

CHAPTER 3 – CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EVALUATION

3.1 Determining Significance Under CEQA

The proposed project is a joint project by Caltrans and FHWA and is subject to state and federal environmental review requirements. Project documentation, therefore, has been prepared in compliance with both CEQA and NEPA. FHWA's responsibility for environmental review, consultation, and any other action required in accordance with NEPA and other applicable Federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327. Caltrans is the lead agency under CEQA and designated lead agency under NEPA.

One of the primary differences between NEPA and CEQA is the way significance is determined. Under NEPA, significance is used to determine whether an EIS, or some lower level of documentation, will be required. NEPA requires that an EIS be prepared when the proposed federal action (project) as a whole has the potential to "significantly affect the quality of the human environment." The determination of significance is based on context and intensity. Some impacts determined to be significant under CEQA may not be of sufficient magnitude to be determined significant under NEPA. Under NEPA, once a decision is made regarding the need for an EIS, it is the magnitude of the impact that is evaluated and no judgment of its individual significance is deemed important for the text. NEPA does not require that a determination of significant impacts be stated in the environmental documents.

CEQA, on the other hand, does require Caltrans to identify each "significant effect on the environment" resulting from the project and ways to mitigate each significant effect. If the project may have a significant effect on any environmental resource, then an EIR must be prepared. Each and every significant effect on the environment must be disclosed in the EIR and mitigated if feasible. In addition, the CEQA Guidelines list a number of mandatory findings of significance, which also require the preparation of an EIR. For the purpose of this document pertinent criteria from the CEQA Guidelines Appendix G were used to establish significance criteria for each of the alternatives. There are no types of actions under NEPA that parallel the findings of mandatory significance of CEQA. This chapter discusses the effects of this project and CEQA significance.

3.2 Discussion of Significance of Impacts

The CEQA checklist (Appendix A of this document) identifies physical, biological, social, and economic factors that might be affected by the proposed project. The CEQA impact levels include potentially significant impact, less than significant impact with mitigation, less than significant impact, and no impact. Please refer to Title 14, Chapter 3, California Code of Regulations, Sections 15000 et seq for detailed discussions regarding impacts. CEQA requires that environmental documents determine significant or potentially significant impacts. In many cases, background studies performed in connection with the project indicate no impacts. A "no impact" reflects this determination. Any needed discussion to address resource specific impacts is in the corresponding Chapter 2 section of this EIR/EA. The analysis for the Final EIR that you are reading, for the proposed bus/carpool lanes project, supports the conclusion that the project would not have unavoidable significant environmental impacts.

3.3 Climate Change

Regulatory Setting

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. Greenhouse gases include carbon dioxide, methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23, HFC-134a, and HFC-152a. In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at

the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations will apply to automobiles and light trucks beginning with the 2009 model year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80% below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state's Climate Action Team.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. According to a recent white paper by the Association of Environmental Professionals, "an individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases" (Hendrix 2007).

Caltrans and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing GHG emission reduction and climate change. Recognizing that 98 percent of California's GHG emissions are from the burning of fossil fuels and 40 percent of all human made GHG emissions are from transportation, Caltrans has created and is implementing the *Climate Action Program at Caltrans* (December 2006).

One of the main strategies in Caltrans' Climate Action Program to reduce GHG emissions is to make California's transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0-25 miles per hour) and speeds over 55 mph. Relieving congestion by enhancing operations and improving travel times in high congestion travel corridors will lead to an overall reduction in GHG emissions.

Caltrans recognizes the concern that carbon dioxide emissions raise for climate change. However, modeling and gauging the impacts associated with an increase in GHG emissions levels, including carbon dioxide, at the project level is not currently possible. No federal, state or regional regulatory agency has provided methodology or criteria for GHG emission and climate change impact analysis. Therefore, Caltrans is unable to provide a scientific or regulatory-based conclusion regarding whether the project's contribution to climate change is cumulatively considerable.

Caltrans continues to be actively involved on the Governor's Climate Action Team as ARB works to implement AB 1493 and AB 32. As part of the *Climate Action Program at Caltrans* (December 2006), Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks. However it is important to note that the control of the fuel economy standards is held by the United States Environmental Protection Agency and ARB. Lastly, the use of alternative fuels is also being considered; Caltrans is participating in funding for alternative fuel research at the University of California Davis.

CHAPTER 4 – SUMMARY OF PUBLIC INVOLVEMENT AND TRIBAL COORDINATION

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including: project development team meetings, interagency coordination meetings and a public open house/workshop. This chapter summarizes the results of the Caltrans' efforts to fully identify, address and resolve project-related issues through early and continuing coordination.

4.1 PUBLIC INVOLVEMENT

4.1.1 Notice of Preparation

Caltrans published and distributed a Notice of Preparation (NOP) in September 2006 regarding the preparation of the DEIR. Approximately 29 agencies were sent copies of the NOP. A further 25 agencies and organizations were sent a notice regarding the availability of the NOP, along with approximately 17,000 adjacent residents.

4.1.2 Notice of Preparation Open House/Scoping Meeting

Besides the notice sent to agencies and adjacent residents, a notice of a public open house/scoping meeting appeared in two local Sacramento Bee Neighbors sections (Antelope/North Sacramento/Natomas Region and Arden/Carmichael Region). The open house/scoping meeting was held at the Robertson Community Center (3525 Norwood Avenue) on September 27, 2006.

Approximately 32 individuals attended this open house/scoping meeting. Eleven comment sheets were left in the comment box. Concerns expressed at the open house included drainage overtopping from a county drainage canal and noise issues at the east end of the project.

4.2 TRIBAL COORDINATION

The following agencies, tribes, groups, and individuals were contacted for this project:

Agencies:

- California Office of Historic Preservation
- Native American Heritage Commission
- Sacramento Historical Society

Tribes:

- Shingle Springs Band of Miwok Indians
- United Auburn Indian Community of the Auburn Rancheria

Individuals:

- Rose Enos
- Jeff Murray, Cultural Resources Manager, Shingle Springs Band of Miwok Indians
- Nicholas Fonseca, Chairperson, Shingle Springs Band of Miwok Indians
- Jessica Tavares, Chairperson, United Auburn Indian Community of the Auburn Rancheria

4.3 PUBLIC WORKSHOPS CONDUCTED DURING THE CIRCULATION OF THE DEIR/ES

On April 33, 2007, Caltrans and FHWA issued a Draft Environmental Impact Report/Environmental Assessment (DEIR/EA) for the I-80 Across the Top Bus/Carpool Lanes Project. The public review period extended for 45 days, from April 23 to June 6, 2007. Caltrans sent a notice of availability of the DEIR/EA to nearly 16,000 adjacent property owners within one mile from the project. The notice also

appeared in the Arden/Carmichael and City North (Natomas, Antelope/North Sacramento) sections of the Sacramento Bee on April 19 and May 3, 2007. A copy of the DEIR/EA was sent to approximately 80 agencies and organizations, as well as 4 public libraries.

There were two public open house workshops, one on May 9, 2007 at the Hamilton Park Recreation Center and the other on May 15, 2007 at the Caltrans District 3 Office. Approximately 10 members of the public attended the workshops.

Overall, Caltrans received separate comments from 9 comment cards from the workshops, 6 letters, and 4 emails. Appendix I includes copies of all the comments; Appendix J includes Caltrans' responses to these comments.

CHAPTER 5 - LIST OF PREPARERS

The following Caltrans staff and consultants contributed to the preparation of this DEIR/EA:

Caltrans Staff

- Jeremy Ketchum, Senior Environmental Planner; BS Environmental Policy Analysis and Planning, University of California at Davis; MS Transportation Management, San Jose State University; 7 years experience performing environmental studies and document preparation. Environmental document oversight.
- Ken Lastufka, Associate Environmental Planner; BA Environmental Studies, California State University, Sacramento (CSUS); MA Urban Studies, CSUS, Sacramento; 21 years experience performing environmental studies and document preparation. Environmental document preparation.
- Andy Agustinovich, Transportation Planner, BA Sociology, MA Public Administration, CSU Hayward. Thirteen years professional experience. Community Impact Assessment.
- Jim Calkins, PE; Senior Transportation Engineer, BSCE Civil Engineering, University of Colorado; BS Recreation/Resource Management, Northern Arizona University; 20 years experience in Transportation Engineering.
- Rajive Chadha, Environmental Engineer, B.A.Sc. Civil Engineering, University of Ottawa, 15 years of experience performing hazardous waste studies/investigations. Initial Site Investigation.
- Dordaneh Eslamian, NPDES Coordinator; BS Chemical Engineering, Istanbul Poly Technics; MS Environmental and Water Resources Engineering, California State University Sacramento; 12 years engineering experience. Water Quality Assessment.
- Andrew Hope, Associate Environmental Planner (Architectural History); BS Architecture, University of Michigan; MA Architecture, University of Wisconsin - Milwaukee; 18 years experience in historic preservation and historic architecture surveys. Historic Resource Evaluation Report and Finding of No Adverse Effect Report.
- Judy McCullough, Hydraulic Engineer, MS Civil Engineering, California State University, San Jose CA, USA: 5 years experience performing hydraulic engineering. Floodplain study.
- Aaron McKeon, Associate Environmental Planner; MS Regional Planning, Cornell University; 5 years experience in preparing community impact assessments. Community Impact Analysis.
- Richard Olson, Associate Environmental Planner, Archaeologist; BA History/American Studies, California State University, Chico; 26 years experience in archaeology/cultural resource management. Mr. Olson is a Professionally Qualified Staff (PQS) certified by Caltrans as a Co-Principal Investigator in Prehistoric and Historical Archaeology. Historic Property Survey Report.
- Barbara Procissi, Associate Landscape Architect; BS Landscape Architecture, UC Davis: Certificate Land Use & Environmental Planning, 30 years Licensed Landscape Contractor, 24 years Licensed Landscape Architect. Experience in mined land reclamation, recreational boating facilities, state park recreation system, urban design, and highway landscape systems. Visual Impact Assessment.
- Schmoltdt, Don, Associate Environmental Planner/Wildlife Biologist. BS Wildlife Management, Humboldt State University, Arcata. MA Natural Sciences, San Jose State University, San Jose.

14 years experience with a private environmental consulting firm in Central California, and 7 years experience with Caltrans with environmental resources analysis and permitting issues.

Sharon Tang, Transportation Engineer Technician (Air/Noise); AA Business/Engineering, Sacramento City College; 4 years experience. Air Quality Report.

Saied Zandian, Transportation Engineer; BS Civil Engineering, California State University, Sacramento; 8 years experience with Caltrans, 1 year experience performing noise studies. Noise Study.

| **Geocon Consultants, Inc.**

Rebecca L. Silva, Senior Project Scientist; BS Soil and Water Science, University of California at Davis, 14 years experience performing environmental assessments.

| **Fehr & Peers.**

David Stanek, Senior Transportation Engineer; Licensed Civil Engineer (C60390); Licensed Traffic Engineer (TR 2302); BS and MS Civil and Environmental Engineering, University of California at Davis; 10 years experience in traffic engineering. Traffic operations analysis.

CHAPTER 6 - DISTRIBUTION LIST

Federal Agencies

FHWA
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

US Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, California 95825

NOAA Fisheries
National Marine Fisheries Service
650 Capitol Mall, Suite 8-300
Sacramento, CA 95814-4708

US Army Corps of Engineers
1325 J Street
Sacramento, CA 95814

State Agencies

Office of Historic Preservation
California Dept. of Parks and Recreation
1416 9th Street, Room 1442-7
Sacramento, CA 95814

Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

California Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814

Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296

California Highway Patrol
P. O. Box 942898
Sacramento, California 94298-0001

Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

California Transportation Commission
1120 N Street
Room 2221 (MS-52)
Sacramento, CA 95814

Local Agencies

City of Sacramento
City Clerk
915 I Street, 1st Floor
Sacramento, CA 95814-2604

Sacramento County
Clerk/Recorder
P.O. Box 839
Sacramento, CA 95812-0839

Sacramento County
Clerk of the Board
700 H Street, Suite 2450
Sacramento, CA 95814

Yolo County
Clerk/Recorder
P.O. Box 1130
Woodland, CA 95776

Sacramento Air Quality Management District
777 12th Street, 3rd Floor
Sacramento, CA 95814

Sacramento Regional Transit
P.O. Box 2110
Sacramento, CA 95812-2110

Sacramento Transportation Authority
901 F Street, Suite 210
Sacramento, CA 95814-0730

Yolo County Transportation District
350 Industrial Way
Woodland CA 95776

Placer County Transit
11432 F Ave.
Auburn, CA 95603

Paratransit
2501 Florin Road
Sacramento, CA 95822

SACOG
1415 L Street, Suite 300
Sacramento, CA 95814

Sacramento Housing and Redevelopment Agency
630 I Street
Sacramento, CA 95814

Sacramento Metropolitan Chamber of Commerce
917 Seventh Street
Sacramento, CA 95814

Los Rios Community College District
1919 Spanos Ct.
Sacramento, CA 95825

Grant Joint Union High School District
1333 Grand Avenue
Sacramento, CA 95838

Natomas Sacramento City Unified School District
Serna Center
5735 47th Avenue
Sacramento, CA 95824

San Juan Unified School District
3738 Walnut Ave.
Carmichael, CA 95608

Natomas Unified School District School District
1901 Arena Blvd
Sacramento, CA 95834

Del Paso Heights School District
1281 North Ave
Sacramento, CA 95838

North Sacramento School District
670 Dixieanne Avenue
Sacramento, CA 95815

Rio Linda Union School District
627 L St.
Rio Linda, CA 95673

Sacramento Sheriff's Department
711 G Street
Sacramento, CA 95814

Sacramento City Police Department
5770 Freeport Blvd, Ste 100
Sacramento, CA 95822

Sacramento City Fire Department
5770 Freeport Blvd., Suite 200
Sacramento, CA 95822

Sacramento Metro Fire District
2101 Hurley Way
Sacramento, CA 95825

Sacramento Area Flood Control Agency
1007 7th Street, 7th Floor
Sacramento, CA 95814

Reclamation District 1000
1633 Garden Highway
Sacramento, CA 95833-9706

Sacramento Municipal Utility District
P.O. Box 15830
Sacramento 95852-1830

Pacific Gas and Electric
77 Beale St.
San Francisco, CA 94105

Federal Elected Officials

House of Representatives

Doris Matsui
12-600 Federal Courthouse
501 I Street
Sacramento, CA 95814

Dan Lungren
11246 Gold Express Drive, Suite 101
Gold River, CA 95670

Senate

Barbara Boxer
501 I Street, Suite 7-600
Sacramento, CA 95814

Diane Feinstein
One Post Street, Suite 2450
San Francisco, CA 94104

State Elected Officials

State Assembly

Assembly Member Roger Niello (District 5)
State Capitol
Room 6027
Sacramento, CA 94249-0001

Assembly Member Dave Jones (District 9)
State Capitol
Room 3146
Sacramento, CA 94249-0001

State Senate

Senate Member Darrell Steinberg (District 6)
State Capitol
Room 4035
Sacramento, CA 94249-0001

Local Elected Officials

Mayor Heather Fargo
Councilmember Raymond L. Tretheway (District 1)
Councilmember Sandy Sheedy (District 2)
Sacramento City Council
City Hall
730 I Street, Suite 321
Sacramento, CA 95814

Roger Dickinson (District 1)
Susan Peters (District 3)
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Libraries

Central Library
828 I Street
Sacramento, CA 95814

South Natomas Library
2901 Truxel Road,
Sacramento, CA 95833

Del Paso Heights Library
920 Grand Avenue
Sacramento, CA 95838

Arcade Learning Library
2443 Marconi Avenue
Sacramento, CA 95821

Community/Neighborhood Groups

Sacramento County Alliance of Neighborhoods
P.O. Box 22598
Sacramento, CA, 95822

Environmental Council of Sacramento
909 12th Street, Suite 100
Sacramento, CA 95820

Del Paso Heights Improvement Association
P.O. Box 38685
Sacramento, CA 95838

Gardenland/Northgate Neighborhood Association
c/o Stanford Settlement, 450 West El Camino Ave.
Sacramento, CA 95833

Heights Residents Working Together (HRWT)
P.O. Box 38684
Sacramento, CA 95838

Natomas Community Association
3291 Truxel Road, Suite 26
Sacramento, CA 95833

North Natomas Alliance
2411 North Park Drive
Sacramento, CA 95835

North Natomas Community Association.
5010 Sorento Road
Sacramento, CA 95835

Oak Knoll & Johnson Heights Neighborhood Group
149 Fairbanks Avenue
Sacramento, CA 95838

Parker Homes Neighborhood Association
P.O. Box 38826
Sacramento, CA 95838

River Oaks Community Association
16 Riverscape Court
Sacramento, CA 95833

Robla Park Community Association
P.O. Box 340232
Sacramento, CA 95834-0232

West Natomas Community Association
3706 Far Niente Way
Sacramento, CA 95834

Operating Engineers Local Union No. 3
4044 North Freeway Blvd. #200
Sacramento, CA 95834

Sacramento Area Bicycle Advocates
11916 Silver Cliff Way
Gold River, CA 95670

Friends of the Swainson's Hawk
915 L St., Suite C-425
Sacramento, CA 95814

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US Bureau of the Census

1990. U.S. Census 1990. American Fact Finder. Website: www.census.gov.

US Bureau of the Census

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