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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
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San Francisco, CA 94105

March 13, 2009

Walter Waidelich, Administrator  
California Division  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Subject: Draft Partially Revised Tier 1 Environmental Impact  
Statement/Environmental Impact Report for the Placer Parkway Corridor  
Preservation Project (CEQ # 20090085)

Dear Mr. Waidelich:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document. Our enclosed detailed comments were prepared pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508) and our NEPA review authority under Section 309 of the Clean Air Act.

This project is following the NEPA/Clean Water Act Section 404 Integration Process MOU (NEPA/404 MOU, enclosed), as modified for Tier 1 projects, so that decisions made in Tier 1 are consistent with the requirements of Clean Water Act (CWA) Section 404 permitting at the end of the Tier 2 process. Resolution of conflicts during the Tier 1 process will streamline the Tier 2 environmental review and permitting process. We commend the Federal Highway Administration (FHWA), the California Department of Transportation (Caltrans), and the South Placer Country Regional Transportation Authority (SPRTA) for engaging in this collaborative approach at Tier 1 and for your responsiveness to EPA's input throughout the NEPA/404 MOU process.

We previously provided comments on the Draft Environmental Impact Statement (DEIS) on September 25, 2007 (see attached). EPA's major area of concern with the DEIS was the lack of a quantitative analysis of the indirect impacts of the proposed project, including potential induced growth impacts to aquatic resources, special status species, and biological habitat. The DEIS concluded that the project will be growth inducing. We commend FHWA for the recognition of indirect impacts, particularly growth inducement,

as a major issue for the project, and for the analysis of induced growth in the Partially Revised DEIS. Additionally, we support FHWA's objective to avoid unplanned growth in environmentally sensitive areas.

While the Partially Revised DEIS includes a more robust analysis of induced growth impacts; EPA disagrees with some of the analysis assumptions and conclusions. First, we do not agree that potential induced growth impacts of the alternatives would be limited to within one mile of the roadway and potential interchanges. Some of the alternatives could have impacts at greater distances after Placer Parkway provides high-speed transportation access to southern Sutter County and southwestern Placer County, areas under intense growth pressure. Second, land within the 100-year floodplain should be considered "developable" within the analysis, because the 100-year floodplain has been extensively developed in the Sacramento Metropolitan Area historically and more development in the 100-year floodplain is planned in the future around the proposed Placer Parkway. Although development in the floodplain is discouraged, recent and historical development within floodplains has in fact occurred and continuation of these patterns is reasonably foreseeable.

EPA's continuing concerns with anticipated indirect effects as described above are further described in the enclosed detailed comments. These concerns, as well as impacts to air quality and hydrology, as discussed in our previous comment letter on the DEIS, are the basis for our rating of this Partially Revised DEIS as "Environmental Concerns-Insufficient Information (EC-2)". Please see the enclosed Summary of EPA Rating Definitions for a description of this rating. Responses to EPA's comments concerning air quality and hydrology were not discussed in this Partially Revised DEIS, so we have attached our September 25, 2007 DEIS comment letter to facilitate responses to these issues in the Final EIS.

Since publication of the DEIS and EPA's subsequent comments on that document, the NEPA/404 agencies have participated in a number of meetings to discuss the corridor most likely to contain the least environmentally damaging practicable alternative (LEDPA), the only alternative that can be permitted under the CWA Section 404. EPA and SPRTA staff members have scheduled a meeting for April 17, 2009 to continue working towards resolving the current disagreement regarding the corridor most likely to contain the LEDPA, as decided by agency management in the January 23, 2009 dispute resolution meeting. We look forward to the upcoming meeting as an opportunity to resolve the disagreement regarding the LEDPA now, and to avoid the need to resurface unresolved issues during the future Tier 2 environmental and permitting process. As stated in the NEPA/404 MOU, "If the lead agency chooses to eliminate in Tier 1 any alternative(s) likely to contain the LEDPA, there is a risk that the eliminated alternative(s) may need to be revisited in Tier 2."

We appreciate the opportunity to review this Partially Revised DEIS. Please feel free to call me at 415-972-3843 to further discuss the concerns raised in the enclosed detailed comments. When the Final EIS is released for public review, please send two copies to the address above (mail code: CED-2). Carolyn Mulvihill of my office (415-947-

3554; mulvihill.carolyn@epa.gov), and Erin Foresman of our Wetlands office (916-557-5253; foresman.erin@epa.gov) will continue to be available to coordinate with your staff in addressing our concerns.

Sincerely,

/s/

Enrique Manzanilla, Director  
Communities and Ecosystems Division

Enclosures:

EPA's Detailed Comments  
Summary of EPA Rating Definitions  
NEPA/404 Agreement for Placer Parkway  
EPA's September 25, 2007 DEIS Comment Letter

cc: Celia McAdam, South Placer Regional Transportation Authority  
Katrina Pierce, California Department of Transportation  
Nancy Haley, U.S. Army Corps of Engineers  
Ken Sanchez, U.S. Fish and Wildlife Service  
John Baker, National Marine Fisheries Service  
Jeff Finn, California Department of Fish and Game  
Mike McKeever, Sacramento Area Council of Governments  
Loren Clark, Placer County Planning Department

## **NEPA/404 INTEGRATION PROCESS HISTORY**

In 2004 the Federal Highway Administration (FHWA), California Department of Transportation (Caltrans), the Placer County Transportation Planning Agency (on behalf of the South Placer Regional Transportation Authority [SPRTA]), U.S. Army Corps of Engineers (Corps), and U.S. Environmental Protection Agency (EPA) agreed to follow a National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU) – modified for Tier 1 decision making – as the framework to guide the environmental review of the programmatic, Tier 1 Placer Parkway project (Parkway).<sup>1</sup> The goal of the modified NEPA/404 MOU process is to ensure that Tier 1 decisions reflect careful consideration of the Clean Water Act (CWA) Section 404 (b)(1) Guidelines (Guidelines), to eliminate the need to revisit decisions at the Tier 2 project-level analysis that might conflict with CWA Section 404 permit requirements. Resolution of conflicts during the Tier 1 process will streamline the Tier 2 environmental review and permitting process.

Since 2004, EPA and the Corps have been working with SPRTA, Caltrans, and FHWA through the NEPA/404 MOU process. The agencies successfully completed the first three concurrence points in the environmental review process: Purpose and Need, Selection Criteria, and Range of Alternatives to be evaluated in the Environmental Impact Statement (EIS). The next steps in the modified NEPA/404 MOU process are the following: 1) select the corridor(s) most likely to contain the “least environmentally damaging practicable alternative (LEDPA),” the only alternative that can be permitted under CWA Section 404, and 2) determine the general mitigation framework for the project.

Since the Guidelines require consideration of direct, secondary (indirect), and cumulative impacts when determining the LEDPA, EPA’s comments on the Draft Environmental Impact Statement (DEIS) included a recommendation that FHWA perform a quantitative analysis of indirect impacts, including growth inducement and habitat fragmentation, and cumulative impacts. In response to EPA’s comments on the DEIS, on June 24, 2008, FHWA submitted additional induced growth, habitat fragmentation, and cumulative impacts analyses and requested EPA and Corps concurrence that the Alternative 5 corridor is most likely to contain the LEDPA.

### **Corridor Most Likely to Contain the LEDPA**

EPA, the Corps, and the U.S. Fish and Wildlife Service (USFWS), consider the Alternative 1 corridor most likely to contain the LEDPA because it minimizes the potential for aquatic resource impacts from urban development and fragmentation facilitated by the Parkway<sup>2</sup>. The proposed Parkway is a new freeway that crosses thousands of acres of undeveloped land to connect two major highways, State Route 99/70 and State Route 65. The new Parkway would provide express

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<sup>1</sup> Modified NEPA/404 MOU Integration Process for the Tier 1 Placer Parkway Corridor Preservation Project, April 12, 2004.

<sup>2</sup> USFWS and California Department of Fish & Game (CDFG) letter to SPRTA, September 4, 2007; EPA Region 9 letter to FHWA, September 25, 2007; and EPA and Army Corps of Engineers letter to FHWA, August 14, 2008.

transportation access to a peninsula of undeveloped land under considerable growth pressure, bordered by the expanding urban footprint of the City of Roseville and other urbanizing areas in Placer and Sutter Counties.<sup>3</sup> The new Parkway would fragment the existing undeveloped landscape, including aquatic resources and wildlife habitat, by severing habitat connectivity and introducing a 14 to 16 mile high-speed transportation barrier to wildlife movement.

**The area of undeveloped land surrounded by growth pressure, which would be accessed by a new freeway, increases with distance north of Baseline Road.** The further north the Parkway is located, greater amounts of land and aquatic resources will be vulnerable to impacts from conversion of farmland and open space to urban uses. Areas south of the ultimate Parkway alternative will be particularly vulnerable to induced growth impacts because the land south of the Parkway will be surrounded on four sides by: 1) growth pressure from the Parkway, 2) expanding Placer County cities and unincorporated areas, and 3) Sutter County development. Growth pressure will exist north of the proposed Parkway alternatives, as a result of building the Parkway, but that growth pressure may be significantly less intense as development would not be surrounding the area on all sides, as it is in the area south of the alternatives.

**The potential indirect aquatic resource impacts associated with development facilitated by the Parkway are considerably greater than the direct impacts associated with construction of the Parkway.** The DEIS states that Alternative 1 would potentially impact 16 streams, 26 acres of wetlands and 123 acres of vernal pool complexes (including uplands). Alternative 5 would potentially impact 10 stream crossings, 28 acres of wetlands, and 124 acres of vernal pool complexes. Local planning information as well as state and federal environmental documents<sup>4</sup> identify approximately 12,000 acres of proposed urban development near Placer Parkway, with at least 210 acres of proposed impacts to aquatic resources including wetlands. In addition, there are hundreds of acres of vernal pool complexes on lands near the proposed Parkway alternatives that do not have current proposals for development but would be under growth pressure due to their proximity to urban areas and Placer Parkway. This information indicates that indirect impacts to aquatic resources from induced growth could be at least five times greater than direct impacts associated with construction of Placer Parkway<sup>5</sup>.

**EPA considers Alternative 5 to have greater potential to contribute to aquatic resource impacts from urbanization than Alternative 1 because there are more aquatic resources vulnerable to destruction from induced growth impacts associated with Alternative 5.** Alternative 5 provides new, high-speed transportation access at the furthest distance from planned and existing development, in a relatively small area, and places greater amounts of land and aquatic

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<sup>3</sup> For information on how the location of a transportation facility can influence and direct growth, see Chapter 5, *Guidance for Preparers of Growth-related, Indirect Impact Analyses*; National Cooperative Highway Research Program (NCHRP) Report 423A, *Land Use Impacts of Transportation: A Guidebook*; and NCHRP Report 466, *Desk Reference for Estimating the Indirect Effect of Proposed Transportation Projects*.

<sup>4</sup> Local planning information includes general plans and geographic information systems files; state environmental documents include Environmental Impact Reports; and federal environmental documents include Clean Water Act Section 404 permit applications and pre-application materials.

<sup>5</sup> Vernal pool complexes include upland areas. Assuming 10% density of wetted acres within the complexes, Alternatives 1 and 5 would directly impact about 12 acres of vernal pools. Adding wetland impacts to wetted acre vernal pool impacts results in estimated direct impacts to aquatic resources ranging between 38 and 40 acres. The 210 acres of proposed indirect impacts to aquatic resources (from surrounding potential projects) is five times greater than the estimated 40 acres of direct impacts resulting from construction of the Parkway.

resources under intense growth pressure than Alternative 1. Undeveloped lands and aquatic resources south of the Placer Parkway alternatives are especially vulnerable to induced growth impacts because they would be surrounded on four sides by intense growth pressure from expanding urban development, associated infrastructure, and construction of Placer Parkway. There are 6,355 acres of undeveloped land, without proposed development plans, south of Alternative 5 while there are only 1,574 acres of undeveloped land, without proposed development plans, south of Alternative 1<sup>6</sup>. Similarly, there are approximately 1,000 acres of vernal pool complexes south of Alternative 5 while there are only approximately 215 acres of vernal pool complexes south of Alternative 1. The area between the two alternatives contains approximately 4,800 acres of undeveloped land and 785 acres of vernal pool complexes, which would be vulnerable to development and destruction from impacts induced, in part, by Alternative 5. Alternative 1 is more likely to contain the LEDPA than Alternative 5 because significantly fewer indirect impacts to aquatic resources would result from urban development facilitated, in part, by Placer Parkway.

**EPA and the Corps consider the Parkway Alternative 1 corridor most likely to contain the LEDPA because it minimizes aquatic resource impacts from habitat fragmentation caused by the Parkway.** Lands near the proposed Parkway corridors are a mosaic of agricultural fields, wetlands, vernal pools, streams, and floodplains. These lands work together to provide important wildlife foraging and nesting habitat and migration corridors for endangered and special status upland and aquatic species. Constructing the Parkway would fragment this landscape by creating a six lane, high-speed transportation barrier to wildlife movement and introduce 14 to 16 miles of urban edge along the freeway perimeter. USFWS consider habitat fragmentation one of the primary threats, second only to habitat destruction, to the endangered vernal pool fairy shrimp<sup>7</sup>. Locating the Parkway in the Alternative 1 corridor creates one small block of land south of the Parkway and one large block of land north of the Parkway, which maintains the greatest amount of habitat free of large transportation barriers and minimizes edge area impacts on aquatic wildlife and habitat. Potential impacts to wetlands, vernal pools, and aquatic species from fragmentation are substantially greater than direct impacts from constructing the Parkway. Alternative 1 is more likely to contain the LEDPA because it minimizes potential impacts to aquatic resources from habitat fragmentation.

Based on this information, EPA and the Corps responded to FHWA on August 14, 2008, jointly stating we do not concur that Alternative 5 is most likely to contain the LEDPA, and initiated informal dispute resolution. The first dispute resolution meeting was held on October 15, 2008 between management from the Corps, EPA, SPRTA, Caltrans, and FHWA. The Corps and EPA identified potential options for the project to move forward; however SPRTA rejected the proposals and FHWA requested formal agency elevation.

One of the options the Corps and EPA proposed at the October 15, 2008 meeting was a “modified” Alternative 5, in which the resource agencies could potentially concur that Alternative 5 is the corridor most likely to contain the LEDPA if the transportation agencies included avoidance of induced growth impacts as part of the alternative. This could be achieved through acquisition, designation of a conservation easement, or other methods of protection of valuable resource areas in

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<sup>6</sup> Calculated using ArcMap 9.3 with satellite imagery (2006), Placer Parkway Alignment Shapefile (received from SPRTA 2008), Placer County vernal pool data (2002), and vernal pool data from CDFG (1997).

<sup>7</sup> USFWS (2005) Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon.

the vicinity of the proposed project. Solutions of this type are supported by Caltrans Guidance: “Purchasing access rights or conservation easements can prevent or minimize growth by limiting land accessibility and can help protect areas containing sensitive resources. Conservation easements also can be established to protect resources in perpetuity”<sup>8</sup>. While the specifics of this proposal, such as the amount of land or methods of protection have not yet been explored, these measures could be determined based on a number of factors, including the amount of valuable habitat area (such as wetlands or vernal pool complexes) between Alternatives 1 and 5, the amount of land in this area not currently planned for development, the proposed Placer County Conservation Plan map, and USFWS Vernal Pool Core Recovery Area.

On January 23, 2009, management from the Corps, EPA, USFWS, SPRTA, Caltrans, and FHWA met for a second dispute resolution meeting. At the end of this meeting, management decided to have staff of the various agencies meet to discuss the specifics of a potential modified Alternative 5. This meeting is scheduled for April 17, 2009.

Following the January 23<sup>rd</sup> meeting, FHWA published the Partially Revised Tier 1 Environmental Impact Statement/Program Environmental Impact Report (RDEIS). This RDEIS includes updates to various sections of the DEIS, including additional induced growth and cumulative impacts analyses requested by EPA in our comments on the DEIS. Our comments below are focused on these analyses.

## **RDEIS GROWTH INDUCEMENT ANALYSIS**

In our September 25, 2007 DEIS comment letter, EPA stated the need to compare the direct, indirect, and cumulative impacts of the various alternatives in order to inform the selection of a corridor most likely to contain the LEDPA. We recommended that FHWA prepare a robust qualitative and quantitative analysis of indirect impacts, including habitat fragmentation and growth-related impacts to environmental resources, for each alternative, and provide supporting data. We recommended that FHWA provide a map overlaying aquatic and terrestrial resources and habitat boundaries with areas of existing and anticipated (planned and reasonably-foreseeable) growth. As we stated in our comments, it is important to include indirect, including growth-inducing impacts, in the alternatives analysis, because an alternative with greater indirect impacts, but fewer direct impacts, may be the LEDPA.<sup>9</sup>

We stated that, as the proposed Parkway is a major new freeway in a rural area with abundant aquatic and biological resources, and large areas of functioning habitat, the growth inducement associated with the Parkway will likely have significant adverse impacts to sensitive aquatic and biological resources, including habitat. All proposed Parkway alignments move through a large intact landscape of aquatic and upland habitat. Important natural resources in this landscape include vernal pool grasslands, wetlands, riparian corridors, and stream habitats. These resources provide habitat for federal- and state-listed endangered and threatened species, species of special concern, and other fish and wildlife integral to ecosystem balance and function.

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<sup>8</sup> *Guidance for Preparers of Growth-related Indirect Impact Analyses* prepared by Caltrans, EPA, and FHWA. [http://www.dot.ca.gov/ser/Growth-related\\_IndirectImpactAnalysis/gri\\_guidance.htm](http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/gri_guidance.htm)

<sup>9</sup> Chapter 2.3, *Guidance for Preparers of Growth-related, Indirect Impact Analyses*. [http://www.dot.ca.gov/ser/Growth-related\\_IndirectImpactAnalysis/gri\\_guidance.htm#cwadef](http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/gri_guidance.htm#cwadef)



We had major concerns about the assumption, used throughout the DEIS, that the “no-development buffer concept” will prevent additional interchanges on and subsequent growth inducement near the Parkway. The DEIS stated that “adjustments” to the buffer could be made at Tier 2 to accommodate “future approved development.” While the growth inducement analysis in the RDEIS assumes additional interchanges not included in the project description, and assumes that the “no-development buffer” would be eliminated, the project description in other sections of the RDEIS still includes this concept. The FEIS should clarify whether the buffer remains an element of the proposed project.

The DEIS concluded that the project will be growth inducing. We commend FHWA for the recognition of indirect impacts, particularly growth inducement, as a major issue for the project, and for the analysis of induced growth in the RDEIS. Additionally, we support FHWA’s objective to avoid unplanned growth in environmentally sensitive areas. The analysis is more robust and quantitative than the majority of indirect impacts analyses provided in environmental documents, particularly at the Tier 1 phase.

### ***Analysis Area and Methods***

EPA recognizes the high quality of the RDEIS induced growth analysis; however we disagree with some of the analysis assumptions and conclusions. First, we disagree that the potential induced growth impacts of the alternatives would be limited to within one mile of the roadway and potential interchanges. The National Cooperative Highway Research (NCHRP) Report 466 *Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects* states “Development effects are most often found up to 1 mi around a freeway interchange, up to 2 to 5 mi along major feeder roadways to the interchange, and up to one-half mile around a transit station.” The proposed project crosses and provides access to thousands of acres of undeveloped farmland and other natural resources that may be developed in the future. Some of this area has development plans proposed or that are in the process of obtaining local, state, and federal entitlements. Intense local growth pressure in the area surrounding the proposed Parkway strongly suggests that induced growth impacts could occur at distances greater than one mile from the proposed Parkway alignment.

The area adjacent to the proposed Placer Parkway, including southwestern Placer County, is under intense growth pressure. NCHRP Report 466 states that land availability, infrastructure availability, regional economy, and land use controls are all factors that influence growth pressure in an area. We understand land near Placer Parkway is farmland primarily owned by a variety of business and investment interests with a small amount of farmland owned and operated by individual farmers. Development projects are being proposed that will extend infrastructure (sewer, water supply, etc) into currently undeveloped areas, further intensifying growth pressure<sup>10</sup>. The Placer County General Plan supports growth in this area, identifying southwestern Placer County as a future study area for potential urban expansion. Sutter County is planning a large residential and industrial project, the Sutter Pointe Specific Plan, in the area that would be directly serviced by Placer Parkway. The Placer Parkway DEIS states (page 1-17) that population will double in the local project vicinity by 2040.

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<sup>10</sup> “Investments in infrastructure such as roads, sewers and water supplies can be one of the most important drivers of urbanization, since infrastructure provides the essential framework for development.” Heimlich, R.E.; Anderson, W.D., (2001), “Development at the Urban Fringe and Beyond: Impacts on Agriculture and Rural Land.” USDA Agricultural Economic Report No. (AER803).

Observations of historic urban development patterns in the Sacramento Metropolitan Area, specifically in areas with intense growth pressure, such as Natomas, illustrate that when new infrastructure is provided (*e.g.*, I-80 bypass, levees, sewer lines, wastewater treatment, water supply) in undeveloped areas near existing development, development will eventually “fill in” all undeveloped areas that do not have legislated growth controls or other growth restrictions. As stated above, the area of undeveloped land that could be accessed by the location of the new Parkway increases with distance north of Baseline Road. The further north the Parkway is located, the greater amounts of land and aquatic resources are vulnerable to induced growth impacts. Based on these local land use observations, a more appropriate analysis for estimating induced growth impacts from Placer Parkway would include the area between a Parkway alternative and existing or planned development.

### ***100-Year Floodplain and Definition of Potentially Developable Land***

EPA does not agree that land within the 100-year floodplain should be completely eliminated from the areas considered “developable” within the induced growth analysis. “Developable” land was defined in the RDEIS induced growth analysis as land that is not currently developed, planned for development, or constrained by features such as habitat conservation areas, the 100-year floodplain, or major municipal facilities. Historically, 100-year floodplain areas have been extensively modified and developed in the Sacramento Metropolitan Area and across the nation. This development has occurred despite local, state, and federal laws, regulations, and restrictions designed to protect the 100-year floodplain from development and the financial impacts to local governments and citizens after flood events. EPA does not support or advocate for development within the 100-year floodplain, but provides the following examples near the proposed Parkway alignments to demonstrate that the assumption of “no development within the 100-year floodplain” used in the growth-related impacts analysis is not reasonable:

- All of the Natomas Basin is within the 100-year floodplain and it is extensively developed. The westernmost segment (approximately 2 miles) of the proposed Parkway would be built in a 100-year floodplain in the Natomas Basin.
- The Sutter Pointe Specific Plan in Sutter County is proposed to be built entirely within the 100-year floodplain.
- One of the projects currently being considered by the City of Roseville proposes to restrict the floodplain of Pleasant Grove Creek in order to build more housing. The City of Roseville is not objecting to this proposed floodplain modification.

Based on these examples, as well as the historic and current development being proposed in the 100-year floodplain, it is not appropriate to eliminate all or a majority of the 100-year floodplain from areas that are considered potentially developable.

Floodplain protection legislation passed in California in October 2007 restricts development in floodplains, however development is still allowed if there is an appropriate level of flood protection or the local flood management agency has determined that adequate progress towards flood protection has been made.<sup>11</sup> EPA considers 100-year floodplains important areas to protect and agree they should not be encroached upon with urban development. However, we do not see evidence that 100-year floodplains are currently being protected from urban expansion, or will be in

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<sup>11</sup> <http://www.legisweb.com/california/model/Retrieve.asp?ref=urn%3Acalm%3A2007%3Aab0005%3Adoc%3Ahtml>

the future, especially in the area of the proposed Parkway. Based on this fact, and the fact that much development of land in floodplains has occurred in this region, the majority of 100-year floodplain should be included as “developable land” in the induced growth analysis.

Including or excluding 100-year floodplain from the definition of potentially developable land makes a significant difference in the results of the RDEIS induced growth analysis. Alternative 5 is considerably more growth inducing than Alternative 1 if 100-year floodplain is included in the calculation of potentially developable land. Adding the areas of 100-year floodplain to the areas of potentially developable land (supplied in Table G-3 of the RDEIS) shows that there are 5,805.5 acres of potentially developable land within 1 mile of Alternative 1 while there are 7,813 acres of potentially developable land within 1 mile of Alternative 5. Alternative 5 has 2,007.5 more acres of potentially developable land than Alternative 1, and using FHWA’s methodology, this indicates that Alternative 5 is more growth inducing than Alternative 1. We understand that the entire 100-year floodplain may not be developable (for example, stream beds); however, it is evident that excluding the entire 100-year floodplain from areas considered potentially developable significantly alters the results of the analysis and subsequent conclusions.

EPA stated in our comments on the DEIS that when evaluating differences between each corridor, it is important to consider resource avoidance options (e.g., elevated structures, bottomless culverts) that are available *within* each corridor, so as to not prematurely eliminate a potential LEDPA alignment. We continue to recommend that the FEIS include planning-level avoidance commitments for each alternative that will be considered, such as arched (bottomless) culverts and elevated roadway structures or spans.

### ***Induced Growth Analysis Conclusions***

EPA disagrees with many of the conclusions in the RDEIS induced growth analysis. First, we disagree with the conclusion that the growth inducing impacts of Placer Parkway are limited by the anticipated residential build-out of approved and proposed developments by 2040 regardless of Parkway construction. The CEQA documents describing environmental impacts and mitigation measures for three projects (Placer Vineyards Specific Plan, Regional University Specific Plan, and Sutter Pointe Specific Plan) that would be served by Placer Parkway include the construction of Placer Parkway as a measure to mitigate traffic impacts generated by these developments. Using Placer Parkway for traffic mitigation suggests that building the Parkway facilitates local developments that will be constructed before Placer Parkway construction.

Second, we are concerned that the growth inducement analysis may have been influenced by a pre-analytical assumption that there would not be substantial differences in growth inducement potential among the corridor alignments. The RDEIS states, “its [Placer Parkway’s] growth inducement potential would be limited by a number of factors. These include...an assumption that there would not be substantial differences in growth inducement potential (and therefore in the potential for secondary and indirect impacts) among the corridor alignment alternatives.” Assuming there will be minimal differences in growth inducement potential (and the subsequent secondary and indirect impacts to aquatic resources) among project alternatives before conducting the relevant analyses makes it more likely to come to the same conclusion that is stated in the RDEIS.

Third, for reasons stated above, we do not agree with the conclusion that the new quantitative analysis presented in the RDEIS supports the DEIS findings that the differences among

corridor alignment alternatives are not substantial in terms of their growth inducement potential or the conclusion that Alternative 5 would have the least impacts from induced growth.

Fourth, we do not agree with the conclusion that Alternative 5 will be a northern border for development as suggested in the RDEIS. Reason Farms, located north of Alternative 5, may provide a barrier for development adjacent to the Parkway alignment, but it is not adjacent to the entire length of the Parkway. The City of Roseville's plans for Reason Farms may also change. The Reserve Acquisition Areas identified in the proposed Placer County Conservation Plan (PCCP) are not inhibitors of growth north of the freeway as the PCCP is not an approved plan. The Reserve Acquisition Areas are identified in the draft PCCP map, regardless of the Placer Parkway route chosen. There are no other stated resource protections or growth controls in the Placer County General Plan or zoning code that support the conclusion that Placer Parkway Alternative 5 would be a barrier to growth north of the Parkway.

## SECONDARY AND INDIRECT IMPACTS ON BIOLOGICAL RESOURCES ANALYSIS

The RDEIS analysis of secondary and indirect impacts on biological resources is based on the framework and results of the induced growth analysis. The RDEIS states that it considers a landscape-based approach, however only the impacts to biological resources within one mile of each of the alternatives are considered in the analysis. An analysis of a two-mile wide area of land is not a landscape based analytical design. An improved approach would evaluate resources and impacts from a broader perspective, and consider how the various alternatives would impact regional hydrology, ecosystems, and wildlife movement.

An analysis area of a one-mile radius buffer strip around the proposed Placer Parkway alignments is a linear analysis, rather than a landscape-based evaluation of impacts, and may underestimate the impact of habitat fragmentation on vulnerable resources. The analysis area should be broader to more accurately reflect the landscape impact of Placer Parkway on habitat and biological resources. For example, a simple landscape evaluation can be done by evaluating the size of habitat blocks (areas lacking urban or industrial land use) created by the construction of Placer Parkway. Alternative 1 maintains the greatest amount of habitat free of large transportation barriers and minimizes edge area impacts on aquatic wildlife and habitat by maximizing the size of one habitat block and minimizing the size of the other. On the contrary, Alternative 5 maximizes edge area by creating two habitat blocks closer in size. This simple analysis approaches fragmentation from a landscape level and is more reflective of impacts to biological resources from fragmentation than restricting the evaluation to a 1-mile buffer around the Placer Parkway alternatives.

We do not agree with the RDEIS conclusion that "the proposed Placer Parkway build alternatives would not substantially reduce the potential viability of the remaining habitat units available for key sensitive species in western Placer County." FHWA appears to base this conclusion on the "minimum habitat reserve area" determined by the PCCP 2004 Science Advisors Report<sup>12</sup> to be 200 acres for vernal pool complexes. Specifically, the statement that, "...,

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<sup>12</sup> Brussard, P; F. Davis, J Medieros, B. Pavlik, and D. Sada; 2004. *Report of the Science Advisors: Planning Principles, Uncertainties and Management Recommendations for the Placer County Natural Communities Conservation Plan and Habitat Conservation Plan.*

conservation of these species [vernal pool fairy shrimp and tadpole shrimp] is less dependent on maintaining larger blocks of contiguous habitat” is in direct conflict with the 2005 USFWS Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon (Recovery Plan). The Recovery Plan explains that as vernal pool species’ populations become isolated, smaller patches of habitat have a higher propensity toward localized extinction events. Management of smaller preserves is also difficult because control methods for invasive plants, such as grazing and burning, are prohibited by size and isolation of preserves. The Recovery Plan states, “Limiting this size of a preserved area or preserving an area geographically isolated from other preserves could preclude the long-term conservation of the species;” and, “Minor fragmentation of vernal pool habitats may effectively serve as a seed, pollen, and pollinator dispersal barrier between adjacent sites for many of the plants covered by this recovery plan.” These statements indicate that large blocks of contiguous habitat are important to the recovery of vernal pool ecosystems. The FEIS should be updated to include information from the Recovery Plan.

The DEIS and RDEIS state that Alternative 1 is more fragmenting than Alternative 5 because Alternative 1 has 6 more stream crossings than Alternative 5. We support efforts to minimize stream crossings and understand that additional crossings can sever or impair hydrological and biological connectivity. It is important to acknowledge and describe in the FEIS that there are stream crossing designs that provide wildlife and habitat connectivity and do not impair hydrological connectivity or destroy habitat linkages. We encourage FHWA and SPRTA to minimize impacts to streams and habitat connectivity by engineering crossings to maintain hydrologic function, habitat connectivity, and wildlife and fish passage.

#### ***Potential Placer County Conservation Plan Implementation***

EPA’s concerns regarding habitat fragmentation are reflected in our comments on the PCCP. It is responsible and appropriate for FHWA to consider and incorporate local conservation planning into the evaluation of Placer Parkway and its future location. We are pleased that PCCP is included in the RDEIS evaluation.

It is difficult to estimate induced growth and fragmentation impacts in the Development Transition Area (DTA) of the PCCP and provide analytical results meaningful to informing an induced growth and fragmentation analysis. Approximately 40% of the DTA is proposed for conservation which would eliminate these areas from potentially developable land. However, the PCCP does not identify the areas within the DTA that will be conserved. The DTA areas that fall within a one-mile radius of each Placer Parkway Alternative may have up to 40% less potentially developable land than reported in Tables G-7 and G-8.

A PCCP solution, which ensures protection of enough of the remaining aquatic resources in western Placer County to comply with the CWA Section 404(b)(1) Guidelines requirement for avoidance, would considerably reduce concerns about induced growth from Placer Parkway, other public infrastructure projects, and urban expansion. The current PCCP map endorsed by the Placer County Board of Supervisors proposes certain areas of Placer County to be part of Reserve Acquisition, Conservation, Development Transition, or Development Areas. However, EPA, the Corps, and other resource agencies reviewed PCCP maps identified in the January 23, 2007 Placer County Planning Department Staff Report to the Board of Supervisors and found that other PCCP alternatives (alternatives 2, 4, 6, and 7) were most likely to meet wetland protection requirements of the 404(b)(1) Guidelines, protect threatened and endangered species, and characterize a successful

natural resource reserve system<sup>13</sup>. PCCP Reserve Acquisition Areas, which EPA and other federal agencies support, include Reserve Acquisition Areas south of Alternative 5. The current PCCP map may result in considerably less avoidance of remaining aquatic resources and endangered species habitat. As a result, EPA and other federal agencies remain very concerned about potential induced growth impacts from Placer Parkway and other projects in the western Placer County area.

## CUMULATIVE IMPACTS ANALYSIS

Given the magnitude of potential resource impacts in the vicinity of the proposed project (particularly to aquatic resources, species, and habitat), EPA recommended through our September 25, 2007 DEIS comment letter that FHWA prepare a robust cumulative impacts analysis that would 1) determine the resource study area for and the baseline condition of each resource of concern, 2) assess reasonably foreseeable changes to environmental resources over time, and 3) identify potential landscape-level mitigation opportunities.

The RDEIS contains an improved analysis of cumulative impacts, including quantitative information on historic degradation of aquatic resources and proposed impacts of future development. EPA disagrees with the conclusion that the project's impacts on these resources would be "low." The analysis only considers the percentage of resource areas that would be directly impacted by the Parkway, rather than including the area that would be impacted by the Parkway's induced growth impacts. Cumulative impacts are the impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions (CEQ Regulations, Part 1508.7). If both direct and foreseeable indirect impacts were considered, the percentage of potentially impacted resource areas would be much larger. In addition, the past declines in resources, which the analysis recognizes, make protection of remaining resources critical, and provide the context behind why these impacts are significant.

## PREFERRED BLUEPRINT SCENARIO AND PLACER PARKWAY

The Greenhouse Gas Emissions section of the RDEIS states that the Placer Parkway project is included in the Sacramento Area Council of Governments' Preferred Blueprint Scenario (Blueprint) and therefore, if built, would reduce greenhouse gas emissions in the region. While the route is identified in the Blueprint, "the transportation system which underlies the Blueprint Map is for educational purposes, and does not reflect a policy recommendation or decision by the Board."<sup>14</sup> We recognize that the Blueprint is a framework to guide development decisions by local government and commend SACOG for promoting such a complete vision of future constrained growth and reduced vehicle-miles-traveled in the region. However, it is foreseeable that municipalities may or may not follow its guidelines, so environmental analyses need to consider and analyze the environmental impacts that would result from both a "Blueprint" scenario, as well as potential development scenarios that don't align exactly with the Blueprint Vision. We understand that some of the proposed developments in the vicinity of the Parkway alternatives and located in Placer County would be built at densities that do not meet the standards recommended by the Blueprint. If built, these developments would not accommodate the number of housing units needed

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<sup>13</sup> August 14, 2007 letter from EPA Region 9 and Army Corps of Engineers to Placer County Board of Supervisors.

<sup>14</sup> [http://www.sacregionblueprint.org/sacregionblueprint/the\\_project/discussion\\_draft\\_preferred\\_scenario.cfm](http://www.sacregionblueprint.org/sacregionblueprint/the_project/discussion_draft_preferred_scenario.cfm).

in the area, and would necessitate more development in areas that the Blueprint proposed for non-urban uses. Because the potential exists for the Parkway to facilitate access to developments that both meet the Blueprint Vision, as well as developments that may not meet the Blueprint vision, the Parkway should not be characterized as being an integral part of the Blueprint, or a “smart growth” vision of the region.

We understand that SACOG is developing a more thorough assessment of aquatic resources in the SACOG region. This will supplement the Blueprint and allow for regional planning that accommodates growth while protecting aquatic resources at a landscape level.