West Drainage Canal from Fisherman's Lake to suitable breeding habitat to the north (TNBC 2018: 3-14). Wetlands recently constructed by SAFCA at Fisherman's Lake may provide better connectivity within the Fisherman's Lake area; however, the small population in the Fisherman's Lake Reserve may be isolated and vulnerable to inbreeding effects (TNBC 2018:3-14 and 3-15).

TNBC's efforts in creating managed marsh habitats and encouraging rice agriculture in the Natomas Basin have provided persistent habitat with adequate water. Other TNBC management actions include preserving mammal burrows in areas adjacent to canals, accumulated tule thatch, and maintaining water levels.

There have been 12 giant garter snake occurrence records documented in the CNDDB within 2 miles of the project site, and 68 occurrence records have been documented in the Natomas Basin (CNDDB 2018). TNBC monitoring results and abundance modeling suggest that giant garter snake abundance has decreased on Basin reserves from 2011 to 2015 (TNBC 2016:3-14); since then, total number of individuals and captures per year increased on Basin reserves (TNBC 2018: 3-16).

Swainson's Hawk

Swainson's hawk is State listed as threatened and is a primary covered species under the NBHCP. Historically, as many as 17,000 Swainson's hawk pairs may have nested throughout lowland California (Bloom 1980). As of 2007, there were estimated to be approximately 2,081 breeding pairs in California, the vast majority of which (approximately 1,950 pairs) are in the Central Valley, with the largest concentrations in the counties of Sacramento, San Joaquin, Solano, and Yolo (Estep 2009a:2-1, 2-2, and 4-3, CDFW 2015:15 through 17). The California population of breeding Swainson's hawks declined by approximately 90% from the 1940s to 1980,

presumably because of habitat loss; however, other factors, such as mortality in wintering areas in Central America, may have also played a role (Bloom 1980). Based on the results of statewide surveys, it is possible to speculate that population numbers are increasing modestly in the Central Valley, but the population estimate is still far below historical numbers, and there is little evidence to indicate that this hawk has reoccupied much of its former range in the central and south coast valley and Southern California (CDFW 2015:21).

Swainson's hawks typically inhabit California only during the breeding season (March through September) and winter primarily in Central and South America. Eggs are generally laid by April, with incubation and rearing of young occurring through mid-July (Estep 2009a:8). Swainson's hawk is most commonly found in grasslands, low shrublands, and agricultural habitats that include large trees for nesting. Swainson's hawks build nests in riparian woodlands, roadside trees, trees along field borders, and isolated trees. Stringers of remnant riparian forest along drainages contain most of the known nests in the Central Valley (TNBC 2007:4-3).

Prey accessibility is based largely on vegetative structure (cover and height) of the foraging habitat with lower vegetative cover providing greater access to prey (Estep 2009b). Swainson's hawks feed primarily on small rodents, but also consume insects and birds. Although the most important foraging habitat for Swainson's hawks lies within a one-mile radius of each nest (City of Sacramento et. al 2003: Appendix H, page 5-29), Swainson's hawks have been recorded foraging up to 18.6 miles from nest sites (Estep 1989:23). Any habitat within the foraging distance may provide food at some time in the breeding season that is necessary for reproductive success. However, reproductive success decreases for Swainson's hawks as distance from foraging habitat increases (England et al. 1995, England et al. 1997).

In a dynamic agricultural environment such as the Natomas Basin, the area required for Swainson's hawk foraging habitat depends on time of season, crop cycle, crop type, and disking/harvesting schedule, as these factors affect the abundance and availability of prey (City of Sacramento, Sutter County, and Natomas Basin Conservancy 2003:II-19).

According to TNBC (2015), the Swainson's hawk population in the Natomas Basin is stable. The number of Swainson's hawk pairs in the Basin increased in 2015, and all measures of reproductive success and the number of occupied territories has increased over the monitoring period (i.e., 2001–2015). There were 44 successful nesting attempts in the NBHCP area in 2015 (TNBC 2016: Table 4-2).

The CNDDB contains seven nesting records within 1 mile and 12 nesting records within 2 miles of the project site (CNDDB 2018). The project site provides potential foraging habitat for Swainson's hawk; the approximately 34 acres of fallow agricultural land where hay has grown and has been periodically cut on the project site are considered moderate-quality foraging habitat. There are no trees present on the project site for Swainson's hawks to nest, but there are suitable nest trees nearby, including along the West Drainage Canal.

Burrowing Owl

Burrowing owl is a CDFW species of special concern and is covered under the NBHCP. Burrowing owls and their nests are protected under Section 3503.5 of the California Fish and Game Code. Burrowing owls typically inhabit grasslands and other open habitats with low-lying vegetation. Burrowing owls are also known to nest and forage in idle agricultural fields, ruderal fields, and the edges of cultivated fields; however, these areas provide lower quality habitat than native grasslands. Burrow availability is an essential component of suitable habitat and required year round for nesting and roosting. The burrowing owl is capable of digging its own burrow in areas

with soft soil, but generally prefers to adopt those excavated by other animals, typically ground squirrels. In areas where burrows are scarce, burrowing owl can use pipes, culverts, debris piles, and other artificial features as burrows.

Burrowing owl sightings within the Natomas Basin are generally in the eastern half of the basin, with the highest concentration in the southeastern portion (TNBC 2007:5-10 through 5-12). The three largest breeding colonies are documented in the parking lot of the Sleep Train Arena, near the east edge of the basin north of Del Paso Road, and near the east edge of the basin north of Elkhorn Boulevard (TNBC 2016: 5-8 through 5-10). Although no occurrences of burrowing owl have been documented on or adjacent to the project site, burrows suitable for burrowing owls were observed along the ditch that extends along the eastern edge of the project site in 2016. Protocol-level burrowing owl surveys (CDFW 2012) were conducted on September 25, 2018 within the project site and within a 1,500 foot buffer where site access was granted. During protocol surveys, no active burrows or burrows with sign of use were observed; only one ground squirrel burrow, marginally suitable for burrowing owl and showing no sign of use, was observed adjacent to the West Drainage Canal north of the project site. Overall, the project site and adjacent areas were characterized by hard pack, non-friable soils; small mammal burrowing activity was almost entirely lacking.

Western Pond Turtle

Western pond turtle is a CDFW species of special concern and is covered under the NBHCP. They are generally associated with permanent or near-permanent aquatic habitats, such as lakes, ponds, streams, freshwater marshes, and agricultural ditches. Western pond turtle requires still or slow-moving water with instream emergent woody debris, rocks, or open mud banks for basking sites. Pond turtles are highly aquatic but can venture up to 1,300 feet from water to lay eggs. Nests are typically located on unshaded upland slopes in dry substrates with clay or silt soils (Jennings and Hayes 1994:101). Pond turtles can overwinter in upland sites.

Ditches, ponds, and marshes throughout the Natomas Basin provide potential habitat for western pond turtle. Potential breeding habitat is very limited by the predominance of agriculture and development, but could occur along ditches and margins of other aquatic habitat.

Limited information is available on the status and distribution of western pond turtle in the Natomas Basin. Surveys conducted in 2004–2006 documented only 15 occurrences of western pond turtle in the Natomas Basin (TNBC 2007: Figure 5-14). Although few occurrences have been documented in the basin, several of them have been near the project area, particularly in Fisherman's Lake, southwest of the project site.

Other Special-Status Birds

White-tailed kite, which is a fully protected species under the California Fish and Game Code, has the potential to nest in trees that occur in riparian habitat adjacent to the project site. Northern harrier, a species listed by CDFW as a species of special concern, could forage on the project site and could possibly nest on the ground in the fallowed agricultural parcel to the north of the project site, along the West Drainage Canal to the west, or along the abandoned agricultural ditch to the east. Northern harrier has been detected at the Fisherman's Lake Reserve during TNBC monitoring, and throughout the Basin reserve lands (TNBC 2018: 5-3, C.2-2). Loggerhead shrike, which is also listed as a species of special concern, is known to nest at several TNBC reserves and elsewhere in the Natomas Basin (TNBC 2008:5-8) and could nest in small trees and shrubs adjacent to the project site. Another California species of special concern, mountain plover, could potentially winter in the agricultural habitats in and

EXCERPT

3.4.2 REGULATORY CONTEXT

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

Federal Endangered Species Act

USFWS and the National Marine Fisheries Service implement the federal Endangered Species Act (FESA) of 1973 (16 U.S. Code [USC] 1531 et seq.). Section 9 of the FESA, prohibits the "take" of federally listed endangered species of fish or wildlife. The FESA defines *take* as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or attempt to engage in any such conduct." Under federal regulation, take is further defined to include habitat modification or degradation where it would be expected to result in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.

Section 7(a)(2) requires that actions authorized, funded, or carried out by federal agencies (i.e., issuing a permit pursuant to the Clean Water Act) do not "jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of lands determined by the USFWS to be "critical habitat" for such species. If a federal agency determines that a proposed federal action "may affect" a listed species and/or designated critical habitat, the agency must consult with USFWS and/or the National Marine Fisheries Service in accordance with Section 7 of the FESA.

For projects where federal action is not involved and take of a listed fish or wildlife species may occur, the project proponent may seek to obtain an incidental take permit (ITP) under ESA Section 10(a). Section 10(a) allows USFWS to permit the incidental take of listed species if such take is accompanied by a habitat conservation plan that includes components to minimize and mitigate impacts associated with the take. (The Natomas Basin Habitat Conservation Plan (NBHCP) is described below under regional and local permits.) If take of a federally listed species may occur, the action may require an incidental take permit from USFWS. This permit allows take of federally listed species if the take is "incidental to and not the purpose of, the carrying out of an otherwise lawful activity" (16 USC 1539[a][1][B]).

Clean Water Act

Section 404 of the federal Clean Water Act (CWA) requires a project applicant to obtain a permit from USACE before engaging in any activity that involves any discharge of dredged or fill material into waters of the United States, including wetlands. Fill material is material placed in waters of the United States where the material has the effect of replacing any portion of a water of the United States with dry land, or changing the bottom elevation of any portion of a water of the United States. Waters of the United States include navigable waters of the United States; interstate waters; all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce; tributaries to any of these waters; and wetlands adjacent to these waters.

As part of the review of a project, USACE must ensure compliance with applicable federal laws, including EPA's Section 404(b)(1) Guidelines. USACE regulations require that impacts to waters of the United States are avoided and minimized to the maximum extent practicable, and that unavoidable impacts are compensated (33 Code of Federal Regulations [CFR] 320.4[r]).

Under Section 401 of the CWA, an applicant for a Section 404 permit must obtain a certificate from the appropriate state agency stating that the intended dredging or filling activity is consistent with the state's water

- Minimizing total built development in the floodplain, while designing areas of less frequent use that can support inundation to be permitted in the floodplain.

- **Policy CO-72.** If land within river and stream watersheds in existing agricultural areas is developed for non-agricultural purposes, the County should actively pursue easement dedication for recreation trails within such development as a condition of approval.

Protection of Special-Status Species Habitat (Objective): Protect and maintain habitat for special-status species.

- **Policy CO-78.** Plans for urban development and flood control shall incorporate habitat corridors linking habitat sites for special status species.

Sacramento County Code

Chapter 16.130 of Title 16 of the Sacramento County Code addresses the reduction in Swainson's hawk foraging habitat within the unincorporated Sacramento County. Proponents of projects determined to affect less than 40 acres of habitat have the option to mitigate adverse impacts on Swainson's hawk foraging habitat through the payment of an impact mitigation fee, which provides funds to acquire available land with suitable Swainson's hawk foraging habitat values.

Natomas Basin Habitat Conservation Plan, Implementing Agreement, and Incidental Take Permits

The NBHCP was submitted to the USFWS and CDFW in support of an application for a federal permit under Section 10(a)(1)(B) of FESA and a state permit under Section 2081 of the California Fish and Game Code. USFWS and CDFW subsequently approved the NBHCP, developed implementing agreements, and issued ITPs to the City of Sacramento, Sutter County, and TNBC.

The NBHCP is a regional conservation plan for mitigating impacts on covered species from covered activities carried out by the permittees over the 50-year term of the ITPs. The primary goal of the NBHCP is to create a system of habitat reserves that would support giant garter snake, Swainson's hawk, and the other 20 species covered under the plan. TNBC manages these reserves, which serve as mitigation lands for covered activities carried out in the Permit Areas. The NBHCP provides coverage for TNBC activities in Sacramento County related to management of these conservation lands. Sacramento County is not a permittee under the NBHCP, and the NBHCP does not provide incidental take permit coverage for development in the unincorporated portions of Sacramento County within the Natomas Basin.

The project site is within the Plan Area of the NBHCP, which is the entire 53,537-acre Natomas Basin; however, the provisions of the NBHCP do not apply to development projects outside the permit areas in the city of Sacramento or Sutter County. Neither NUSD nor Sacramento County are permittees under the NBHCP and do not have incidental take coverage under the Plan. However, the NBHCP assumes that existing agricultural lands in the basin, outside of the Permit Areas, would remain in agricultural uses that would continue to provide habitat values to covered species. Therefore, any development outside of the Permit Areas is not accounted for in the Plan and is subject to separate environmental review and permitting processes.

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Substantially interfere with wildlife movement or nursery sites—project buildout would not create barriers that could interfere with movement of resident or migratory wildlife or alter the character of existing habitat available to migrating birds within the Pacific Flyway such that it would no longer function as a migratory corridor. The site is an agricultural field that does not currently provide an important connection between any areas of natural habitat that would otherwise be isolated and contains no nursery sites (e.g., fish spawning, rookeries, bat maternity roosts). According to the California Essential Habitat Connectivity Project, the project site is not located within a Natural Landscape Block or Essential Habitat Connectivity area (Spencer et al. 2010). The riparian corridors along the Sacramento and American rivers play a critical role in wildlife movement in the region and the project would not affect these areas. Drainage canals, such as the West Drainage Canal, provide important connections between remaining habitat patches for giant garter snake. The proposed buried drain pipe would be constructed entirely in uplands adjacent to the West Drainage Canal and would not alter the canal in any way. Therefore, this issue is not discussed further.

IMPACT ANALYSIS

IMPACT 3.4-1 Impacts on Special-Status Species. *The project could adversely affect species identified as special-status species by CDFW, USFWS, and NMFS. This impact is* ***potentially significant****.*

Project construction would disturb approximately 18 acres of the NUSD-owned parcel for school buildings, parking, and recreational areas, as well as areas needed for construction staging. In addition, the project would use an existing RD 1000 outfall structure to convey stormwater runoff from the school site to the canal. A drain pipe would be buried within a 20-foot-wide private drain easement across the 200-foot-wide portion of the adjacent parcel between the school site and the West Drainage Canal, and would connect the on-site drain system to the outfall structure in the canal. At this time, RD 1000 and NUSD do not anticipate the need for any improvements to the outfall structure and there would be no need for any construction work within the ordinary high water mark of the West Drainage Canal. The project would also require an access road from Del Paso Road that would cross a property south of the project site. Water and sewer utilities would be extended from Del Paso Road along the access road.

Based on review of the CNDDB, IPaC, and the species covered by the NBHCP, the following special-status species were identified as having potential to occur in the project area:

- giant garter snake
- Swainson's hawk
- burrowing owl
- western pond turtle
- Central Valley Steelhead
- Central Valley fall-run and late fall-run Chinook Salmon
- other special-status birds and raptors and nesting birds

The following sections address potential impacts on these species and propose a combination of avoidance, minimization, and mitigation measures.

EXCERPT

Giant Garter Snake

This aquatic snake is present in the Natomas Basin and inhabits waterways, including Fisherman's Lake and irrigation canals in the area, and could be present in the West Drainage Canal. This species uses the areas adjacent to waterways for summer basking and refuge, and they use the burrows of other species for refuge in these areas. Generally, upland habitat located within 200 feet of aquatic habitat is considered suitable upland habitat for this species. However, the area within 200 feet of the West Drainage Canal on the project site consists primarily of weedy vegetation and a gravel access road, and is part of an adjacent parcel that would not be affected by the school, except for installation of a buried drain pipe. The project site is considered low quality upland habitat, characterized by a regularly mowed fallow agricultural field with hard packed soil lacking burrowing activity for all but the areas along the levee closest to the West Drainage Canal. The NBHCP notes that giant garter snakes are usually not found in agricultural areas where rice is not the predominant crop (Brode and Hansen 1992 – cited in NBHCP Section 4). Nevertheless, the West Drainage Canal provides potential giant garter snake aquatic habitat and individual snakes may be present in suitable upland areas within 200 feet of the canal.

Project construction would be concentrated primarily on approximately 18 acres of the project site and set back more than 200 feet from the West Drainage Canal. However, installation of a drain pipe would occur within the 200-foot-wide area between the school site and the West Drainage Canal. Trenching of the drain pipe would occur in areas of marginal upland habitat for giant garter snake. While unlikely to result from project implementation, take of giant garter snake would be a **potentially significant** impact.

Discharge of stormwater runoff from the school site into the West Drainage Canal could affect water quality and hydrology within the canal and downstream waters, resulting in indirect impacts on giant garter snake habitat. However, indirect effects from changes in water quality and hydrology would be reduced to less than significant through implementation of best management practices, consistent with the SWPPP and other permits, and creation of a stormwater drainage plan and erosion and sediment control plans, which would include creation of on-site stormwater detention as described in Chapter 2 of this EIR, "Project Description" and evaluated in Section 3.9, "Hydrology and Water Quality." The project would be required to incorporate permanent stormwater measures to conform to applicable County of Sacramento ordinances and State and federal law and would involve using measures described in the *Sacramento Region Stormwater Quality Design Manual* (Sacramento Stormwater Quality Partnership 2017). Permanent BMPs would be installed by the construction contractor and maintained by NUSD. Compliance with applicable County of Sacramento ordinances and State and federal law and implementation of permanent BMPs would reduce indirect impacts to less than significant.

During school operations, noise could affect basking habitat adjacent to the canal; however, the school site would be fenced and school activities would be confined to fenced areas at least 200 feet from the canal. Furthermore, the noise analysis presented in Section 3.11, "Noise and Vibration," shows that school noise would only marginally exceed existing ambient conditions that include the adjacent roadways and planes arriving at and departing from the Sacramento International Airport.

The school site, as well as construction staging areas, would be located within the NUSD-owned parcel and at least 200 feet from the West Drainage Canal. Thus, the school's location would avoid areas that are considered potential giant garter snake upland habitat. However, drainage for this site will require improvements within 200 feet of the canal, therefore NUSD will implement the following mitigation.

exclusion fencing is not installed, a qualified biological monitor will be present during all activities in suitable habitat within 200 feet of giant garter snake aquatic habitat.

Consistency with the NBHCP

The project's avoidance and minimization measures are consistent with the measures outlined in the NBHCP for work in areas adjacent to suitable giant garter snake habitat. In addition, NUSD will implement the following avoidance and minimization measure from the NBHCP:

- No plastic, monofilament, jute, or similar erosion control matting that could entangle snakes will be placed when working within 200 feet of snake aquatic habitat. Acceptable erosion control materials include coconut coir matting, tackified hydro-seeding compounds, or other material approved by CDFW and USFWS.

Significance after Mitigation

Implementation of Mitigation Measure 3.4-1a would reduce potentially significant impacts on giant garter snake to **less than significant** because it would minimize the risk of incidental take of individuals and avoid permanent loss or degradation of upland habitats.

Swainson's Hawk

Swainson's hawk is state listed as threatened and could nest in trees in the area, including along the West Drainage Canal, and use area agricultural fields as foraging habitat. According to the NBHCP, Swainson's hawks feed in the following cover types in the following order of suitability:

- native grassland,
- agriculture soon after discing,
- alfalfa and other hay crops,
- fallow fields,
- lightly grazed pasture,
- combinations of hay, grain, and row crops,
- rice fields prior to flooding and after draining,
- heavily grazed pasture.

The project site is a grass hayfield that provides moderate-quality foraging habitat value for Swainson's hawk. There is no suitable nesting habitat on the project site (i.e., there are no trees on the project site). However, there are several large trees within ½ mile of the site, including along the West Drainage Canal, that provide suitable nesting habitat and the TNBC Rosa East tract, which is managed for Swainson's hawk foraging, is present immediately west of the canal. Thus, construction could disturb nesting pairs in the trees adjacent to the West Drainage Canal, potentially resulting in nest abandonment and mortality of chicks and eggs.

Because the project would result in permanent loss of 18 acres of Swainson's hawk foraging habitat, and because school construction could result in increased noise that would marginally exceed ambient noise, including from roadways and the airport, the project's impacts on Swainson's hawk would be **potentially significant** and NUSD will implement the following mitigation measure, which requires providing compensatory foraging habitat in coordination with CDFW.

EXCERPT

Mitigation Measure 3.4-1b: Provide Compensatory Swainson's Hawk Foraging Habitat and Conduct Biological Surveys to Avoid Active Nests during Construction.

NUSD will implement the following Swainson's hawk mitigation measures.

Nesting Habitat: NUSD will not initiate intensive construction activity, such as heavy equipment operation, within ¼ mile of an active Swainson's hawk nest between March 1 and September 15 (the nesting season). The project biologist will conduct nesting surveys of known nests or appropriate nesting habitat adjacent to the project site. If surveys show there are no active nests within the distances specified above, then no additional mitigation will be required.

If active nests are found and disturbances such as construction will occur during the nesting season, a no-disturbance buffer will be established around the active nest. No project activity will commence within the buffer areas until a qualified biologist has determined, in coordination with CDFW, the young have fledged, the nest is no longer active, or reducing the buffer would not result in nest abandonment. Per the NBHCP and CDFW guidelines, the recommended no-disturbance buffer for Swainson's hawk nests is ¼-mile in situations where the nest is within ¼ mile of existing urban development, and ½ mile if the nest is over ¼-mile from existing urban development, but the size of the buffer may be decreased if a qualified biologist, in consultation with CDFW, determines that such an adjustment would not be likely to adversely affect the nest.

Active Swainson's hawk nests within ¼ mile will be monitored by a qualified biologist during construction activities if the activity has potential to cause nest abandonment of fledging. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer will be increased until the agitated behavior ceases. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined appropriate by a qualified biologist.

Foraging Habitat: Under CDFW guidelines, the following ratios apply for projects within 1 mile of an active nest tree:

- one acre of habitat management land on agricultural lands or other suitable habitats for each acre of development (1:1 ratio) with at least 10 percent met by fee title acquisition or a conservation easement allowing for the active management of the habitat, with the remaining 90 percent protected by a conservation easement.

Because of the high value of foraging habitat within the Natomas Basin to the recovery and survival of the Central Valley population of Swainson's hawk, the likely presence of active nests within 1 mile of the project site, and the County ordinance requirement to mitigate loss of AG-80 lands at a minimum 1:1 ratio, NUSD will replace each acre of foraging habitat lost (18 acres) as a result of implementing the project by creating 1 acre of higher quality alfalfa foraging habitat on lands that are currently used for lower foraging quality crops such as oat, wheat, corn, cotton, safflower, and sunflower, or unsuitable crops such as orchards and vineyards. Rice fields will not be used for conversion to alfalfa because that would potentially result in an adverse effect on giant garter snake. The mitigation habitat will be located within 1 mile of suitable nesting habitat and within 2 miles of an active nest. This mitigation would result in greater compensation than under the NBHCP, which only requires mitigation at a ratio of 0.5:1.

EXCERPT

The NBHCP is a regional conservation plan for minimizing and mitigating development impacts on covered species in the Permit Areas. Covered species include giant garter snake, burrowing owl, western pond turtle, Swainson's hawk, and 18 other special-status wildlife and plant species. USFWS approved the NBHCP and issued ITPs to the City of Sacramento, Sutter County, and TNBC in 2003 for incidental take of federally listed and state-listed species related to urban development. The NBHCP does not provide incidental take permit coverage for development in the unincorporated portions of Sacramento County within the Natomas Basin. However, the NBHCP provides coverage for TNBC activities in Sacramento County related to management of conservation lands acquired using development fees paid to purchase conservation land from willing sellers.

The project site is within the Plan Area of the NBHCP. However, the provisions of the NBHCP do not apply to projects outside the permit areas in the City of Sacramento or Sutter County. Neither NUSD nor Sacramento County is a permittee under the NBHCP and do not hold incidental take permits. The project would have the potential to conflict with the provisions of the NBHCP if it would:

- Remove high-quality habitat
- Reduce habitat availability
- Affect habitat connectivity
- Reduce the habitat value of existing TNBC reserves

The proposed school project would not have a substantial impact on habitat quality in the Natomas Basin. The 18-acre project site is cultivated with oat and rye hay and is rated as moderate-quality foraging habitat according to the Biological Technical Addendum prepared in support of the NBHCP (City of Sacramento et al. 2003:Appendix K). This crop type provides valuable Swainson's hawk foraging habitat while the vegetation remains low, but becomes less suitable through spring as the grass cover grows taller and denser. Therefore, prey accessibility is low during much of the breeding season. Foraging suitability of this crop type is highest during harvest when prey populations are high and readily accessible. While the project site is currently bordered on three sides by other agricultural crops and adjoins high-quality foraging habitat (alfalfa) on TNBC reserve lands to the west, it is directly adjacent to existing urban development to the east. Because foraging habitat of similar or higher quality is available, removal of these 18 acres (and replacement with compensatory habitat of higher quality) would be unlikely to reduce Swainson's hawk reproductive success. Furthermore, because CDFW mitigation guidelines (replacement ratio of 1:1) would provide more compensatory habitat than the NBHCP (replacement ratio of 0.5:1), and because NUSD would replace habitat lost from the project site with higher quality foraging habitat for Swainson's hawk, the project would not result in a net loss of high-quality habitat.

The project would not substantially reduce habitat availability in the basin or diminish opportunities to establish additional TNBC reserves. The NBHCP goal is to provide 0.5 acre of habitat reserve land for every acre of land that is developed within the Plan Area. At ultimate buildout projected under the NBHCP, 17,500 acres of land could be developed in the permit areas, requiring a total of 8,750 acres of habitat reserves, of which 25 percent is to be marsh habitat, 25 percent is to be upland habitat, and 50 percent is to be rice. The loss of approximately 18 acres of Swainson's hawk foraging habitat from the project site would not interfere with the ability of the NBHCP to attain its goal of 8,750 acres total of habitat reserves, or 2,187.5 acres of upland habitat suitable for Swainson's hawk foraging within the Natomas Basin.

TNBC has established 4,104 acres of reserves, as of December 31, 2016, toward its requirement to preserve 8,750 acres of land as habitat reserves for covered species. Of the total reserve lands acquired, 1,746 acres are in

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Sacramento County and 2,386 acres are in Sutter County (TNBC 2017b). The largest contiguous patch of existing habitat reserve lands is located in the north basin in Sutter County. No new lands have been added to the habitat reserve system since 2012, but TNBC manages another 409 acres of habitat reserves in the basin that they do not own. In 2011, approximately 71 acres of TNBC reserve lands were sold to the Sacramento Area Flood Control Agency for the Natomas Levee Improvement Program, but these lands continue to be managed for habitat values to covered species. TNBC would need to acquire another 4,646 acres of habitat reserves to meet the permit goals of the NBHCP. As of April 2016, TNBC estimated there are 11,781 acres of land within the Natomas Basin committed to agriculture (TNBC 2017c, Table 2). If the proposed Natomas North Precinct Specific Plan were fully developed, there would be 6,576 acres of uncommitted land remaining in the Sacramento County portion of the basin. Development of 18 acres of this habitat would not appreciably reduce the amount of upland habitat available in the basin for TNBC to meet its goal and permit requirement and additional upland habitat remains available in the Sutter County portion of the Basin.

The NBHCP requires that by the end of the 50-year permit period, one habitat block must be at least 2,500 acres, and the balance of reserve lands must be in blocks of at least 400 acres in land area. This requirement is intended to minimize the "perimeter effect" to promote biodiversity and genetic diversity. The NBHCP provides that acquisition of reserve lands should consider setback zones and if possible, should be located at least 800 feet from existing or planned urban development. While the project site is adjacent to an existing TNBC habitat reserve (i.e., Rosa East), it would not be an ideal acquisition for the reserve system because it is adjacent to residential development. In addition, TNBC plans to focus future upland habitat acquisition efforts on lands in the Swainson's hawk zone, within one mile of the Sacramento River where the majority of nesting pairs occur (TNBC 2016). The NBHCP does not, however, assume or depend on permanent protection of the 800-foot setbacks for successful management of the reserves and the setback standard is not meant to impose any management obligations on landowners within the 800-foot setback areas (City of Sacramento et al. 2003).

The project would not degrade habitat connectivity or connections between existing TNBC reserves. The West Drainage Canal is an important corridor for connecting habitat and TNBC land in the southern and northern portions of the basin. The school would be set back considerably from the West Drainage Canal since there is a separate 200-foot-wide parcel between the school and the canal. Thus the school would not substantially affect the viability and functionality of this corridor.

The proposed school project would not reduce the habitat value of existing reserves. The project would be set back from TNBC's Rosa East reserve through the presence of the West Drainage Canal and the 200-foot-wide adjacent parcel. The Rosa East Reserve is managed for Swainson's hawk foraging values. Construction of the school would not interfere with Swainson's hawk foraging on the Rosa East Reserve because of the 275-foot buffer (200-foot-wide parcel plus 75+ foot West Drainage Canal) and because construction within proximity of active nests would be limited according to the avoidance and minimization measures presented in Mitigation Measure 3.4-2, including not initiating intensive construction within ¼ mile of an active nest. School operation also would not be expected to hinder Swainson's hawk foraging at the Rosa East Reserve because of the 200-foot buffer plus the West Drainage Canal separating the school site from the reserve and because activity and noise levels at the school would not substantially change noise levels under current conditions. As described in Section 3.11, "Noise and Vibration," noise levels would only marginally exceed existing ambient conditions that include the adjacent roadways and planes arriving at and departing from SMF. Furthermore, the school would not adversely affect management of existing TNBC reserves. Buffers are incorporated into TNBC reserves to

(5) significant foraging habitat exists to the west in Yolo County.

The proposed school project would not change any of the reasons for supporting the no jeopardy conclusion and therefore would not appreciably reduce the likelihood of the survival and recovery of Swainson's hawk in the wild. The project would likewise not appreciably reduce the likelihood of survival and recovery of any other covered species because it would apply measures to avoid take, would not result in any permanent loss of habitat for giant garter snake, and would compensate for the loss of habitat for other upland species simultaneously with compensation for loss of Swainson's hawk foraging habitat.

Finally, the United States District Court of the District of Columbia upheld, in its decision on National Wildlife Federation (NWF) et al. v Norton, the Secretary's finding that failure of other jurisdictions to participate in the NBHCP does not undermine its effectiveness. The court found that the plan does not assume or require participation of third parties to be effective and that the Plaintiff's claim that the plan depends on voluntary actions by non-participants in the plan is without merit because, as the plan explains, development or action by non-permittees would require additional state and federal approvals and environmental review. NUSD is conducting thorough environmental review as required under CEQA and would comply with all State and federal laws protecting species covered under the NBHCP. To that end, NUSD will implement Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.4-5 to avoid, minimize, and compensate for impacts on species covered under the NBHCP. Therefore, the proposed project is consistent with the NBHCP, biological opinion, findings, NBHCP EIR, and Federal District Court findings and would not reduce the effectiveness of the NBHCP. The impact is **less than significant**.

Mitigation Measures

No mitigation measure is required.