

**Laguna Miral Apartments Project
Initial Study/Mitigated Negative Declaration**

**Errata Sheet
January 2025**

Introduction

This Errata presents, in ~~strike-through~~ and double-underline format, the revisions to the Laguna Miral Apartments Project Initial Study/Mitigated Negative Declaration (IS/MND). The revisions to the IS/MND reflected in this Errata do not affect the adequacy of the previous environmental analysis contained in the Laguna Miral Apartments Project IS/MND. Because the changes presented below would not result in any new significant impacts or increase in impact significance from what was identified in the IS/MND, recirculation of the Laguna Miral Apartments Project IS/MND is not required.

Changes to IS/MND

Page 12 of the IS/MND is hereby revised as follows:

Wastewater generated in the project area is collected through a series of sewer pipes and flows into the SacSewer interceptor system, where the sewage is conveyed to the ~~Sacramento Regional Wastewater Treatment Plant (SRWWTP)~~ EchoWater Resource Recovery Facility (EchoWater Facility). The ~~SRWWTP~~ EchoWater Facility is owned and operated by SacSewer and provides sewage treatment for the entire City. The proposed project would connect to existing infrastructure, including an ~~an~~ 20 ~~18~~-inch sewer main in Bruceville Road. Collected wastewater is ultimately treated at the ~~SRWWTP~~ EchoWater Facility, which is owned and operated by SacSewer and provides sewage treatment for the entire City.

Page 86 of the IS/MND is hereby revised as follows:

Based on the project site's location, SacSewer would provide sewage collection, as well as treatment and resource recovery services to the proposed project. The sewer lift stations pump raw wastewater that is collected throughout the City to the ~~SRWWTP~~ EchoWater Facility.

The proposed project would include construction of a new six-inch sanitary sewer lines lateral within the internal roadway and additional sanitary sewer laterals extending to the proposed buildings. The new ~~lines~~ laterals would connect to the existing ~~20~~ 18-inch sanitary sewer line east of the project site within Bruceville Road. Because the proposed project would be consistent with the existing land use designation, buildout of the site with residential development was anticipated by ~~the City~~ SacSewer. As such, increased wastewater flows associated with the project site have been generally anticipated ~~within the City's General Plan, as well as wastewater related analyses, including the General Plan MEIR by~~ SacSewer's 2020 System Capacity Plan Update (SCP). The proposed project's density is greater than anticipated by the 2020 SCP; however, SacSewer modeled the increased wastewater flows associated with the proposed density.

~~As discussed under Impact 4.13-4 therein, SacSewer's modeling confirmed that adequate capacity exists to serve buildout of the General Plan planning area the proposed project, and impacts related to wastewater treatment capacity would be less than significant. Additionally, SacSewer would require payment of sewer impact fees. All applicable impact fees would be required to be paid prior to issuance of a building permit and would further reduce any potential impacts associated with increased demand for wastewater service. Furthermore, given the WWTP's EchoWater Facility's service population of 1.6 million people, the increase in wastewater production from a maximum of 327 new residents generated by the proposed project would not be substantial.~~

The above modification is for clarification purposes only and does not change the analysis or conclusions of the IS/MND.

Laguna Miral Apartments Project Responses to Comments Received on the Initial Study/Mitigated Negative Declaration

The Initial Study/Mitigated Negative Declaration (IS/MND) for the Laguna Miral Apartments Project (proposed project) was circulated for public comment from October 17, 2024, to November 18, 2024. Written comments were received as follows:

Date	Commenter
11/13/2024	Robb Armstrong, Sacramento Area Sewer District
11/18/2024	Peter Minkel, Central Valley Regional Water Quality Control Board
11/18/2024	Molly Wright, Sacramento Metropolitan Air Quality Management District

The written comments are attached. The comments are acknowledged by the City and have been considered as part of the project planning and its implementation. The comments received did not identify any new significant effect, increase in severity of an impact identified in the IS/MND, or any significant new information. Thus, recirculation of the IS/MND is not required.

The responses below include responses to each comment letter submitted regarding the proposed project. Where revisions to the IS/MND text are required in response to a comment, new text is double underlined and deleted text is ~~struck through~~.

Response to Robb Armstrong, Sacramento Area Sewer District, 11/13/2024: Thank you for participating in the public review process of the IS/MND. The letter includes standard comments on the proposed project and the context of SacSewer as a sanitary sewer service provider. In addition, the letter includes various comments for revision of the IS/MND.

In response to the commenter's suggested correction related to the project's sanitary sewer service provider, page 12 of the IS/MND is hereby revised as follows:

Wastewater generated in the project area is collected through a series of sewer pipes and flows into the SacSewer interceptor system, where the sewage is conveyed to the ~~Sacramento Regional Wastewater Treatment Plant (SRWWTP)~~ EchoWater Resource Recovery Facility (EchoWater Facility). The ~~SRWWTP~~ EchoWater Facility is owned and operated by SacSewer and provides sewage treatment for the entire City. The proposed project would connect to existing infrastructure, including an ~~20~~ 18-inch sewer main in Bruceville Road. Collected wastewater is ultimately treated at the ~~SRWWTP~~ EchoWater Facility, which is owned and operated by SacSewer and provides sewage treatment for the entire City.

In addition, consistent with the commenter's suggested corrections, page 86 of the IS/MND is hereby revised as follows:

Based on the project site's location, SacSewer would provide sewage collection, as well as treatment and resource recovery services to the proposed project. The sewer lift stations pump raw wastewater that is collected throughout the City to the ~~SRWWTP~~ EchoWater Facility.

The proposed project would include construction of a new six-inch sanitary sewer ~~lines~~ lateral within the internal roadway and additional sanitary sewer laterals extending to the proposed buildings. The new ~~lines~~ laterals would connect to the existing ~~20~~ 18-inch sanitary sewer line east of the project site within Bruceville Road. Because the proposed project

would be consistent with the existing land use designation, buildout of the site with residential development was anticipated by ~~the City~~ SacSewer. As such, increased wastewater flows associated with the project site have been generally anticipated ~~within the City's General Plan, as well as wastewater related analyses, including the General Plan MEIR by SacSewer's 2020 System Capacity Plan Update (SCP). The proposed project's density is greater than anticipated by the 2020 SCP; however, SacSewer modeled the increased wastewater flows associated with the proposed density. As discussed under Impact 4.13-4 therein, SacSewer's modeling confirmed that adequate capacity exists to serve buildout of the General Plan planning area~~ the proposed project, and impacts related to wastewater treatment capacity would be less than significant. Additionally, SacSewer would require payment of sewer impact fees. All applicable impact fees would be required to be paid prior to issuance of a building permit and would further reduce any potential impacts associated with increased demand for wastewater service. Furthermore, given the ~~WWTP's~~ EchoWater Facility's service population of 1.6 million people, the increase in wastewater production from a maximum of 327 new residents generated by the proposed project would not be substantial.

Response to Peter Minkel, Central Valley Regional Water Quality Control Board, 11/18/2024: Thank you for participating in the public review process of the IS/MND. The comment is a standard comment letter that provides background information regarding applicable regulations and required permits. The comment does not address the adequacy of the IS/MND, has been noted for the record, and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Molly Wright, Sacramento Metropolitan Air Quality, 11/18/2024: Thank you for participating in the public review process of the IS/MND. Because project emissions were quantified as shown on page 19 of the Laguna Miral IS/MND and shown to be below the applicable SMAQMD thresholds of significance, a nexus to require implementation of the SMAQMD BCECPs as mitigation does not exist. Implementation of the SMAQMD BCECPs is not required in order to reduce emissions to a less-than-significant level. Accordingly, inclusion of the SMAQMD BCECPs as mitigation in the IS/MND is not warranted pursuant to CEQA. As discussed on page 20 of the Laguna Miral IS/MND, implementation of the SMAQMD BCECPs will be included as conditions of project approval and, thus, project construction will include compliance with such.

ATTACHMENT A
COMMENT LETTERS

November 13, 2024

Mr. Ron Bess
City of Sacramento – Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

**Subject: NOTICE OF AVAILABILITY/INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION FOR THE LAGUNA MIRAL APARTMENT
PROJECT**

Project No: P23-038

Dear Mr. Bess,

The Sacramento Area Sewer District (SacSewer) has reviewed the subject document and has the following comments.

The project site is located at 8740 Bruceville Road, west of the southbound Bruceville Road traveling lanes, in the City of Sacramento, California. The approximately 4.1-acre project site is currently undeveloped.

The Laguna Miral Apartments Project (Project) will include the development of a 125-unit apartment complex with five, three-story multi-family residential buildings, each containing 24 units, two patio areas, and two storage rooms, as well as a two-story community building with a leasing office and community room on the first floor and five residential units on the second floor. The proposed apartment complex would consist of a mix of one-, two-, and three-bedroom units. On-site amenities would include an outdoor pool in the northwestern portion of the project site and a kid's play area in the northcentral portion of the site.

Note: Effective January 1, 2024, the Sacramento Regional County Sanitation District and the Sacramento Area Sewer District merged into one district called the Sacramento Area Sewer District, or SacSewer for short.

SacSewer will provide local sewer service to the proposed project area via its collection system, which conveys sewage from the collection system to the EchoWater Resource Recovery Facility for treatment, resource recovery, and disposal.

SacSewer is not a land-use authority and plans and designs its sewer systems using information from land-use authorities. SacSewer bases the projects identified within its planning documents on growth projections provided by these land-use authorities.

www.sacsewer.com

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Director of Communications

This Mitigated Negative Declaration report should contemplate the onsite and offsite environmental impacts associated with extending sewer service to the Project area.

In March 2021, the SacSewer Board of Directors approved the most current SacSewer planning document, the 2020 System Capacity Plan Update (SCP). In February 2013, the SacSewer Board of Directors adopted the Interceptor Sequencing Study (ISS). The SCP and ISS are on the SacSewer website at [System Capacity Plans - Sacramento Area Sewer District \(sacsewer.com\)](http://sacsewer.com).

Section G XIX - Utilities and Service Systems (Wastewater)

- *This section mischaracterizes the sanitary sewer service provider for the Project as being provided by the City of Sacramento. The Sacramento Area Sewer District (SacSewer) will be the sanitary sewer service provider for the Project and is also responsible for the operation and maintenance of the sewer system serving the Project site. Please revise this language accordingly in this section.*
- *The reference to the existing “20-inch” sanitary sewer line in Bruceville Road is incorrect; the existing sanitary sewer line is an 18-inch SacSewer trunk facility. Please revise this language accordingly in this section, Section F, and Figure 4. Please also note that lower laterals and collector main lines may only connect to sewer trunks at manholes in accordance with SacSewer Standards. Please revise the point of connection in Figure 4.*
- *This section states that “wastewater flows associated with the project site have been generally anticipated within the City’s General Plan.” Because the project site is within SacSewer’s collection service area, this section should reference SacSewer’s 2020 SCP instead of the City’s General Plan. The proposed density for the project site is greater than what was planned in the 2020 SCP. SacSewer has modeled the proposed density, and the model results indicated that the downstream system can currently accommodate the proposed development. SacSewer does not guarantee sewer service or system capacity to the property until the property obtains proper permits to connect to the system and pays all facility impact (capacity) fees. Please revise the discussion of sewer system capacity accordingly.*
- *References to the Sacramento Regional Wastewater Treatment Plant (SRWTP) are to be revised to accurately reflect the correct naming convention as the EchoWater Resource Recovery Facility (EchoWater Facility).*
- *This section states that “The proposed project would include construction of new six-inch sanitary sewer lines and sanitary sewer laterals extending to the proposed buildings.” Figure 4 shows the six-inch line as a lateral. However, if any public sewer mainline is proposed, note the minimum size for an eight-inch public sewer mainline is eight inches in diameter. A private on-site upper lateral may be six inches.*

Customers receiving service from SacSewer are responsible for rates and fees outlined within the latest SacSewer ordinance. Fees for connecting to the sewer system recover the capital investment of

Laguna Miral Apartment Project

P23-038

November 13, 2024

sewer and treatment facilities that serve new customers. SacSewer does not guarantee sewer service or system capacity to the Project site until the proper permits are obtained to connect to the system and all facility impact (capacity) fees are paid. The SacSewer ordinances are on the SacSewer website at [Ordinances - Sacramento Area Sewer District \(sacsewer.com\)](http://sacsewer.com).

If you have any questions regarding these comments, please call me at (916) 876-6104.

Sincerely,

Robb Armstrong

Robb Armstrong
Policy & Planning



Central Valley Regional Water Quality Control Board

18 November 2024

Ron Bess
City of Sacramento
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
rbess@cityofsacramento.org

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, LAGUNA MIRAL APARTMENTS PROJECT, SCH#2024100715, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 17 October 2024 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Laguna Miral Apartments Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has

adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

From: [LU Project Review Account](#)
To: [Ron Bess](#)
Cc: [Paul Philley](#)
Subject: RE: Notice of Availability/Intent for the Laguna Miral Apartments Project (P23-038)
Date: Monday, November 18, 2024 3:30:01 PM
Attachments: [image003.png](#)
[image004.png](#)

Good Afternoon Ron,

Thank you for providing the Sac Metro Air District with this Mitigated Negative Declaration (MND) for comment. The MND asserts “The control of fugitive dust during construction is required by SMAQMD Rule 403, and enforced by SMAQMD staff,” and does not include air quality mitigation. The MND uses Sac Metro Air District’s non-zero thresholds of significance for particulate matter emissions, and under our thresholds of significance, use of the non-zero thresholds requires implementation of our [Basic Construction Emission Control Practices](#) (BCECP), available on our website. The BCECP should be enforced by the project’s lead agency as part of the mitigation monitoring process under the California Environmental Quality Act. As such, Sac Metro Air District recommends that the MND explicitly include Sac Metro Air District BCECP as mitigation. Please let me know if you have questions about this comment.

Best Regards,

Molly Wright

Air Quality Planner/Analyst

Desk: (279) 207-1157

mwright@airquality.org

www.AirQuality.org

 [@AQMD](#)

SACRAMENTO METROPOLITAN



AIR QUALITY
MANAGEMENT DISTRICT

From: Ron Bess <RBess@cityofsacramento.org>
Sent: Thursday, October 17, 2024 9:10 AM
To: Daniel Abbes <DAbbes@cityofsacramento.org>; Marcus Adams <MAdams@cityofsacramento.org>
Cc: Scott Johnson <SRJohnson@cityofsacramento.org>; Ron Bess <RBess@cityofsacramento.org>
Subject: Notice of Availability/Intent for the Laguna Miral Apartments Project (P23-038)

***** THIS EMAIL ORIGINATED OUTSIDE
AIRQUALITY.ORG *****

Good Morning,

This email is to inform you that the City of Sacramento, Community Development Department, as Lead Agency, has issued a **Notice of Availability/Intent to Approve**

the Laguna Miral Apartments Project (P23-038).

The Comment Period is from October 17, 2024, to November 18, 2024.

The document is now available for public review and comment. The NOAI is available, along with the Initial Study/Mitigated Negative Declaration and Appendices on the City's Community Development Department webpage at:

<https://www.cityofsacramento.gov/community-development/planning/environmental/impact-reports>

Comments are invited from all interested parties. Written comments on the Initial Study/Mitigated Negative Declaration should be submitted to the following address **NO LATER THAN 4:00 pm on Monday, November 18, 2024.** (NOTE: The Public Counter is open on Tuesday, Wednesday, and Thursday by appointment only). All comments should be submitted via email or mailed to:

Ron Bess, Associate Planner
City of Sacramento
Community Development Department
Environmental Planning Services
300 Richards Blvd. 3rd Floor
Sacramento, CA 95811
(916) 808-8272
Rbess@cityofsacramento.org

Thank You.