

August 21, 2008

Tom Pace  
Long-range Planning Manager  
City of Sacramento Planning Department  
New City Hall  
915 I Street, 3<sup>rd</sup> Floor  
Sacramento, CA 95814

RE: Sacramento 2030 General Plan

Dear Mr. Pace:

We are writing in response to your announcement of the open comment period on the draft 2030 General Plan. I am an attorney with Legal Services of Northern California (LSNC). LSNC is the legal aid provider for 23 counties in California, including Sacramento County, and has been providing free legal assistance to low income persons for more than 50 years.

Enclosed please find three selected sections of the draft 2030 General Plan with our recommendations embedded in underlined blue or red font. We propose modifications to policies in the elements entitled Environmental Constraints and Public Health and Safety. In addition, we urge the City of Sacramento to adopt new policies in the following sections:

1. Seismic and Geologic Hazards (Environmental Constraints);
2. Hazardous Materials (Public Health and Safety); and
3. City-Wide Utilities (Utilities).

These comments derive from LSNC's experience representing local residents facing a proposed natural gas storage project in their community. As a result, we have had the opportunity to consult with a number of geological experts regarding natural gas storage facilities. In so doing, we have learned that natural gas storage poses a number of significant risks that render such storage in urban residential areas extremely problematic and dangerous including the real potential for gas migration, which can lead to contamination of the air and water as well as other hazards such as fires and explosions.

The experiences of other communities both within and out of California illustrate the devastation when such risks come to fruition. For example, in the Fairfax district of Los Angeles, natural gas migrated from an underground field resulting in an explosion that destroyed a retail store and injured twenty three people. Additionally, gas leakage from the Montebello Oil Field in Southern California required numerous evacuations from residential homes and necessitated the

tearing down of several homes that had been built above abandoned wells. Moreover, two people were killed in Hutchinson, Kansas in 2001 by a natural gas explosion caused by a leak from a nearby natural underground storage facility. Finally, a catastrophic natural gas explosion near rural Brenham, Texas in 1992 destroyed a square mile area killing three people, injuring 23 others, and causing millions of dollars of damage. Thus, our comments and proposals reflect the risks asserted by geological experts and borne out via tragic events in other communities.

Thank you for the opportunity to comment on the draft General Plan. If you have any questions or would like additional information regarding the above, please feel free to contact our office.

Sincerely,



Sarah R. Ropelato  
Legal Services of Northern California  
515 12<sup>th</sup> Street  
Sacramento, CA 95814  
Phone: (916) 551-2150  
Email: [sropelato@lsnc.net](mailto:sropelato@lsnc.net)

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# Seismic and Geologic Hazards

Policies in this section protect the public from hazards by requiring enforcement of safety standards, state-of-the-art site design and construction methods, and mitigation to minimize the impacts of new development. These policies also require that emergency and post-disaster response plans be regularly updated and implemented to ensure the continued safety of Sacramentans.

## Goal EC 1.1

**Hazards Risk Reduction.** Protect lives and property from seismic, gas, and geologic hazards and adverse soil conditions.

## Policies

**EC 1.1.1 Review Standards.** The City shall regularly review and enforce all seismic, gas, and geologic safety standards and require the use of best management practices (BMPs) in site design, development, and operations, and in building construction methods. *(RDR)*

**EC 1.1.2 Geotechnical Investigations.** The City shall require geotechnical and geophysical investigations to determine the potential for ground rupture, ground-shaking, and liquefaction due to seismic events, as well as for gas migration and releases above the storage reservoirs, expansive soils and subsidence problems on sites where these hazards are potentially present. *(RDR)*

**EC 1.1.3 Retrofit Critical Facilities.** The City shall promote the upgrade, retrofitting, and/or relocation of all existing critical facilities (e.g., hospitals, schools, police stations, and fire stations) and other important public facilities that do not meet current building code standards and are within areas susceptible to seismic or geologic hazards. *(RDR/SO/IGC)*

**EC 1.1.4 Monitoring and Mitigation.** The City shall promote the monitoring of gas storage facilities, their geological context, and potential gas migration and release pathways. When monitoring suggests that gas may have migrated or been released in the vicinity, the City shall also promote the relocation, renovation, and mitigation of all existing critical facilities (e.g., hospitals, schools, police stations, and fire stations) as well as other important public facilities, residential housing, and other sensitive receptors that do not meet current code standards or requirements and that are within areas susceptible to seismic, gas, or geologic hazards. *(RDR/SO/IGC)*

# Hazardous Materials

Policies in this section continue practices for the documentation, monitoring, clean up, and re-use of hazardous materials and sites. In addition to their contribution to the safety and well-being of residents, businesses, and visitors to Sacramento, these actions are important contributors to the reduction of surface and groundwater pollution, air pollution, and greenhouse gases.

## Goal PHS 3.1

**Reduce Exposure to Hazardous Materials and Waste.** Protect and maintain the safety of residents, businesses, and visitors by reducing, and where possible, eliminating exposure to hazardous materials, gases, and waste.

## Policies

**PHS 3.1.1 Investigate Sites for Contamination.** The City shall ensure buildings and sites are investigated for the presence of hazardous materials and/or waste contamination before development for which City discretionary approval is required. The City shall ensure appropriate measures are taken to protect the health and safety of all possible users and adjacent properties. *(RDR)*

**PHS 3.1.2 Hazardous Material Contamination Management Plan.** The City shall require that property owners of known contaminated sites work with Sacramento County, the State, and/or Federal agencies to develop and implement a plan to investigate and manage sites that contain or have the potential to contain hazardous materials contamination that may present an adverse human health or environmental risk. *(RDR)*

**PHS 3.1.3 Household Hazardous Waste Collection Programs.** The City shall continue to provide household hazardous waste collection programs to encourage proper disposal of products containing hazardous materials or hazardous wastes. *(MPSP/SO)*

**PHS 3.1.4 Transportation Routes.** The City shall restrict transport of hazardous materials within Sacramento to designated routes. *(RDR/MPSP)*

**PHS 3.1.5 Clean Industries.** The City shall strive to maintain existing clean industries in the city and discourage the expansion of businesses, with the exception of health care and related medical facilities that require on-site treatment of hazardous industrial waste. *(RDR)*

**PHS 3.1.6 Compatibility with Facilities.** The City shall ensure that future development of treatment, storage, or disposal facilities is consistent with the County's Hazardous Waste Management Plan, and that land uses near these facilities, or proposed sites for the storage or use of hazardous materials, are compatible with their operation. *(RDR/IGC)*

**PHS 3.1.7 Compatibility with Natural Gas Facilities.** The City shall ensure, wherever possible, that natural gas storage facilities are located away from park and recreation areas and urban residential land uses due to potential health and safety hazards associated with natural gas storage.

**PHS 3.1.8 Education.** The City shall continue to educate residents and businesses on how to reduce or eliminate the use of hazardous materials and products, and shall encourage the use of safer, nontoxic, environmentally friendly equivalents. *(PI)*

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# Citywide Utilities

Policies in this section provide for high-quality and efficient utility services throughout the city. A level of service for all utilities will be established and utilities will be managed to meet the established level of service. Utility policies promote sustainability and seek to limit impacts to environmentally sensitive areas.

## Goal U 1.1

**High-Quality Infrastructure and Services.** Provide and maintain efficient, high-quality public infrastructure facilities and services throughout the city.

### Policies

**U 1.1.1 Provision of Adequate Utilities.** The City shall continue to provide and maintain adequate water, wastewater, and stormwater drainage utility services to areas in the city currently receiving these services from the City, and shall provide and maintain adequate water, wastewater, and stormwater drainage utility services to areas in the city that do not currently receive these City services upon funding and construction of the infrastructure necessary to provide these City services. *(MPSP/SO)*

**U 1.1.2 Citywide Level of Service Standards.** The City shall establish and maintain service standards [Levels of Service (LOS)] for water, wastewater, stormwater drainage, and solid waste services. *(MPSP/SO)*

**U 1.1.3 Sustainable Facilities and Services.** The City shall continue to provide sustainable utility services and infrastructure in a cost-efficient manner. *(MPSP/SO)*

**U 1.1.4 Service Districts.** The City shall review existing adjacent and overlapping service districts and consider whether annexation, consolidation, and/or retention of existing service districts for drainage, wastewater, and solid waste is needed to increase the efficiency and quality of service and delivery. *(MPSP/PS)*

**U 1.1.5 Timing of Urban Expansion.** The City shall assure that new public facilities and services are phased in conjunction with the approved urban development it is intended to serve. *(MPSP/SO)*

**U 1.1.6 Growth and Level of Service.** The City shall require new development to provide adequate facilities or pay its fair share of the cost for facilities needed to provide services to accommodate growth. *(JP)*

**U 1.1.7 Infrastructure Finance.** The City shall develop and implement a financing strategy and assess fees to construct needed water, wastewater, stormwater drainage, and solid

waste facilities to maintain established service levels and to mitigate development impacts to these systems (e.g., pay capital costs associated with existing infrastructure that has inadequate capacity to serve new development). The City shall also assist developers in identifying funding mechanisms to cover the cost of providing utility services in infill areas. *(MPSP/FB)*

**U 1.1.8 Infill Areas.** The City shall identify and prioritize infill areas for infrastructure improvements. *(PS)*

**U 1.1.9 Joint Use Facilities.** The City shall support the development of joint use water, drainage, and other utility facilities as appropriate in conjunction with schools, parks, golf courses, and other suitable uses to achieve economy and efficiency in the provision of services and facilities. *(IGC/SO)*

**U 1.1.10 Safe, Attractive, and Compatible Utility Designs.** The City shall ensure that public utility facilities are designed to be safe, aesthetically pleasing, and compatible with adjacent uses. *(RDR/MPSP)*

**U 1.1.11 Compatibility with Natural Gas Facilities.** The City shall ensure, wherever possible, that natural gas storage facilities are located away from park and recreation areas and urban residential land uses due to potential health and safety hazards associated with natural gas storage.

**U 1.1.12 Underground Utilities.** The City shall require undergrounding of all new publicly owned utility lines, encourage undergrounding of all privately owned utility lines in new developments, and work with electricity and telecommunications providers to underground existing overhead lines. *(RDR/IGC)*

**U 1.1.13 Impacts to Environmentally Sensitive Lands.** The City shall locate and design utilities to avoid or minimize impacts to environmentally sensitive areas and habitats. *(MPSP/RDR)*

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