CHAPTER 5:

# Resources and Conservation

This section identifies the environmental conditions and sensitive resources found in the Sutter Pointe Specific Plan area. Objectives and policies contained in this section of the Specific Plan guide the conservation, protection, and/or mitigation of existing environmental conditions and sensitive resources. This section addresses the following key topics: biological resources, wetland resources, and climate change.

Mitigation measures proposed for these key topics in the Environmental Impact Report (EIR) for the Sutter Pointe Specific Plan are summarized in the Mitigation Monitoring and Reporting Program (MMRP) which is an appendix to the Specific Plan, and will be attached to the Plan following certification of the Final EIR. Reference should be made to the MMRP when reviewing individual development projects pursuant to the Specific Plan.

In addition, Sutter Pointe will reduce its operational greenhouse gas (GHG) emissions compared to business as usual. This chapter of the Specific Plan, and the Master Air Quality Mitigation Plan (Appendix I), identify some of the measures and programs which can be implemented to meet this goal.

Objective 5.1-1: Establish a comprehensive approach for the conservation and replacement of affected open space, agricultural, and habitat areas.

The majority of the Plan area currently consists of active and fallow rice fields. Portions of the Plan area are also occupied by grassland habitat and crops such as tomatoes and oats, and existing industrial uses. Rice cultivation in the Central Valley requires extensive irrigation and drainage infrastructure consisting of a variety of pumps, channels, and ditches, which offer habitat for the endangered giant garter snake and other natural resource values. Small portions of the Plan area, comprising less than 10 acres are occupied by seasonal vernal swales, riparian scrub, and freshwater emergent marsh.

Existing environmental conditions present in the Plan area were taken into account during the development of the Sutter Pointe land use plan. The land use plan is designed to protect significant resources as open space and to minimize the impacts of urban development on the natural surroundings. This Specific Plan also recognizes and provides for off-site environmental mitigation in accordance with the Natomas Basin Habitat Conservation Plan. The potential to protect large areas of open space is maximized.

## 5.1 BIOLOGICAL RESOURCES

Policy 5.1-1: Open space, biological, and agricultural resources conservation will be conducted in accordance with requirements of the Natomas Basin HCP.

Policy 5.1-2: Habitat conservation mitigation will emphasize preservation, enhancement, and creation of high value, connected habitat in accordance with the Natomas Basin HCP.

Policy 5.1-3: Preserve habitat areas, where feasible, to avoid potential negative development impacts on sensitive species.

Policy 5.1-4: Retain existing drainage courses containing known or potential giant garter snake habitat to the extent feasible.

### 5.1.1 NATOMAS BASIN HABITAT CONSERVATION PLAN (HCP)

The Sutter Pointe land use plan has been designed to reduce impacts of urban development on the open space, biological, and agricultural resources occurring in the Plan area. A habitat conservation mitigation strategy and program for Sutter Pointe is outlined in brief below. More detail is available in both the Natomas Basin Habitat Conservation Plan (HCP) and the Sutter Pointe Specific Plan EIR. The program includes prioritized compliance with the Natomas Basin HCP goals and objectives. Mitigation measures will address incidental take and potential impacts on biological resources, as well as potential impacts on open space and agricultural resources.

The purpose of the Natomas Basin HCP is to promote biological conservation in conjunction with urban development occurring in the Natomas Basin. It establishes a multi-species conservation program to minimize and mitigate the expected loss of habitat resulting from planned development. The HCP seeks to ensure long term conservation and to aid in the recovery of numerous wildlife species that have been granted varying degrees of protection under state and federal law.

The Sutter Pointe Specific Plan area is located within the boundaries of the Natomas Basin HCP area and has been identified in the Natomas Basin HCP as a Planned Development area. The Natomas Basin HCP establishes a multi-species conservation program to mitigate the expected loss of habitat values and incidental take of protected species that would result from urban development, operation of irrigation and drainage systems, and rice farming. The goal of the Natomas Basin HCP is to preserve, restore, and enhance habitat values found in the Natomas Basin while allowing urban development to proceed consistent with adopted local land use plans.

According to Natomas Basin HCP definitions, "Authorized Development" refers to development for which incidental take is authorized for the City of Sacramento and Sutter County as defined in Section III.A of the Final Natomas Basin HCP. The Sutter Pointe Specific Plan is an Authorized Development under the Natomas Basin HCP. This means that Sutter County's incidental take permits for development in this area cover incidental take associated with the development of Sutter Pointe in Sutter County's Permit Area. Terms of the Natomas Basin HCP require compliance by the applicant, and include payment of fees, dedication of mitigation lands (see Exhibit 5.1) in lieu of acquisition fees, and implementation of avoidance and minimization measures during project construction.

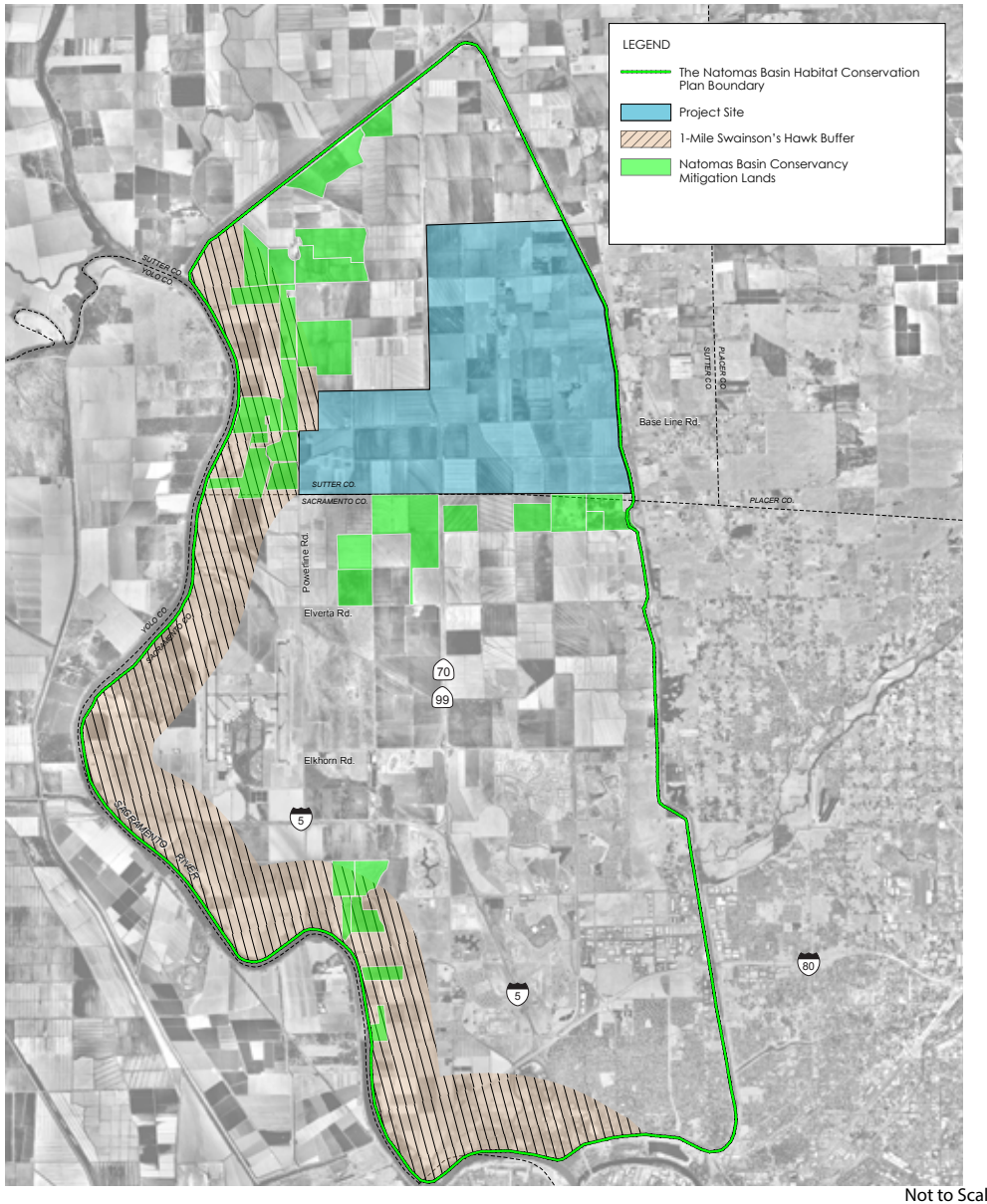


Exhibit 5.1: Natomas Basin Habitat Conservation Plan Area

## 5.1.2 SPECIAL STATUS SPECIES

The Natomas Basin, including the Plan area, supports one of 13 extant giant garter snake subpopulations recognized by the U.S. Fish and Wildlife Service (USFWS 1999). The Sutter Pointe Specific Plan area is presently characterized by rice fields, which in the Central Valley, are known to be an important giant garter snake habitat. A number of other potential listed species are present within the Specific Plan area, including Swainsons' Hawk. Please refer to the Sutter Pointe Specific Plan EIR for additional descriptions of potential listed species within the Plan area.

## 5.2 WETLAND RESOURCES

Policy 5.2-1: Development plans shall avoid or minimize adverse impacts on wetlands under the jurisdiction of the U.S. Army Corps of Engineers (USACE), to the extent feasible.

Policy 5.2-2: Development plans shall ensure no net loss of wetlands, other waters of the United States, and associated functional values.

Policy 5.2-3: Where wetland preservation and avoidance is not feasible, a wetland mitigation plan shall be developed to mitigate impacts to jurisdictional wetlands. Mitigation plans shall be prepared in accordance with all state and federal regulations, and in conjunction with the request for permits from regulatory agencies.

Policy 5.2-4: All necessary wetland and water quality permits, authorizations, and certifications shall be obtained for each phase of development. These permits and authorizations may include USACE permits, County approval, and/or Central Valley Regional Water Quality Control Board approval.

### 5.2.1 WETLAND TYPES

Wetlands are considered "waters of the United States" that may be regulated by the USACE under Section 404 of the Clean Water Act. Wetlands are "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" [33 CFR 328.3(b), 51 FR 41250, November 13, 1986]. Wetlands can be perennial or intermittent, and isolated or adjacent to other waters, including non-tidal, perennial, and intermittent watercourses and tributaries to such watercourses. Wetlands are generally characterized by the following three conditions:

- a majority of dominant vegetation species are wetland associated species;
- hydrologic conditions exist that result in periods of flooding, ponding, or saturation during the growing season; and
- hydric soils are present.

Wetlands are an important part of the ecosystem because they support a variety of sensitive wildlife and plant species. A 4.0-acre wetland swale and approximately 66.0 acres of drainage ditches are identified as wetlands within the Specific Plan area. See Exhibit 5.2 for an illustration of the location and the extent of these features. However, these features do not qualify as jurisdictional wetlands afforded federal protection under Section 404 of the Clean Water Act.

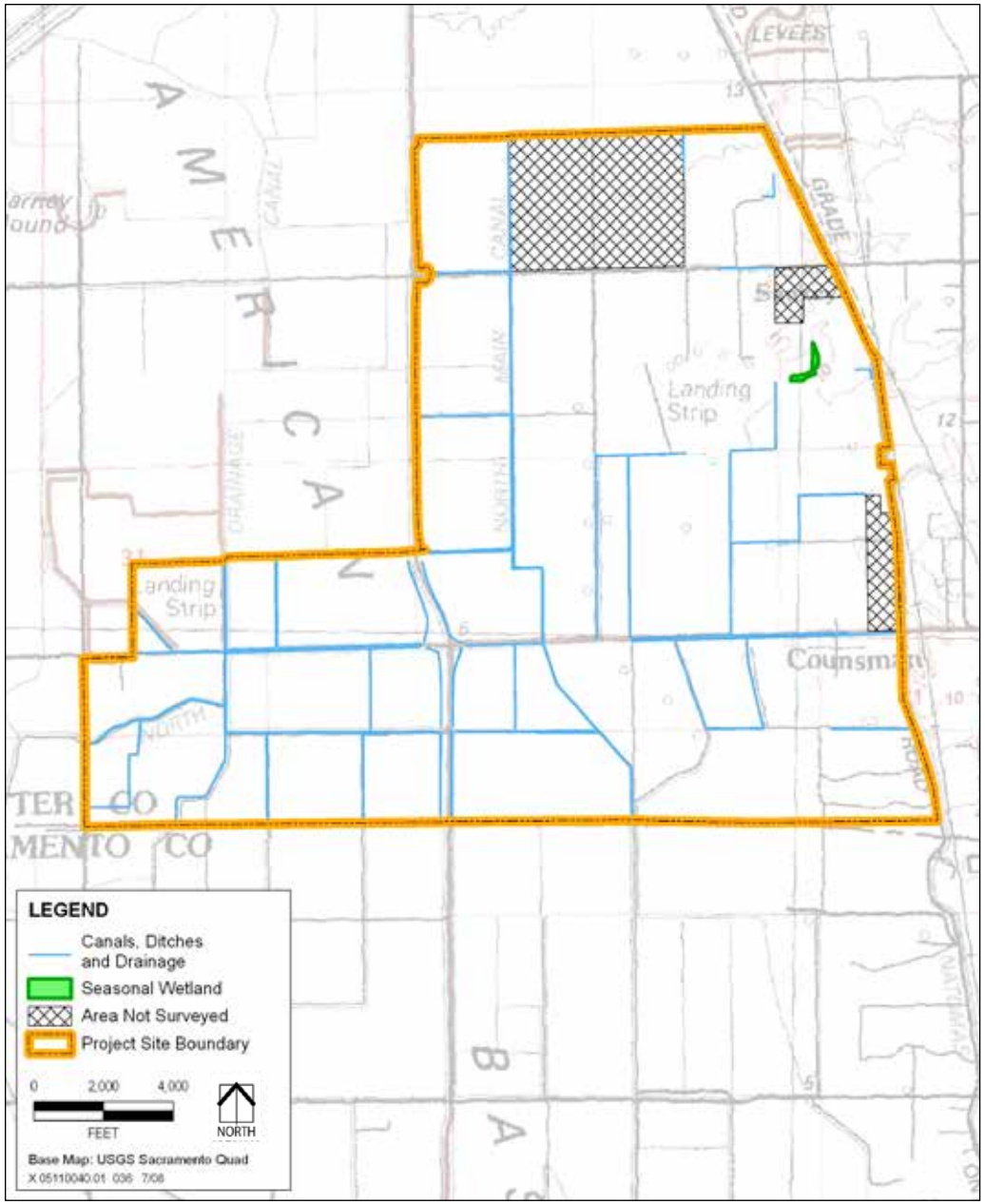


Exhibit 5.2 Wetland Features

### SEASONAL WETLAND SWALE

Seasonal wetland swales are typically ephemeral wet linear drainage features that support a dominance of wetland vegetation and hydric soils and exhibit wetland hydrology. A 4.0-acre seasonal wetland swale occurs within the eastern portion of the Specific Plan area. It receives runoff during the wet season from natural precipitation and periodic irrigation runoff from adjacent rice fields and pastures. These areas may be categorized as seasonal wetlands depending on their floristic composition and hydrology. While the seasonal wetland swale exhibits wetland characteristics and meets wetland criteria, it is an isolated feature, and is not subject to USACE jurisdiction.

### IRRIGATION DRAINAGE

Numerous drainage courses occur within the Plan area, covering a total of approximately 66.0 acres. The drainage courses are non-jurisdictional canals, as all water flows within them are the direct result of active pumping from and ultimately back into the Sacramento River, Natomas Cross Canal, and East Main Drainage Canal. Most of the drainage courses are unvegetated, except for a relatively narrow strip of wetland vegetation at the ordinary high water mark or the presence of mature vegetation along the banks.

## 5.2.2 WETLAND AVOIDANCE AND PRESERVATION

Responding to the mapping of sensitive areas, the Sutter Pointe land use plan designates sites along drainage corridors as open space areas, including wetlands and other environmentally sensitive areas. Present uses of the surrounding area include primarily rice agriculture with scattered rural residences. The Natomas East Main Drainage Canal and Pleasant Grove Canal are located immediately east of the Plan area and the Natomas Cross Canal is located approximately one mile north of the Specific Plan area.

## 5.3 CLIMATE CHANGE

The scientific community considers that increasing concentrations of greenhouse gases (GHGs) due to human activity is a primary cause of the current global warming phenomenon. The United Nations Intergovernmental Panel on Climate Change predicts that changes in the Earth's climate will continue through the 21st century and that the rate of change may increase significantly in the future due to human activity.

Global climate change has begun to play an increasing role in scientific and policy debates regarding multiple issues, including land use planning, transportation planning, energy production, habitat and species conservation, use of ocean resources, and agricultural production. In September 2006, California Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the California Global Warming Solutions Act. AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. Pursuant to AB 32, California must reduce its GHG emissions to 1990 levels by 2020. Executive Order S-3-05 (2005) requires California to achieve emission levels 80% below 1990 by 2050.

Responding to climate change includes two components – reducing practices which contribute to GHGs, and adapting to changes which may occur as a result of climate change. The strategy for reducing GHG emissions at Sutter Pointe will include provision of pedestrian and bicycle infrastructure (including trails, storage areas, and facilities to enable bicycle commuting), integration of transit into the plan, and traffic infrastructure and improvements to reduce congestion and emissions. In addition, energy efficiency, micro-scale renewable energy production, and water efficiency standards for homes and businesses will help reduce non-transportation GHG emissions.

Objective 5.3-1: Reduce Sutter Pointe's operational GHG emissions by 30 percent compared to business as usual.

Policy 5.3-1: Implement strategies and programs outlined in the Master Air Quality Mitigation Plan (Appendix I) to reduce single occupant vehicle use, to increase use of alternative modes, and to increase use of energy efficient building design materials.

Policy 5.3-2: Provide transit opportunities, as outlined in the Conceptual Transit Plan (Appendix H), to reduce automobile traffic and trips both within the Specific Plan area and externally.

Policy 5.3-3: Incorporate sound land use and design measures to encourage use of alternative transportation and conservation of energy.

Policy 5.3-4: Implement low-impact development strategies and a comprehensive water conservation strategy.

### 5.3.1 REDUCING GREENHOUSE GASES

Emission of GHGs is the primary human cause of climate change, and GHG emissions must be reduced in order to avoid contributing to further climate change effects. In California, 41% of GHG emissions are related to transportation. Land use planning, including integration of residential, retail, and office areas in a fine-grained vertical or horizontal mix, can be a powerful tool for reducing the frequency and distance of driving trips, reducing the contribution of GHG emissions. Sutter Pointe is committed to achieving reductions in GHG emissions compared to business as usual.

Sutter Pointe advocates an integrated mix of land uses to facilitate use of alternative transportation for a variety of trip purposes. A network of bicycle and pedestrian paths crisscross the Plan area, linking residential, employment, and town and activity center areas. Parks and open space resources are distributed to allow residents to access recreational facilities within walking or bicycle distance of their homes.

The Plan includes three transit centers: one located in the Town Center near SR 70/99, one in the East Activity Center along Riego Road, and one in the North Activity Center. In addition to the transit centers, the Specific Plan contains development densities that place people in close proximity to planned transit stops. The Conceptual Transit Plan (Appendix H) identifies service standards for all of its components including minimum service standards based on funding availability. The standards established within the Conceptual Transit Plan (Appendix H) are designed to provide transit as a viable option to automobiles, even at the early stages of development.

Sutter Pointe will implement the following land use and transportation programs to reduce emissions.

- Requiring development projects pursuant to this Specific Plan to support bicycling and walking to work or other destinations by providing amenities and/or incorporating convenient access to/within their project site.
- Requiring projects which exceed pollution thresholds or employ more than 100 people to provide a bicycle/pedestrian incentive program. Employers with more than 250 employees will be required to provide shower and clothing locker facilities.
- Creating a Transportation Management Association (TMA) with the primary goal of increasing use of alternative transportation modes and services to residents, employers, and employees, and managing transit services.

In addition to land use and transportation considerations, increasing resource efficiency, including energy and water use, helps to reduce climate change impacts. Sutter Pointe's Design Guidelines (Appendix A) and Master Air Quality Mitigation Plan (Appendix I) include a number of measures to improve resource efficiency, including a comprehensive water conservation strategy. Some of the measures include:

- developing residential units in compliance with State of California Title 24 energy conservation measures, plus an additional 20 percent efficiency;
- installation of efficient lighting and lighting control systems. Daylight will be used as an integral part of lighting systems in buildings;
- installation of light-colored cool roofs, cool pavements, and strategically placed shade trees;
- installation of micro energy generation, including solar panels on carports and over parking areas;
- water-efficient design of buildings, including installation of water-efficient fixtures and appliances;
- use of graywater for landscape irrigation where possible;
- use of water-efficient landscaping, including native, drought-resistent species;
- implementation of low-impact development practices that manage storm water and protect the environment;
- mixed-use, infill, and higher density, and public transit are incorporated into the plan to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods;
- promotion of ride-sharing and car-sharing programs, as well as shuttle services and public transit incentives to reduce use of single-occupant vehicles; and
- incorporation of bicycle lanes and routes into street systems, with access to destination points such as schools and shops. Bicycle parking and storage will be provided at destinations.

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