

# 2025 L Street / 2101 Capitol Avenue Mixed-Use Project

Final Environmental Impact Report

Project No. P14-045 - SCH No. 2014112053

Prepared for:

*City of*  
**SACRAMENTO**

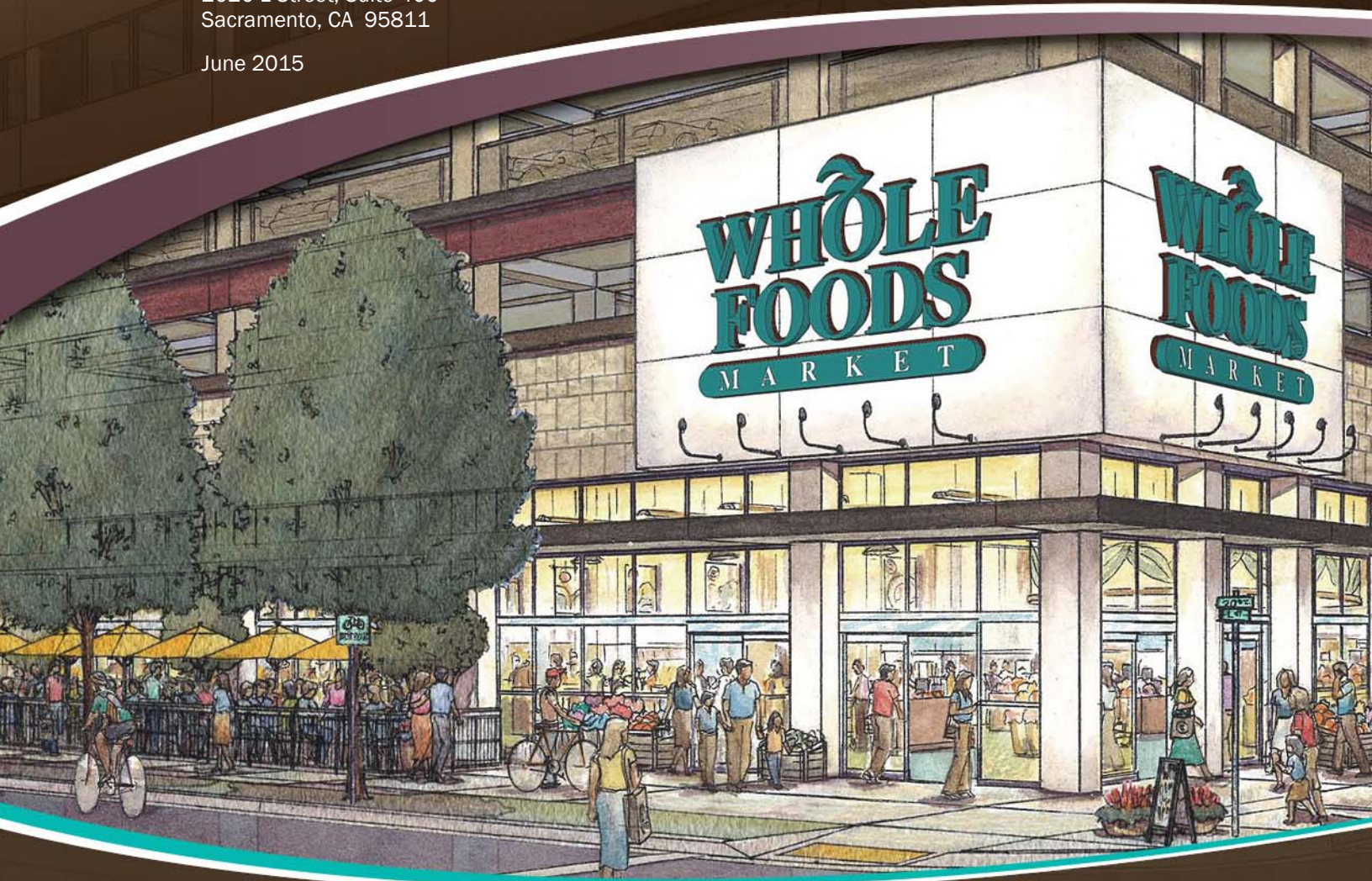
Community Development Department  
Environmental Planning Services

Prepared by:

**AECOM**

2020 L Street, Suite 400  
Sacramento, CA 95811

June 2015





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Project No. P14-045 – SCH No. 2014112053

Prepared for:

The City of Sacramento  
Community Development Department  
Environmental Planning Services  
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June 2015

60334359



# TABLE OF CONTENTS

<b>Section</b>		<b>Page</b>
<b>1</b>	<b>INTRODUCTION .....</b>	<b>1-1</b>
1.1	Contents of the Final EIR .....	1-1
1.2	Use of the Final EIR .....	1-2
<b>2</b>	<b>COMMENTS AND RESPONSES TO COMMENTS .....</b>	<b>2-1</b>
2.1	List of Commenters on the Draft EIR .....	2-1
2.2	Master Responses .....	2-2
2.3	Comments and Responses to Comments on the Draft EIR.....	2-6
2.4	References .....	2-65
2.5	Preparers.....	2-66
<b>3</b>	<b>REVISIONS TO THE DRAFT EIR .....</b>	<b>3-1</b>

## **Exhibits**

Exhibit 2-1.	Revised Plan - Parking Structure on Left and St. Anton Building to the Right. ....	2-35
Exhibit 2-2.	Construction Schedule Estimate .....	2-55

## **Tables**

Table 2-1	Written Comments Received on the Draft EIR.....	2-1
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## **Appendix**

A	Mitigation Monitoring and Reporting Program	
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## ACRONYMS AND OTHER ABBREVIATIONS

ARB	Air Resources Board
BMPs	best management practices
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CEQA	California Environmental Quality Act
City	City of Sacramento
CO	carbon monoxide
CSS	Combined Sewer System
CVRQCB	Central Valley Regional Water Quality Board
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	lean Water Act
DGS	Department of General Services
Draft EIR	Draft Environmental Impact Report
EIR	environmental impact report
EPA	Environmental Protection Agency
ITE	Institute of Transportation Engineers
LOS	level of service
MOU	Memorandum of Understanding
MTP/SCS	Metropolitan Transportation Plan/Sustainable Communities Strategy
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NOC	Notice of Completion
NOP	Notice of Preparation
ppm	parts per million
proposed project	2025 L Street / 2101 Capitol Avenue Mixed-Use Project
RT	Regional Transit
SABA	Sacramento Area Bicycle Advocates
SACMET	Sacramento Regional Travel Demand Model
SACOG	Sacramento Area Council of Governments
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Metropolitan Utility District
SOCA	Sacramento Old City Association
SQIP	Stormwater Quality Improvement Plan
SSQP	Sacramento Stormwater Quality Partnership
SWPPP	Storm Water Pollution Prevention Plans
TAC	toxic air contaminant
TDM	travel demand model
USACE	U.S. Army Corps of Engineers
VMT	vehicle miles traveled

# 1 INTRODUCTION

The City of Sacramento (City) has directed the preparation of an environmental impact report (EIR) to evaluate the potential environmental effects of the 2025 L Street / 2101 Capitol Avenue Mixed-Use Project (the proposed project), in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.).

In accordance with Section 15088 of the State California Environmental Quality Act (CEQA) Guidelines, the City of Sacramento, as the lead agency, has reviewed the comments received on the Draft Environmental Impact Report (Draft EIR) for the proposed project and has prepared written responses to the comments received.

The City has asked for input from federal, state, and local agencies; organizations; and members of the public regarding the issues that should be evaluated in the EIR. The City circulated a Notice of Preparation (NOP) for the EIR in order to receive comments related to the scope of analysis. The NOP for the Draft EIR, along with an Initial Study checklist, were circulated to public agencies and the public starting on November 21, 2014, and comments were accepted until January 5, 2015. In addition, the City invited additional comments on the scope of the EIR at a public meeting held on December 10, 2014, at 4:30 p.m. at Sacramento City Hall, 915 I Street.

## 1.1 CONTENTS OF THE FINAL EIR

The Draft EIR (State Clearinghouse Number 2014112053) was received on April 3, 2015 by the State Clearinghouse and circulated for public comment until May 18<sup>th</sup>, 2015. The City has now prepared this Final EIR, which includes:

- ▶ A full list of agencies, organizations, and individuals that provided comments on the Draft EIR;
- ▶ Verbatim comments on the Draft EIR and a summary of comments;
- ▶ Responses to written comments and responses to comments; and
- ▶ The Draft EIR with minor revisions (detailed in Chapter 3 of this Final EIR).

Chapter 2 of this Final EIR includes the written and oral comments received on the Draft EIR and responses to these comments (as required by the State CEQA Guidelines Section 15132). To assist the reader, each response to a comment also includes a brief summary of the comment.

The Final EIR also includes revisions to the Draft EIR. These changes are compiled in Chapter 3, Revisions to the Draft EIR. The text deletions are shown in ~~strikeout~~ and additions are shown in underline. The revisions summarized in Chapter 3 of this EIR do not change the findings presented in the Draft EIR.

This document and the Draft EIR together constitute the Final EIR that is being considered by the City of Sacramento.

## **1.2 USE OF THE FINAL EIR**

The Final EIR allows the public and the City an opportunity to review revisions to the Draft EIR and the Responses to Comments. The Final EIR serves as the environmental document to inform the City Council's consideration of the proposed project, either in whole or in part, or one of the alternatives to the project discussed in the Draft EIR.

As required by Section 15090(a)(1)-(3) of the CEQA Guidelines, a Lead Agency, in certifying a Final EIR, must make the following three determinations:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgment and analysis.

As required by Section 15091 of the CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The possible findings are:

1. Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.



## 2 COMMENTS AND RESPONSES TO COMMENTS

The EIR is an informational document intended to disclose to the City and the public the environmental consequences of approving and implementing the 2025 L Street / 2101 Capitol Avenue Mixed-Use Project (the proposed project) or one of the alternatives to the project described in the Draft EIR.

This Chapter of the Final EIR includes comment letters received during the public review period for the Draft EIR, which concluded on May 18<sup>th</sup>, 2015, as well as letters received after the close of the public review period that relate to the project. In conformance with CEQA Guidelines Section 15088(a), the City has prepared written responses to all comments that addressed environmental issues related to the project. The focus of the responses to comments is on the disposition of significant environmental issues that are raised in the comments, as specified by Section 15088(c) of the CEQA Guidelines.

### 2.1 LIST OF COMMENTERS ON THE DRAFT EIR

Comments on the Draft EIR were submitted to the City of Sacramento Community Development Department during and shortly following the public review period. **Table 2-1**, below, indicates the numeric designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

<b>Table 2-1 Written Comments Received on the Draft EIR</b>		
Letter	Commenter	Date
<b>Agencies</b>		
A1	California Department of Transportation (Caltrans)	May 18, 2015
A2	Central Valley Regional Water Quality Control Board (CVRWQCB)	May 11, 2015
A3	California Department of General Services (DGS)	May 11, 2015
A4	Sacramento Metropolitan Utility District (SMUD)	May 20, 2015
A5	Native American Heritage Commission	May 18, 2015
<b>Individuals</b>		
I1	Sylvia Rogers Barnes	May 15, 2015
I2	Michael Hooper	May 18, 2015
I3	Dale Kooyman	May 3, 2015
I4	Deanna Marquart	May 20, 2015
I5	Donna Steele	April 16, 2015
I6	Lynne Stevenson	May 17, 2015
I7	Samara Palko	May 18, 2015
<b>Organizations</b>		
O1	Midtown Business Association	April 7, 2015 (received May 21, 2015)

## 2.2 MASTER RESPONSES

Several commenters address topics related to traffic and bicycle/pedestrian safety, particularly in relation to the proposed parking structure at the 2101 Capitol Avenue portion of the project and Liestal Alley. The City has developed two master responses to these topics. In Section 2.3, commenters are referenced back to these Master Responses, as appropriate.

### 2.2.1 MASTER RESPONSE 1: TRAFFIC VOLUMES ENTERING AND EXITING THE PROPOSED PARKING STRUCTURE AT 2101 CAPITOL AVENUE

Several comments expressed concerns about traffic entering and exiting the proposed project parking structure at 2101 Capitol Avenue and the potential conflict between trucks and other vehicles at the Liestal Alley.

Table 4.7-5 of the Draft EIR (page 4.7-25) documents the peak-hour project site trips expected to park at the 2101 Capitol Avenue parking garage. There are two types of trips number of trips entering and exiting the proposed parking structure at 2101 Capitol Avenue:

1. **Trips generated by existing land uses:** these are trips that are either currently parking at the existing surface parking at 2101 Capitol Avenue or at the existing parking structure/surface parking at 2025 L Street (which would both be removed by the proposed project). These trips would not be permitted to park on the ground floor of the proposed parking structure and must enter and exit the parking structure via Liestal Alley. The number of existing trips at 2101 Capitol Avenue during the AM and PM peak hours is based on count data taken at both the existing surface parking at 2101 Capitol Avenue and the existing parking structure/surface parking at 2025 L Street.
2. **Trips generated by new land uses:** these are trips generated by the proposed retail component of the 2101 Capitol Avenue portion of the proposed project site. These trips are permitted to park on the ground floor of the parking structure and can enter from either Liestal Alley or Capitol Avenue but must exit to Capitol Avenue. The number of new trips at 2101 Capitol Avenue during the AM and PM peak hours is calculated using methodology that is standard practice across the transportation planning and traffic engineering industry. The Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition contains trip generation rates for different types of uses. These rates are based on nationwide research conducted by ITE and are specific to the time of day and type of land use. To calculate the number of trips generated by 2101 Capitol Avenue during the AM and PM peak hours, rates referenced in the ITE Trip Generation Manual were multiplied by the amount of each land use type.

The number of trips entering and exiting the proposed parking structure at 2101 Capitol Avenue is the sum of the two trip types described above. Although the 2101 Capitol Avenue parking structure proposes 411 stalls (previously proposed to include 425 stalls), it is not reasonable to assume that 411 trips will arrive and depart during the AM and PM peak hours. Rather, the trips arriving and departing during the AM and PM peak hours are the sum of (A) existing trips currently entering or leaving either the existing 2025 L Street parking garage/surface parking or the existing 2101 Capitol Avenue surface

parking lot and (B) the “new” trips generated by the retail component of the proposed 2101 Capitol Avenue development. This approach is consistent with the project application and the Initial Study (Draft EIR Appendix A), which states that:

“The replacement parking would serve the existing 2020 L Street offices, which are currently served by the two-story parking garage to be demolished on the 2025 L Street property. This new parking would also replace the existing surface parking on the site. In the evenings, parking spaces in the structure would also be available for public use.”

Since the replacement parking would serve only existing land uses on weekdays, and field observations indicate that the existing lots do not operate at capacity, there is no evidence that increasing the number of parking spaces would induce additional off-street parking demand. For this reason, the Draft EIR calculates potential increases in travel within the area based upon proposed increases in land use, and not increases in parking supply.

With regard to the potential conflict between trucks and other vehicles at the Liestal Alley access points, the Draft EIR discloses this potential conflict, and includes the following:

“An evaluation of the plans was completed using AutoTURN software to determine if adequate maneuvering distance is available for delivery trucks to access the loading dock. This evaluation found that sufficient clearance exists for an AASHTO 2011 (US) WB-40 design vehicle (45.5 feet total length with a 33 foot long trailer) to access the loading dock, assuming that the delivery vehicle turns onto Liestal Alley from northbound 21st Street and backs into the loading dock

Delivery vehicles accessing the proposed loading dock would potentially conflict with vehicular traffic on the alley including vehicles entering/exiting the proposed parking structure, which would be accessed via a ramp located approximately 25 feet east of the loading dock. For this reason, it is recommended that deliveries to the 2101 Capitol Avenue loading dock be limited to off-peak hours (i.e., before 7:00 AM, between 9:00 AM and 4:00 PM, and after 6:00 PM) on weekdays.”

The trip generation analysis and truck maneuvering analysis described above were used to assess potential impacts to vehicular travel on the alley. The Draft EIR evaluated operations at the alley intersections and concluded that an increase in traffic in the alley is not expected to result in substantial delays for vehicles turning from Liestal Alley onto 21st Street or 22nd Street, as documented in Table 4.7-2 of the Draft EIR.

No significant impacts were identified at either of these locations under Existing Plus Project or Cumulative Plus Project conditions. The Draft EIR includes multiple recommendations to improve visibility for vehicles exiting Liestal Alley, which are outlined in Master Response 2, below.

It should also be noted that during discussions with the public regarding access to the 2101 Capitol Avenue parking structure, the following three potential access alternatives to the proposed project access were suggested:

- ▶ **Access Alternative 1:** Prohibit trips from the proposed parking structure from using 22<sup>nd</sup> Street to exit Liestal Alley (i.e., require all trips to make a left turn out of the parking structure and travel to 21<sup>st</sup> Street)
- ▶ **Access Alternative 2:** Allow trips to/from the parking structure to access Liestal Alley via either 21<sup>st</sup> Street or 22<sup>nd</sup> Street, but prohibit left-turns onto 22<sup>nd</sup> Street from Liestal Alley
- ▶ **Access Alternative 3:** Provide access via ramps to/from Capitol Avenue (and eliminate access to/from Liestal Alley)

The access alternatives are not related to the alternatives to the proposed project described in Chapter 5 of the EIR, which were developed to address potentially significant impacts associated with implementation of the project. The City evaluated each of the above access alternatives, and the findings are as follows:

- ▶ **Access Alternative 1** would concentrate additional motor vehicle traffic at the 21<sup>st</sup> Street/Liestal Alley intersection. As documented in the Draft EIR on Table 4.7-6 (page 4.7-32) and Table 4.7-8 (page 4.7-41), implementation of the project would increase delay for vehicles turning from Liestal Alley onto 21<sup>st</sup> Street. Under Existing Plus Project conditions, delay for these vehicles would increase to an average of 31 seconds (level of service [LOS] D) during the PM peak hour; under Cumulative Plus Project conditions delay for these vehicles would increase to an average of 74 seconds (LOS F) during the PM peak hour. While these levels of delay are considered acceptable according to the City's significance criteria, this level of delay would result in queuing of vehicles on Liestal Alley approaching 21<sup>st</sup> Street during the PM peak hour. The same tables indicate that delay for vehicles turning from Liestal Alley onto 22<sup>nd</sup> Street would remain less than 10 seconds (LOS A) during all peak hours under all scenarios. Therefore, concentrating additional traffic at the 21<sup>st</sup> Street/Liestal Alley intersection would result in additional delay and queuing at this location (beyond the levels reported in the Draft EIR), and eliminate the ability of drivers to choose an alternative route with less delay (i.e., 22<sup>nd</sup> Street). Maintaining two points of ingress/egress via Liestal Alley, from both 21<sup>st</sup> Street and 22<sup>nd</sup> Street, would provide drivers with options and allow for the dispersion of traffic during the infrequent time periods during which drivers would experience delay while attempting to turn onto 21<sup>st</sup> Street (primarily in the PM peak hour). It should also be noted that this turn prohibition would be against driver expectation, would likely have a high non-compliance rate, and would be difficult to enforce. Access Alternative 1 would also concentrate additional motor vehicle traffic at a location that was identified in the Draft EIR as having limited sight distance, and as a potential point of conflict between motor vehicles and pedestrians (see Master Response 2 for additional information on this topic). It should also be noted that similar limitations to sight distance do not exist at the 22<sup>nd</sup> Street/Liestal Alley intersection and visibility of pedestrians to eastbound vehicular traffic is superior at this location (relative to the 21<sup>st</sup> Street/Liestal Alley intersection). For these reasons, Access Alternative 1 will not be pursued.
- ▶ **Access Alternative 2** would further concentrate motor vehicle traffic at the 21<sup>st</sup> Street/Liestal Alley intersection, and be associated with the same two concerns discussed

above, but to a much lesser degree. It should also be noted that the modeling completed for the Draft EIR indicates minimal demand exists for drivers to make eastbound-to-northbound turning movements at the 22nd Street/Liestal Alley intersection. A comparison of Draft EIR Exhibits 4.7-3B and 4.7-8B shows that implementation of the proposed project would result in 15 additional PM peak-hour trips on this movement. This minimal increase is primarily due to the fact that 22nd Street is a two-way street with side-street stop control at most east-west streets (including the adjacent L Street to the north and Capitol Avenue to the south), meaning that drivers on 22nd Street must often yield to east-west traffic at intersections. Therefore, 22nd Street is generally not conducive to through travel by motor vehicles. Conversely, 21st Street is a one-way arterial roadway that features two northbound travel lanes and coordinated traffic signal timings (i.e., more efficient and attractive to drivers). Prohibiting a movement that would likely occur with relatively low frequency is generally unnecessary, against driver expectation, and difficult to enforce. Implementation of this improvement would not change the conclusions of the Draft EIR.

- ▶ **Access Alternative 3** would result in a major project access point in close proximity to a signalized intersection (21st Street/Capitol Avenue). The location of this access would interfere with operations at the signalized 21st Street/Capitol Avenue intersection, and therefore, would require the installation of an eastbound dedicated left-turn lane. Installation of a turn lane would necessitate the removal of existing Class II bicycle lanes located on Capitol Avenue, which would conflict with goals and policies contained in multiple City policy documents, including the City of Sacramento General Plan and Bicycle Master Plan. It should also be noted that alley design standards documented in the City's Design and Procedures manual specifically state that public alleys may be used for site access, provided that they are improved to City standards (City of Sacramento 2009).

## **2.2.2 MASTER RESPONSE 2: PEDESTRIAN AND BICYCLIST SAFETY AT THE LIESTAL ALLEY ACCESS POINTS TO 21ST STREET AND 22ND STREET**

Several comments raised concerns about pedestrian and bicyclist safety at the Liestal Alley access points to 21st Street and 22nd Street.

Pages 4.7-34 and 4.7-43 of the Draft EIR outline potential impacts related to pedestrian facilities under Existing Plus Project and Cumulative Plus Project conditions, respectively. As documented in the Draft EIR, continuous sidewalks exist on both sides of all streets fronting the proposed project. These sidewalks provide eight-foot-wide clear zones for pedestrian travel adjacent to planter strips that provide a buffer between the sidewalk and vehicular travel lanes/parking lanes. All intersections adjacent to the proposed project feature marked crosswalks on all approaches. The proposed project would not disrupt existing or planned pedestrian facilities, nor conflict with adopted City pedestrian plans, guidelines, policies or standards. All potential impacts to pedestrian facilities were found to be less than significant in the Draft EIR.

Pages 4.7-33 and 4.7-42 of the Draft EIR outline potential impacts related to bicycle facilities under Existing Plus Project and Cumulative Plus Project conditions, respectively. As documented in the Draft

EIR, implementation of the proposed project would not remove any existing bicycle facilities, including the existing Class II bicycle lanes fronting the project on L Street, 21st Street, and Capitol Avenue; nor would the project interfere with the construction of any planned bicycle facilities. All potential impacts to bicycle facilities were found to be less than significant.

Although the Draft EIR did not identify impacts to bicycle and pedestrian facilities per the City's significance criteria, pages 4.7-44 and 4.7-45 of the Draft EIR include detailed recommendations related to bicycle and pedestrian safety at the Liestal Alley access points to 21st Street and 22nd Street. As documented in the Draft EIR, due to existing structures that flank both sides of the alley's approach to 21st Street, sight distance is impeded at this location. Recommendations include the following:

- ▶ "Fish-eye" mirror mounted on existing utility pole at the southeast quadrant of the 21st Street/Liestal Alley intersection to improve westbound motorists' visibility of oncoming pedestrians.
- ▶ Appropriate regulatory warning signage and pavement markings for westbound motorists (e.g. stop control, "watch for pedestrians," striping a stop bar on the westbound Liestal Alley approach to 21st Street, etc.)
- ▶ Stenciling on sidewalk to warn pedestrians of oncoming motorists.

## **2.3 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR**

The written comments received on the Draft EIR and the responses to those comments are provided in this section. Each comment letter is reproduced in its entirety and is followed by the response(s) to the letter. Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter.

### **2.3.1 AGENCY COMMENTS AND RESPONSES TO COMMENTS**

#### **COMMENT LETTER A1 – CALIFORNIA DEPARTMENT OF TRANSPORTATION**

**Letter A1**

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 3 – SACRAMENTO AREA OFFICE  
2379 GATEWAY OAKS DRIVE, STE 150 - MS 19  
SACRAMENTO, CA 95833  
PHONE (916) 274-0635  
FAX (916) 263-1796  
TTY 711



*Serious drought.  
Help save water!*

May 18, 2015

# 032015-SAC-0065  
03-SAC-51 / PM .78  
SCH#2014112053

Ms. Dana Mahaffey  
Community Development  
City of Sacramento  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811

**2025 L Street / 2101 Capitol Avenue Mixed-Use Project – Draft Environmental Impact Report (DEIR)**

Dear Ms. Mahaffey:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 2025 L Street / 2101 Capitol Avenue Mixed-Use Project. Previously, on October 22, 2014 Caltrans sent comments for the Application review when the title of the project was Whole Foods. Despite the change in title, the project still proposes construction of 2 structures. The structure that will be located at 2025 L Street, between 20<sup>th</sup> and 21<sup>st</sup> Streets, will be a 6-level mixed-use building with 141 residential units, including approximately 42,000 square-feet (sqft) of the ground level dedicated for a Whole Foods Market. Customer parking for the Whole Foods establishment will be provided on the second and third floors. The second structure at 2020 L Street will be another 6-story structure that will contain a 13,000 sqft retail development on the ground floor, and the remaining 5-stories will be for approximately 123 parking spaces for use by the existing 2020 L Street offices, which will replace the current parking for those offices. Project entitlements include a general plan amendment to amend land uses from Traditional Neighborhood Medium to Urban Corridor Low, a rezone from Residential Office to general Commercial, a tentative map subdivision, a conditional use permit, a sign variance, and a site plan and design review for the proposed new construction.

A1-1  
A1-2

Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comment consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl. The following comments are based on the DEIR.

A1-3

*"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"*

***Subregional Fee Program***

We encourage the City to condition the project to pay into a subregional fee program to reduce vehicle miles traveled on the SHS as a good regional partner. One approach used by a recent local development (the Sacramento Entertainment Center and Sports Complex Project--ESC) was payment to the I-5 Subregional Impact Fee Program. Furthermore, the I-5 Subregional Fee Program and nexus study in its current form is a "smart growth" type of structure. Extensive modeling was completed for the fee program's nexus study to show the effects of placing certain types of development in various locations in the study area and its effects on the SHS. Residential projects in downtown Sacramento would pay less fees than projects in more suburban settings of the program area because it helps improve the regional jobs/housing balance.

A1-4

***Cumulative Ramp Queuing Conditions***

The cumulative analysis included future land development projects such as the Entertainment Sports Center, the Railyards, the McKinley Village, and Downtown/Riverfront and streetcar projects (page 4.7-36). The existing plus project queues on the J Street/State Route (SR) 51 (300/225 feet) and N Street/SR 51 ramps (450/275) for am and pm peak hours were the same values as for the cumulative condition. (Tables 4.7-7 and 4.7-9) Please explain why there is no difference between the existing plus project and cumulative plus project conditions results.

A1-5

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

A1-6

If you have any questions regarding these comments or require additional information, please contact Arthur Murray, Intergovernmental Review Coordinator at (916) 274-0616 or by email at: [arthur.murray@dot.ca.gov](mailto:arthur.murray@dot.ca.gov).

Sincerely,



ERIC FREDERICKS, Chief  
Office of Transportation Planning – South

c: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"*



### **RESPONSE TO COMMENT A1-1**

*The commenter thanks the City for including Caltrans in the review process.*

The City acknowledges the comment from Caltrans and has provided responses to comments offered in this letter, below.

### **RESPONSE TO COMMENT A1-2**

*The commenter provides background on proposed project.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR. The 2101 Capitol Avenue portion of the proposed project has been revised to move the proposed parking structure further away from the existing apartment building, known as the St. Anton building. This change has resulted in the reduction of parking spaces in this proposed parking structure of approximately 14 spaces. Otherwise, the summary of the proposed project in this comment appears to be current. The project revisions do not result in any new significant environmental impacts nor a substantial increase in the severity of impacts discussed in the Draft EIR.

### **RESPONSE TO COMMENT A1-3**

*The commenter provides background on Caltrans' mission, vision, and goals.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR. The City acknowledges Caltrans' mission in relation to sustainability, livability, economic development, and safety and health.

### **RESPONSE TO COMMENT A1-4**

*The commenter provides information on Subregional Fee Program.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and the City acknowledges Caltrans' thoughts related to the structure of development impact fees. This comment is noted and is provided in this Chapter for decision maker consideration. Since the project does not have significant impacts related to transportation, the Draft EIR is not required to identify mitigation to address any impacts of the project. The City looks forward to continued cooperation with Caltrans regarding funding for improvements that would reduce vehicle miles traveled (VMT) on the State Highway System.

### **RESPONSE TO COMMENT A1-5**

*The commenter discusses Cumulative Ramp Queuing Conditions: The commenter asks for an explanation why there is no difference between existing plus project and cumulative plus project conditions in Tables 4.7-7 and 4.7-9.*

As documented on page 4.7-36 of the Draft EIR, the most recent version of the Sacramento Regional Travel Demand Model (SACMET) regional travel demand model (TDM) developed and maintained by

the Sacramento Area Council of Governments (SACOG) was used to forecast cumulative (year 2035) traffic volumes within the study area. The cumulative version of this model accounts for planned land use growth within the City of Sacramento according to the City's 2030 General Plan, as well as within the surrounding region. The SACMET model also accounts for planned improvements to the surrounding transportation system, and incorporates the current Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for the Sacramento region. The version of the model used to develop the forecasts was modified to include the most recent planned land uses and transportation projects within the City of Sacramento.

According to this model, mainline volumes on Business 80 within the study area are projected to increase in the future, while the volumes on off-ramps within the study area are projected to remain similar to existing conditions. This is due to multiple factors, including the built-out nature of the immediate area surrounding the freeway ramps, as well as further degraded operating conditions on the Business 80 mainline due to future growth in traffic volume without corresponding increases in freeway capacity.

The Interstate 80 and Capital City Freeway Corridor System Management Plan (Caltrans May 2009) indicates that Business 80 currently operates at LOS F during the AM and PM peak hours within the project study area, and that it is projected to continue to operate at LOS F in the future. The further degraded operating conditions on the Business 80 mainline in the future will inhibit the facility's ability to deliver additional traffic to the off-ramps during peak hours.

Higher volume and delay on the Business 80 freeway mainline is also projected to increase reliance upon local streets under cumulative year conditions. For example, a comparison of Draft EIR Exhibit 4.7-3 (page 4.7-11) to Exhibit 4.7-9 (page 4.7-38) reveals that the 29th Street/J Street intersection (intersection number four) experiences a minimal increase in volume on the Business 80 off-ramp between existing and cumulative conditions, but a very large increase in volume on the 29th Street southbound through movement. This result is primarily due to the diversion of traffic off of the congested freeway and onto local streets with additional available capacity.

### **RESPONSE TO COMMENT A1-6**

*The commenter asks the City to provide Caltrans with copies of any further actions.*

The City will provide notification of future actions related to the project and will circulate these responses to comments to each agency, organization, and individual that commented on the Draft EIR.

### **COMMENT LETTER A2 – CALIFORNIA VALLEY REGIONAL WATER QUALITY CONTROL BOARD**



**Central Valley Regional Water Quality Control Board**

11 May 2015

Dana Mahaffey  
City of Sacramento  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95811

CERTIFIED MAIL  
7014 2870 0000 7535 8799

**COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, 2025 L STREET / 2101 CAPITOL AVENUE MIXED-USE PROJECT, SCH# 2014112053, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 3 April 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the 2025 L Street / 2101 Capitol Avenue Mixed-Use Project, located in Sacramento County.

A2-1

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.

**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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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).

A2-2

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

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER  
11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)



**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

A2-3

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

A2-4

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.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 (USACOE). If a Section 404 permit is required by the USACOE, 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.

A2-5

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE 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 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.

A2-6

**Waste Discharge Requirements**

If USACOE 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 will 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.

A2-7

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory

A2-8

Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

↑  
A2-8  
cont.

**Low or 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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

A2-9

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/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

A210

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

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

A2-11

If you have questions regarding these comments, please contact me at (916) 464-4684 or [tcleak@waterboards.ca.gov](mailto:tcleak@waterboards.ca.gov).



Trevor Cleak  
Environmental Scientist

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

## **RESPONSE TO COMMENT A2-1**

*The commenter explains the responsibility of protecting surface and groundwaters of the state.*

The Central Valley Regional Water Quality Board (CVRQCB), as noted by the commenter, was one of the agencies identified to review the Draft EIR in the Notice of Completion (NOC) included with the Draft EIR delivered to the State Clearinghouse. The role of the CVRWQCB is summarized in the Initial Study prepared for the proposed project (see Appendix A of the Draft EIR, page 42).

## **RESPONSE TO COMMENT A2-2**

*The commenter identifies that the General Construction Permit requires a SWPPP to be developed and implemented.*

Existing water quality regulations, including requirements related to the National Pollutant Discharge Elimination System permit, General Construction Activity Stormwater Permit (Construction General Permit), and Storm Water Pollution Prevention Plans (SWPPP) are discussed starting on page 42 of the Initial Study (Draft EIR Appendix A). As noted, the SWPPP must include best management practices (BMPs) to reduce construction effects on receiving-water quality by implementing erosion and sediment control measures and reducing or eliminating nonstormwater discharges. Examples of construction BMPs typically included in SWPPPs include using temporary mulching, seeding, or other suitable stabilization measures to protect uncovered soils; storing materials and equipment to ensure that spills or leaks cannot enter the storm drain system or surface water; developing and implementing a spill prevention and cleanup plan; and installing sediment-control devices, such as gravel bags, inlet filters, fiber rolls, or silt fences to reduce or eliminate sediment and other pollutant discharges to drainage systems or receiving waters. As also noted, the City has adopted a Grading, Erosion, and Sediment Control Ordinance (Chapter 15.88 of the Sacramento City Code) to require preparation of a grading plan, erosion and sediment control plan, and post-construction erosion and sediment control plan with BMPs, which must be approved by the City. In addition, the City's Stormwater Management and Discharge Control Ordinance (Chapter 13.16 of the Sacramento City Code) requires that projects take steps to minimize and contain sediment and pollutants in stormwater discharges from construction sites.

## **RESPONSE TO COMMENT A2-3**

*The commenter references that Phase I and II Municipal Separate Storm Sewer System Permits require low impact development/post-construction BMPs in early stages of project during entitlement, CEQA, and development plan review processes.*

As noted on page 42 of the Initial Study (Draft EIR Appendix A), the City operates two different systems for stormwater collection and conveyance. The older Central City area is served by a system in which sanitary sewage and storm drainage are collected and conveyed in the same system of pipelines, referred to as the Combined Sewer System (CSS). The CSS is regulated under its own NPDES permit. The project site is located in an area served by the CSS. As described in the Hydrology and Water Quality section of Appendix A of the Draft EIR (Draft EIR Appendix A, pages 47 and 48), the

Stormwater Quality Improvement Plan (SQIP) outlines the priorities, key elements, strategies, and evaluation methods of the City's Stormwater Management program. The SQIP was prepared as part of the Sacramento County area-wide NPDES MS4 Permit. In addition, the Sacramento City Code Section 13.08.145 requires that when a property contributes drainage to the storm drain system or to the City Combined Sewer System (CSS), all storm water and surface runoff drainage impacts resulting from the improvement or development must be fully mitigated to ensure that the improvement or development does not affect the function of the storm drain system or CSS. As discussed on pages 47 and 48 of the Initial Study, conformance with City regulations and permit requirements along with implementation of BMPs would ensure that the proposed project would result in a less-than-significant impact related to erosion, siltation, stormwater discharges, flows, and water quality.

#### **RESPONSE TO COMMENT A2-4**

*The commenter identifies that storm water discharges must comply with regulations in Industrial Storm Water General Permit Order 97-03-DWQ.*

The Industrial Stormwater General Permit does not apply to the project.

#### **RESPONSE TO COMMENT A2-5**

*The commenter references the 404 Permit: If required, CVRQCB will review application to ensure discharge will not violate water quality standards.*

Section 404 of the federal Clean Water Act (CWA) requires a project applicant to obtain a permit from the U.S. Army Corps of Engineers (USACE) before engaging in any activity that involves any discharge of dredged or fill material into waters of the United States, including wetlands. There are no waterways, wetlands, or aquatic resources on the project site. Therefore, a Section 404 permit is not required for the project.

#### **RESPONSE TO COMMENT A2-6**

*The commenter references the 401 Permit: If any permit is required for the project due to disturbance of waters of the U.S., Water Quality Certification must be obtained from CVRQCB.*

There are no waterways, wetlands, or aquatic resources on the project site. As noted in the Response to Comment A2-5, there are no federal jurisdictional waters on the proposed project site. Therefore, no Section 401 water quality certification is required for the project.

#### **RESPONSE TO COMMENT A2-7**

*The commenter notes that the project would require Waste Discharge Requirement permit from CVRQCB if non-jurisdictional waters of the state are present in project area.*

There are no waterways, wetlands, or aquatic resources on the project site. The proposed project site does not contain non-jurisdictional waters of the state and, therefore, no Waste Discharge Requirement permit would be required.



## **RESPONSE TO COMMENT A2-8**

*The commenter discusses regulatory compliance for commercially irrigated agriculture.*

The proposed project does not include irrigated agriculture.

## **RESPONSE TO COMMENT A2-9**

*The commenter references the Low or Limited Threat General NPDES Permit: The project would require NPDES permit if project includes construction dewatering and necessary discharge groundwater to waters of the US.*

Project construction is anticipated to include dewatering (see page 25 of the Initial Study, Appendix A of the Draft EIR). In addition to the State requirements described above, the City requires that any temporary and short-term discharge be permitted, or an approved Memorandum of Understanding (MOU) for long-term discharges be established, between the discharger and the City. Short-term limited discharges of seven days or less must be approved through the City's Department of Utilities by an approval letter. Long-term discharges of greater than seven days must be approved through the City's Department of Utilities and the Director of the Department of Utilities through an MOU process. The MOU must specify the type of groundwater discharge, flow rates, and discharge system design. It also must include a City-approved contaminant assessment of the proposed groundwater discharge indicating tested levels of constituents. In addition, the MOU must provide a City-approved effluent monitoring plan to ensure that contaminant levels remain in compliance with State standards or with levels approved by the Sacramento Regional County Sanitation District and Central Valley RWQCB.

## **RESPONSE TO COMMENT A2-10**

*The commenter invites the City to visit CVRQCB website for more information regarding Low Threat General Order and application process.*

The City acknowledges the website and additional information that is available through the CVRWQCB related to the Low Threat General Order.

## **RESPONSE TO COMMENT A2-11**

*The commenter invites the City to Visit CVRQCB website for more information regarding Limited Threat General Order and application process.*

Please see Response to Comment A2-10, above.

## **COMMENT LETTER A3 – CALIFORNIA DEPARTMENT OF GENERAL SERVICES**

May 11, 2015

Dana Mahaffey  
City of Sacramento  
Community Development Department  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95811

Dear Ms. Mahaffey:

Thank you for the opportunity to review the Notice of Availability-Draft Environmental Impact Report (Report) for the 2025 L Street / 2101 Capitol Avenue Mixed-Use Project located in downtown Sacramento.

A3-1

The Department of General Services (DGS) has a vested interest in the proposed project because it could potentially affect the state-owned properties located at 1500, 1501, 1615, and 1616 Capitol Avenue. The Capitol Area East End Complex, houses approximately 4,800 employees within one-half mile of the proposed development sites.

A3-2

The impacts addressed throughout the Report have been determined to be Less than Significant after Mitigation. However, there are potential concerns regarding public services, transportation and circulation impacts, traffic flow, air quality, and construction noise. As the Report proceeds through the planning review, DGS is requesting the opportunity to review any changes or updates. Should you have any questions, you may contact my staff Ken Uribe at (916) 376-1810.

A3-3

Sincerely,



Angela Verbaere, Assistant Chief  
Asset Management Branch

cc: Cathy Buck, Supervising Senior Real Estate Officer, Asset Management Branch,  
Real Estate Services Division, Department of General Services  
Ken Uribe, Regional Portfolio Manager, Asset Management Branch, Real Estate  
Services Division, Department of General Services

### **RESPONSE TO COMMENT A3-1**

*The commenter thanks the City for the opportunity to review the Draft EIR for the project.*

The City acknowledges the comment from DGS and has provided responses to comments offered in this letter, below.

### **RESPONSE TO COMMENT A3-2**

*The commenter notes that DGS has a vested interest in proposed project due to potential effects to state-owned properties at 1500, 1501, 1615, and 1616 Capitol Avenue.*

The City acknowledges the referenced state-owned buildings, which are located approximately 1,775, 1,760, 1,290, and 1,350 feet from the project site, respectively, as measured at the closest point. The City acknowledges also the concentration of state employees in these buildings and other buildings in the Central Business District of Sacramento. The Draft EIR evaluates the potential environmental effects of the proposed project, including any relevant adverse environmental impacts that would be perceived at the referenced state-owned buildings.

### **RESPONSE TO COMMENT A3-3**

*The comment raises concerns regarding public services, transportation and circulation, traffic flow, air quality, and construction noise. DGS requests opportunity to review any changes or updates as the EIR proceeds through review.*

The City prepared an Initial Study for the proposed project to determine if a project may have a significant effect on the environment (State CEQA Guidelines Section 15063[a]). As provided in section 15063 of the CEQA Guidelines, the City has determined that an EIR would be prepared for the project, and the Initial Study attached to the NOP has identified key issues that would be evaluated in the EIR (see Appendix A of the Draft EIR). The Draft EIR includes an evaluation of land use, population, and housing; aesthetics; air quality; cultural resources; energy; greenhouse gas emissions; noise and vibration; and transportation and traffic. Impacts related to public services were evaluated in the Initial Study and, as the commenter has indicated, were determined to be less than significant. As acknowledged in the Draft EIR, construction noise impacts were determined to be significant and unavoidable, although construction noise and vibration on the proposed project site would not be perceptible at the referenced state-owned buildings due to the intervening distance.

The City will notify DGS regarding future actions related to the proposed project.

### **COMMENT LETTER A4 – SACRAMENTO MUNICIPAL UTILITY DISTRICT**



May 20, 2015

Dana Mahaffey  
City of Sacramento  
300 Richards Boulevard  
Sacramento, CA 95811

Subject: EIR – 2025 L Street/2101 Capitol Avenue Mixed-Use Project

Dear Ms. Mahaffey,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the EIR – 2025 L Street/2101 Capitol Avenue Mixed-Use Project. SMUD is the primary energy provider for Sacramento County and the proposed project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

A4-1  
A4-2  
A4-3

It is our desire that the EIR acknowledge any project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on smud.org for more information regarding transmission encroachment:
  - <https://www.smud.org/en/do-business-with-smud/documents/Guide-for-Transimssion-Encroachment.pdf>. Some of these requirements include the following
  - <https://www.smud.org/en/business/customer-service/support-and-services/documents/Underground-Structure-T007.pdf>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency
- Climate Change

A4-4  
A4-5  
A4-6  
A4-7  
A4-8

SMUD would like to offer the following comment:

1. There are references on pages 2-23 and 44-10 describing that SMUD lines will be underground. The developer will be responsible for the payment associated with the undergrounding of these lines. Additionally the impacts to Kayak Alley

A4-9  
A4-10



and Liestal Alley associated with the project's electric utility needs should be fully addressed and mitigated where necessary in the City's CEQA document.

↑ A4-10  
cont.

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed project. Please ensure that the information included in this response is conveyed to the project planners and the appropriate project proponents.

↑ A4-11

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on this EIR. If you have any questions regarding this letter, please contact Jose Bodipo-Memba, SMUD Environmental Supervisor at (916) 732-6493.

↑ A4-12

Sincerely,



Rob Ferrera  
Environmental Specialist  
Environmental Management  
Legislative & Regulatory Affairs  
Sacramento Municipal Utility District

Cc: Jose Bodipo-Memba  
Rob Ferrera  
Pat Durham  
Joseph Schofield



## **RESPONSE TO COMMENT A4-1**

*The commenter indicates that SMUD appreciates opportunity to provide comments on the project.*

The City acknowledges the comment from SMUD and has provided response to comments offered in this letter, below.

## **RESPONSE TO COMMENT A4-2**

*The commenter notes that SMUD is the primary energy provider for Sacramento County and proposed project area and that part of SMUD's vision is to increase energy efficiency, protect the environment, reduce global warming, and lower the cost of electricity.*

The City acknowledges that SMUD is the electricity provider in the vicinity of the proposed project site. As noted on page 4.4-1 of the Draft EIR, SMUD generates, transmits, and distributes electricity within its estimated 900-square-mile service area in Sacramento County and a small portion of Placer County (SMUD 2014). The City's acknowledges SMUD's vision.

## **RESPONSE TO COMMENT A4-3**

*The commenter notes that SMUD aims to ensure that the proposed project limits the potential for significant effects on SMUD facilities, employees, and customers.*

The City acknowledges SMUD's interest in review of environmental documents. The City has prepared the Draft EIR to disclose the potentially significant environmental impacts of the project and potential methods to mitigate those impacts, as well as to describe alternatives to the project that could feasibly attain most of the basic objectives of the project, while substantially lessening or avoiding any of the significant environmental impacts.

## **RESPONSE TO COMMENT A4-4 TO A4-8**

*The comment states the EIR should acknowledge project impacts related to the following*

- ▶ Overhead or underground transmission and distribution line easements
- ▶ Utility line routing
- ▶ Electrical load needs/requirements
- ▶ Energy Efficiency
- ▶ Climate Change

The City acknowledges receipt of SMUD's guidance for transmission encroachment and electric service requirements for distribution underground structure. As noted, both portions of the proposed project site are served by SMUD's aboveground and underground electric transmission and distribution lines. It is the City's understanding that SMUD would use existing facilities to supply the necessary service to the

project site. The City and project applicant originally assumed that existing overhead utility lines running along Kayak Alley on the north side of the 2025 L Street portion of the project site and along Liestal Alley on the north side of the 2101 Capitol Avenue portion of the project site would conflict with the proposed buildings and would need to be placed underground. The project has since been revised to increase the distance between the proposed parking structure at 2101 Capitol Avenue and Liestal Alley. This change in the proposed site plan means that there is no longer a conflict with existing overhead facilities and no longer a need to underground the utilities in Liestal Alley. The project revisions do not result in any new significant environmental impacts nor a substantial increase in the severity of impacts discussed in the Draft EIR. In addition, it is anticipated that the project applicant would be required to relocate some existing electrical infrastructure and install pad-mounted transformers and electrical vaults to serve the new buildings. Regardless of the improvements that SMUD will ultimately require, the project applicant will be required to comply with relevant guidance from SMUD on transmission encroachment and electric service requirements for distribution structure in order to avoid any adverse impacts to SMUD facilities.

For a discussion of electrical load and energy efficiency, please see Section 4.4 of the Draft EIR. The City had prepared an estimate of energy demand associated with the project (see Table 4.4-6 on page 4.4-8 of the Draft EIR). As noted, energy would be required for both construction and operational phases of the project. The primary energy demands during construction would be associated with construction vehicle fueling. Energy in the form of fuel and electricity would be consumed during this period by construction vehicles and equipment operating on-site, trucks delivering equipment and supplies to the site, and construction workers driving to and from the site. Proposed residential development on-site will be required to comply with the current energy performance standards found in Title 24 of the California Code of Regulations, including the 2013 California Green Building Code (Part 11 of Title 24), which would result in reductions in energy demand. The 2013 California Green Building Code (Part 11, Title 24) requires mandatory inspections of energy systems (e.g., heat furnace, air conditioner, and mechanical equipment) for non-residential buildings over 10,000 square feet to ensure that all are working at their maximum capacity and according to their design efficiencies. As noted in the Draft EIR, average energy consumption for multi-family housing units is approximately half of the energy consumed by an average single-family detached home (EPA 2013). In addition, compact residential development in transit-oriented locations generally results in approximately 30 percent less energy consumption than traditional single-family detached homes (EPA 2013) (see Draft EIR, page 4.4-9). The proposed project site is located in the Central City area, where there is a highly connected grid street network, relatively frequent transit service, relatively high residential densities and non-residential development intensities, and other characteristics that reduce travel demand. The existing character of the project vicinity and design of the project would allow new residents to access jobs and amenities such as stores, restaurants, and cultural events using public transit, walking, and biking, which would reduce overall transportation-related energy consumption and improve the energy efficiency of the project. In addition, the average distance for vehicle trips associated with the proposed project would be shorter due to the proximity of amenities and places of employment, further reducing transportation-related energy consumption. This is important in relation to energy efficiency because transportation is, by far, the largest energy consuming sector in California, accounting for approximately 38 percent of all energy use in the state (U.S. Energy Information Administration 2012). Since transportation accounts for more energy consumption than heating, cooling, and powering of buildings,

powering industry, or any other use, the travel demand reducing features of the project site and design are important for consideration in an assessment of energy efficiency (Lawrence Berkeley National Laboratory 2013). As described in the EIR, travel demand in the vicinity of the proposed project site is approximately 70-80 percent lower on a per-capita basis compared to regional averages (see Draft EIR, page 4.4-10). Travel demand in the vicinity of the project site is estimated to be 72 to 85 percent lower than the citywide average on a per-capita basis in 2035 (City of Sacramento 2014, Table 4.2-2, page 4.2-6).

Climate change is discussed in Section 4.5 of the Draft EIR. As noted, greenhouse gas (GHG) emissions have the potential to adversely affect the environment because they can contribute, on a cumulative basis, to global climate change. GHG emissions are recognized by the Draft EIR as a potential cumulative impact because although the emissions of one single project would not cause global climate change, GHG emissions from multiple projects could result in a cumulative impact to noticeably change the global average temperature. The project's GHG emissions are quantified (see Table 4.5-1 on page 4.5-13 of the Draft EIR) and the project is evaluated for consistency with the City's Climate Action Plan (CAP). The proposed project's GHG emissions would not be cumulatively considerable since the proposed project was determined to be consistent with the City's CAP (Draft EIR, page 4.5-20). Mitigation Measure 4.5-1 is imposed on the project to ensure consistency with the City's CAP. This mitigation measure requires the project applicant to identify and implement GHG reduction measures that would be as effective or more effective in reducing annual GHG emissions compared to requiring on-site renewable energy systems that would generate at least a minimum of 15% of the project's total energy demand. The substitute measures are required to be enforceable, effective, and quantifiable. One option for the project could be participation in SMUD's Greenergy program.

#### **RESPONSE TO COMMENT A4-9**

*The commenter notes that there are references on pages 2-23 and 4.4-10 describing SMUD lines that will be undergrounded and that the project applicant will be required to pay for costs associated with undergrounding of these lines.*

Please see Response to Comments A4-4 through A4-8. As noted, the project applicant will be required to comply with relevant guidance from SMUD on transmission encroachment and electric service requirements for distribution underground structure in order to avoid any adverse impacts to SMUD facilities. The applicant will be financially responsible for improvements directly needed to accommodate the proposed project.

#### **RESPONSE TO COMMENT A4-10**

*The commenter suggests that impacts to Kayak Alley and Liestal Alley associated with the project's electric utility needs should be fully addressed and mitigated, where necessary, in the City's CEQA document.*

Please see the Response to Comments A4-4 through A4-8.



### **RESPONSE TO COMMENT A4-11**

*The commenter indicates that SMUD wants to be involved in a discussion of the above mentioned areas of interest. Please ensure information included in response is conveyed to project planners and appropriate project proponents.*

The City will coordinate with SMUD and will use the provided contact information in relation to this project. The comment letter has been distributed and reviewed by both the City and applicant team.

### **RESPONSE TO COMMENT A4-12**

*The commenter indicates that SMUD looks forward to collaborating on this project.*

The City will coordinate with SMUD and will use the provided contact information in relation to this project.

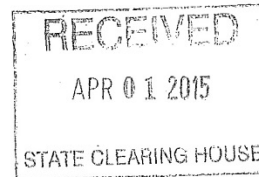
### **COMMENT LETTER A5 – NATIVE AMERICAN HERITAGE COMMISSION**

NATIVE AMERICAN HERITAGE COMMISSION  
1550 Harbor Blvd, Suite 100  
West Sacramento, CA 95691  
916-373-3710  
Fax 916-373-5471



March 11, 2015

Anna Starkey  
US Army of Corps of Engineers  
2020 L Street, Suite 400  
Sacramento, CA 95811



Clear  
05/18/15  
e

Sent Via Fax: 916-414-5850  
# of Pages: 2

RE: 2025L Street/2101 Capitol Avenue Mixed Use project, Sacramento County *son# 2014112053*

Dear Ms. Starkey:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. Attached is a consultation list of tribes with traditional lands or cultural places located within the requested General Plan boundaries.

A5-1

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action.

A record search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. Local governments should be aware, however, that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

A5-2

If you receive notification of change of addresses and phone numbers from Tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

A5-3

If you have any questions, please contact me at (916) 373-3713.

Sincerely,

*Debbie Pilas-Treadway*  
Debbie Pilas-Treadway  
Environmental Specialist III

## **RESPONSE TO COMMENT A5-1**

*The commenter describes requirements of state law related to Native American consultation and references an attached list of Native American tribes that may have an interest in the vicinity of the proposed project site. The referenced list, however, was not included. The commenter also recommends a records search.*

The City requested and received a previous list of Native American tribes that may have an interest in the vicinity of the project site. A request for a search of Native American Heritage Commission (NAHC) sacred lands file was sent on December 12, 2014. The NAHC response letter stated that the sacred lands database failed to indicate the presence of Native American resources in the immediate project study area, but listed nine Native American organizations and individuals who may have knowledge of cultural resources in the project area. The City sent letters to each Native American tribal representative to invite input on the proposed project. On January 27, 2015, Mr. Daniel Fonseca, Cultural Resources Director and Tribal Historic Preservation Officer with the Shingle Springs Band of Miwok Indians, requested consultation with the City of Sacramento. A letter dated January 27, 2015 from the United Auburn Indian Community of the Auburn Rancheria requests consultation with the City regarding the proposed project. No other responses have been received at the time of the writing of this EIR. Records of Native American consultation are included as an appendix to the cultural resources technical report (Draft EIR, page 4.3-9)

The Draft EIR describes the research conducted to support the City's findings in Section 4.3 of the Draft EIR (see pages 4.3-8 and 4.3-9, in particular). As noted, an archaeologist conducted a records search for the project site at the North Central Information Center (NCIC) of the California Historical Resources Information System in December 2014. The purpose of the records search was to determine whether known cultural resources have been recorded within or adjacent to the project site; assess the likelihood for unrecorded cultural resources to be present based on historical references and the distribution of previously recorded resources in the vicinity; and develop a context for the identification and preliminary evaluation of cultural resources. The records search conducted at the NCIC in December 2014 used a study area defined as the parcels containing the project components and a 0.5-mile radius. The records search at the NCIC failed to indicate any previously identified cultural resources within the project study area.

## **RESPONSE TO COMMENT A5-2**

*The commenter identifies that a record search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate project area, but that the records are not exhaustive.*

Please see the Response to Comment A5-1.

## **RESPONSE TO COMMENT A5-3**

*The commenter asks for information about changed addresses and phone numbers from Native American Tribes.*

The City is unaware of any such changes.

## **2.3.2 INDIVIDUAL COMMENTS AND RESPONSES TO COMMENTS**

### **COMMENT LETTER I1 – SYLVIA ROGERS BARNES**

**Letter I1**

Sylvia Rogers Barnes  
2110 L St. Apt. 216  
Sacramento, California  
95816

Re: 2025 L St. /2101 Capitol Avenue Mixed-use project.

Dear Dana Mahaffey,

Thank you for the opportunity to add my concerns and comments for the plans regarding the parking structure proposal for 2101 Capitol Avenue and 21<sup>st</sup> st.

I1-1

As a resident in this area I do not support the Capitol Avenue plan. I do however have no objection to the construction proposed for the 2025 L street project. I believe in the Whole Foods Market and its founder John Mackey in 1980, who is an advocate for a movement to harness the power of the market to create a better world, quoting from Science Of Mind magazine, "Mackey has spent a lifetime defying conventional boundaries of spiritual, business, philosophical and political thought. Instead of the traditional economic view of profit-obsessed business regardless of cost to society, Mackey sees businesses as embedded in a larger community, linking environment, human communities, employees, suppliers and investors." I hope in this instance he is right.

I1-2

I1-3

Because of these proposed plans for the parking structure on Capitol and 21<sup>st</sup>. St., which seem to be approved by the city so far, and most all

I1-4



concerned in this construction project, It puts me in the position to have to decide whether or not to stay in this apartment building or move to another apartment either in my same building or somewhere else in this area that I can afford where it is safe, secure, free from toxic environmental hazards and the proper esthetics are in place for a retired portrait artist, past 70, living alone on a fixed income. It is causing a good amount of stress to me to have to deal with this at this juncture in life because of the costs and inconvenience for me to have to change my residential address.

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I1-4  
cont.  
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I1-5  
I  
I1-6  
I  
I1-7

I have read thru most of the proposed documentation material that is understandable to me and some of the correspondence from local people in the area. This project will impact my life in different ways that the others have not mentioned.

I  
I1-8

I am not a business owner. I have been a resident at the St. Anton building on 21st. St. and L since September, 2009. I was looking for a tax credit development in the city that would be affordable for low-income seniors. I took this one bedroom apartment at St Anton because it is within walking distance to the hospitals and other medical needs services as well as grocery shopping, pharmacies, both high and low end restaurants, boutique shops, music venues, art galleries and the general hustle and bustle of this Mid town area. ST. Anton is a well maintained building, inside and out, safe and convenient to almost everything I need. It does have its drawbacks. The 2 ground floor rollup garage doors on the alley between 21<sup>st</sup> and 22<sup>nd</sup>, proposed entrances to the parking garage, frequently do not function properly, if at all. This is always a security concern. Because the alley is so narrow and the city's

I  
I1-9  
I  
I1-10

garbage collections are 3 times a week, it frequently ties up the traffic in and out of the building. Adding to this, the garbage bins closest to the 22st entrance to the alley are always at an angle extending into the lane. That limits the space to one narrow lane where it is impossible for 2 cars or vehicles to pass each other. I myself have had to wait on another auto or vehicle to pass until there is enough room to get into the garage parking to the St. Anton Building. The times the rollup doors are stuck at an angle, hardly allowing a vehicle to pass underneath without damage to the antennas to the vehicles, are an even greater safety and inconvenience issue and would be more of an issue with autos having to be backed up going in and out of the proposed parking structure entrance. I don't know if there is a permanent solution to this problem with the rollup doors.

11-11

I received the first notice of this project in December, 2014 along with other residents to this building and did attend the public scoping meeting held at City Hall in the lobby on December 10, 2014. Prior to that I asked several of my neighbors and the building management here if any other than myself were interested in going to this meeting. No one seemed interested and when I was the only one from my building who showed up at this meeting I was very disappointed that I was alone in this. Not one person was there to represent the St. Anton Corporation or Hurley Construction or any other resident. I spoke to 2 people at city hall who seemed to be in charge and expressed my concerns about the Capitol Ave. 21<sup>st</sup> St. project. I saw that I was alone with my concerns as a renter and felt my voice was not being heard so at that time I did not send any letter of opposition. The only other person that was attending that I was acquainted with was Diane

11-12

Heinzer who owns the Pease Conservatory of music on the corner of L and 22ndSt. I could see why she would be conditionally supportive of the parking garage.

↑  
11-12  
cont.

Here are my concerns:

The St. Anton building is 5 stories high. There are 13 apartments with balconies, on the back of the building over the alley between 21<sup>st</sup>. and 22<sup>nd</sup> ST. There are 5 of these apartments with satellite dishes attached to their balconies. If the proposed 6 story parking garage is constructed, the apartments on the whole back of the St. Anton building of 13 apartments would be in shadow all day. There would be little light going into each apartment. Any aesthetic view of the trees on the opposite street and distant areas to the south, west or east would not be available. Sure there is a ground parking lot with only cars to look at now but a resident can look out the glass sliders and stretch their vision. Looking up and down at an ugly 6 story parking garage would not be my idea of a view. The satellite dishes on the balconies would have to be moved to the roof of the St. Anton building to get that southern exposure to the satellite system. I don't know how much that would cost but I am sure it would be the expense of the satellite customers. There is no guarantee the building owners would even allow such a move.

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11-14  
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11-18

The residents could not comfortably sit out on the balconies to read or relax at the end of the day certain seasons of the year without having to breath in toxic fumes from the vehicles constantly going in and out the entrance to the garage parking. It is bad enough now with the noise pollution of the garbage trucks 3 times a week and the dirt and grime coming from the traffic of the supplier trucks to the Kupros Craft



House as well as the traffic of the garage parking in the St. Anton Building. I can't always keep my doors and windows closed. Every 3 months I have to get the step ladder and clean my room fans from the dirt and grime. There has to be air and light. With a permanent parking garage there would be permanent noise pollution and permanent dust and grime coming up into the windows of the St. Anton building. As an artist there would be no more natural light coming in for me to paint by. It would constantly be dark and shadowed and even worse on a rainy day. It would be like living in a dungeon.

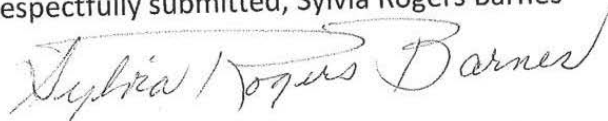
I need to think about going into another apartment. I could not see any plans on the proposal documents for the 141 apartments in the new building on L St. Do you have any idea when any floor plans, configurations of apartments and pricing for low income seniors would become available for public viewing?

I would consider moving into the proposed apartments at the L St. location if I could be sure I could afford it.

I love this neighborhood and would love to continue thinking of it my home if possible but not on the dark back side of a building on an alley.

Thank you for your time.

Respectfully submitted, Sylvia Rogers Barnes



↑ 11-18  
cont.  
11-19  
11-20  
11-21  
11-22

### **RESPONSE TO COMMENT I1-1**

*The commenter thanks the City for the opportunity to comment on the project.*

The City acknowledges the comment and has provided responses to comments offered in this letter, below.

### **RESPONSE TO COMMENT I1-2**

*The commenter doesn't support Capitol Avenue portion of the project.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT I1-3**

*The commenter has no objection to the 2025 L Street project.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT I1-4 THROUGH I1-6**

*The commenter discusses choices in residential location and affordability.*

The project has been revised to remove a portion of the parking structure, and removing approximately 14 parking spaces from the parking structure. This would increase the distance between the proposed parking structure and the apartment building known as the St. Anton building, located across the alley to the north. This is the apartment building referenced in the comment. The location of the St. Anton building, along with other buildings in the vicinity of the proposed project site, is identified in Section 4.1 of the Draft EIR (see, for example, page 4.1-2 of the Draft EIR). Previously, the parking structure was proposed to be located approximately as far north as the Kupros building. The Kupros building is represented by the smaller building in the middle of Exhibit 2-1. The project revisions do not result in any new significant environmental impacts nor a substantial increase in the severity of impacts discussed in the Draft EIR.



**Exhibit 2-1. Revised Plan - Parking Structure on Left and St. Anton Building to the Right.**

In addition, the proposed project qualifies as an infill mixed-use residential project because the project site is “located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.” (California Public Resources Code Sections 21099[a] and 21099[d]). The project site is located within a transit priority area defined by the Sacramento Area Council of Governments (SACOG). Aesthetic impacts of infill projects within transit priority areas are not be considered significant effects on the physical environment (California Public Resources Code Section 21099[d]). Therefore, the discussion of aesthetics included in Section 4.1 of the Draft EIR is for public informational purposes only.

As described in the Draft EIR, the 2101 Capitol Avenue component of the proposed project would change the existing visual character of the project site and would alter certain views of, and through the project site compared to existing conditions. The proposed structure would be taller than existing surrounding buildings. In particular, the planned 65-foot mixed-use structure is taller than the existing five-story St. Anton Building and the surrounding one-, two-, and three-story residential and commercial buildings (see page 4.1-21 of the Draft EIR). However, the proposed structure is not as tall as the 2020 L Street building, or other nearby buildings in midtown. The proposed project would comply with policies set forth in the City’s General Plan that have been implemented by the City’s Planning and Development Code and that relate to quality architectural and landscape design, complementary scale and massing, screening of off-street parking, and preserving visual resources and the general visual character.

**RESPONSE TO COMMENT I1-7**

*The commenter discusses choices in residential location.*

Please refer to the Response to Comments I1-4 through I1-6.

### **RESPONSE TO COMMENT I1-8**

*The commenter has been a resident at the St. Anton building on 21<sup>st</sup> and L since September 2009.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT I1-9**

*The commenter chose the St. Anton building due to safety and convenient location near restaurants and shops in Midtown.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT I1-10**

*The commenter indicates that the existing roll up doors on the alley between 21<sup>st</sup> and 22<sup>nd</sup> Streets often do not function properly. This frequently ties up traffic.*

The commenter expresses concern regarding existing disruptions to vehicular travel on Liestal Alley between 21st Street and 22nd Street, including garbage collection, location of dumpsters, and malfunctioning garage doors at the St. Anton apartment building. Please refer to Master Response 1 for a discussion of traffic volumes in Liestal Alley. The conditions referred to in the comment describe existing conditions and not conditions resulting from implementation of the proposed project. The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR. The Draft EIR is focused on the impacts of the proposed project rather than aspects of the existing built environment. This comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT I1-11**

*The commenter indicates that when the roll up doors gets stuck, it creates a safety and inconvenience issue.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration. In addition, the project has been revised to move the parking structure further away from the alley and the St. Anton building. The project revisions do not result in any new significant environmental impacts nor a substantial increase in the severity of impacts discussed in the Draft EIR. Please see the Response to Comments I1-4 through I1-6 and the Response to Comment I1-10.

### **RESPONSE TO COMMENT I1-12**

*The commenter provides background on the public scoping process.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration. As noted in the Draft EIR (see page 1-4), a NOP was circulated for comments related to the scope of analysis. The NOP for this EIR, along with an Initial Study checklist, were circulated to public agencies and the public starting on November 21, 2014, and comments were accepted until January 5, 2015. In addition, the City invited additional comments on the scope of the EIR at a public meeting held on December 10, 2014, at 4:30 p.m. at Sacramento City Hall, 915 I Street.

### **RESPONSE TO COMMENT I1-13**

*The commenter is referencing impacts of the project related to satellite television, sunlight, and views.*

Please refer to the Response to Comments I1-4 through I1-6.

### **RESPONSE TO COMMENT I1-14**

*The commenter is expressing a preference for the existing view south across the project site.*

As noted on page 2-1 of the Draft EIR, the existing site is undeveloped, with the exception of a surface parking lot. Please refer to the Response to Comments I1-4 through I1-6.

### **RESPONSE TO COMMENT I1-15**

*The commenter is expressing a preference for the existing view south across the project site.*

Please refer to the Response to Comments I1-4 through I1-6.

### **RESPONSE TO COMMENT I1-16**

*The commenter is referencing impacts of the project related to satellite television.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT I1-17**

*The commenter suggests that residents would not be able to comfortably sit on their balconies due to fumes from vehicles entering and exiting the proposed parking structure at the 2101 Capitol Avenue portion of the project site.*

Air quality impacts are evaluated and, as necessary, mitigated in Section 4.2 of the Draft EIR. As noted, motor vehicles are the primary source of carbon monoxide (CO) emissions. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed, and delay. CO concentration depends on motor vehicle activity, particularly during peak commute hours, and meteorological conditions. Sacramento Metropolitan Air Quality Management District (SMAQMD) has established a two-tier set of screening criteria to determine whether a proposed project would have the

potential to exceed the 1-hour ambient air quality standard of 20 parts per million (ppm) or the 8-hour standard of 9.0 ppm for CO. The screening criteria have been developed to help agencies analyze potential CO impacts and identify when site-specific CO dispersion modeling would be required, based on standards that are established to protect the public health. According to SMAQMD's *CEQA Guide to Air Quality Assessment*, the first tier of the analysis is based on the level of service (LOS) for intersections affected by the proposed project. The proposed project has the potential to cause a localized exceedance of the CO standard if it would (1) generate traffic that causes an intersection's LOS to deteriorate to LOS E or F, or (2) contribute additional traffic to an intersection that already operates at LOS E or F. If the first tier screening criteria are not met, second tier screening will be evaluated. The second tier screening criteria require that the proposed project fulfill all the following three criteria: (1) the proposed project would not result in an impact to an intersection experiencing more than 31,600 vehicles per hour, (2) the proposed project would not contribute traffic to a tunnel, parking structure, bridge underpass, urban street canyon, or below-grade roadway; or other locations where horizontal or vertical mixing of air will be substantially limited, and (3) the mix of vehicle types at the intersection is not anticipated to be substantially different from the County average. Under existing plus project conditions, according to the traffic study prepared to support this EIR (see Section 4.7 and Appendix F of the Draft EIR), all intersections would operate at LOS of C or better with implementation of the proposed project. The proposed 2101 Capitol Avenue parking structure would replace the existing parking structure to replace parking spaces for the existing 2020 L Street office building. The traffic and vehicles that would use the proposed 2101 Capitol Avenue parking structure would be the same vehicles currently using the parking structure that would be demolished as part of the proposed project. The 2101 Capitol Avenue parking structure would also be open to the atmosphere, similar to the existing parking structure to be demolished, which would avoid accumulation of CO concentrations. Considering the amount of traffic, design of the parking structure, and the fact that CO levels in the Sacramento area are relatively low and emissions rates are expected to decline substantially due to cleaner burning fuels, the parking structures are not anticipated to cause an exceedance of the relevant CO concentration standards.

The proposed project would construct residential and commercial land uses that are not typically associated with large sources of toxic air contaminant (TAC) emissions. Although the 2025 L Street portion of the project site would include a grocery store that would involve regular goods movement, the grocery store is estimated to have two heavy-duty truck trips per day for deliveries, which would not generate a substantial amount of TAC emissions. Since the commercial operations at the 2101 Capitol Avenue portion of the project site are less intensive compared to the 2025 L Street portion of the project, these uses would require even less by way of deliveries and associated truck trips. SMAQMD has developed the Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways (SMAQMD Protocol) to evaluate the potential health risk impacts of roadway traffic on sensitive receptors based on the roadway volume (vehicles per hour) and distance to the nearest sensitive receptor (SMAQMD 2011). SMAQMD suggests that projects that would expose sensitive receptors to health risk impacts below 276 in a million cancer risk (i.e., 70% below the highest exposure level in Sacramento County) would satisfy the evaluation criterion. Although this criterion is not a significance threshold per se, it represents a level where SMAQMD would not recommend any further site-specific analysis. Based on the current vehicle fleet mix in Sacramento County, heavy-duty trucks account for approximately 2% of total on-road vehicles; therefore, the proposed project's truck

traffic for deliveries would be the equivalent of approximately 100 vehicles per day (ARB 2013). The minimum roadway traffic volume to use the SMAQMD Protocol's screening tables is 4,000 vehicles per hour, which would generate a maximum of 219 cancer risks in a million at receptors located within 10 feet from the roadway source (SMAQMD 2011). Therefore, considering the proposed project's truck traffic and equivalent roadway traffic would be substantially less than the minimum screening volume, it is anticipated that health risk impacts from the proposed delivery trucks would satisfy SMAQMD's evaluation criterion. Thus, the project would not expose sensitive receptors to substantial TAC emissions.

## **RESPONSE TO COMMENT I1-18**

*The commenter indicates that existing noise pollution and dirt from Kupros supply trucks and garbage trucks already are already bad enough.*

The Draft EIR summarizes noise impacts associated with the project in Section 4.6-6 of the Draft EIR, including noise associated with traffic in the alleys. The Draft EIR also involved detailed measurements to document existing conditions on-site, including a measurement taken in the alleyway between the project site and the St. Anton building. This is location LT-02 ("LT" for long term). Please see Table 4.6-4 on page 4.6-7 of the Draft EIR. As shown, the existing noise level in this location is estimated to be approximately 67-68 dB(A), averaged over 24 hours. Under existing conditions, traffic in the alley itself is estimated to result in noise levels of just 51 dB Ldn at 50 feet from the alley. As noted on page 4.6-20 of the Draft EIR (Table 4.6-9), project-related traffic is anticipated to increase noise levels in the alley between the project site and the St. Anton building from approximately 51 dB Ldn to 55.7 dB Ldn. As noted on page 4.6-1 of the Draft EIR, 50 decibels can be characterized as typical of an open office background level and 60 decibels can be characterized as noise levels from normal conversation speech at 5–10 feet (see Table 4.6-1 of the Draft EIR). While the project would increase noise levels in this alley compared to existing conditions, the increase is expected to be substantially below the City's exterior noise compatibility standards, which for infill projects is 70 dB(A) and for multi-family residential development is 65 dB(A) (see Table 4.6-6, page 4.6-14 of the Draft EIR). In addition, as identified in the Draft EIR, the City's Noise Ordinance creates requirements for noise-generating activities. The Noise Ordinance (Section 8.68 of the Sacramento City Code) states that it is unlawful for any person at any location within the City to create any noise that causes ambient noise levels at an affected receptor to exceed the noise standards shown in Table 4.6-8 on page 4.6-16 of the Draft EIR. Please see Response to Comment I1-19 for a discussion of dust.

## **RESPONSE TO COMMENT I1-19**

*The commenter states that it is necessary to clean room fans every three months due to dirt and grime.*

The topic mentioned by the commenter is related to existing conditions in the vicinity of the proposed project site. The purpose of this EIR is to disclose and, where appropriate, mitigate impacts associated with the proposed project. In addition, Section 4.2 of the Draft EIR includes an analysis of impacts associated with particulate matter (dust) from both construction and operational phases of the project. For construction, the project would not generate dust at levels that would exceed SMAQMD's construction threshold of significance. Nonetheless, the City has imposed Mitigation Measure 4.2-1,

which will reduce dust associated with construction. This mitigation measure includes such measures as watering the construction site twice daily, limiting vehicle speeds on unpaved roadways to 15 miles per hour, minimizing vehicle idling, covering haul trucks transporting soil, and cleaning paved roads. Since roads in the vicinity of the projects are paved, the project would result in minimal dust generation during operational phases (see Table 4.2-4 on page 4.2-20).

### **RESPONSE TO COMMENT I1-20**

*The commenter suggests that the parking garage would create permanent noise pollution and dust into windows of St. Anton building.*

Please see Responses to Comments I1-18 (noise) and I1-19 (dust).

### **RESPONSE TO COMMENT I1-21**

*The commenter is a painter and the garage would cause a cease of natural light.*

Please see Response to Comments I1-4 through I1-6.

### **RESPONSE TO COMMENT I1-22**

*The commenter asks about whether there are there any floor plans for new apartment building on L Street for low income seniors available to the public? Commenter would like to stay in neighborhood if it's affordable.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR and this comment is provided here for decision maker consideration. There are no plans for income- or age-restricted dwelling units as a part of the 2025 L Street portion of the proposed project.

## **COMMENT LETTER I2 – MICHAEL HOOPER**



Michael Hooper  
Hooper Family Trust  
2131 Capitol Avenue Suite 305  
Sacramento, CA 95816

**Letter I2**

Dana Mahaffey  
Associate Planner  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811  
[dmahaffey@cityofsacramento.org](mailto:dmahaffey@cityofsacramento.org)

Re: 2101 Capitol Avenue component of the Whole Foods Project (P14-045)  
(SCH#: 2014112053)

Dear Ms. Mahaffey:

We are the owners of 2131 Capitol Avenue, a three story office building adjacent to the 2101 proposed garage. At the Planning Commission meeting December 11, 2014, I expressed serious concerns. Our specific concerns relate to the City's alleged preference for the parking garage traffic to primarily use Liestal Alley, as indicated in your Draft Environmental Impact Report (EIR.)

I  
12-1  
I

The EIR identifies 425 parking stalls, which both the entrance and the exit are accessed via the Liestal Alley. On December 11<sup>th</sup> other impacted neighbors also expressed the alley is already busy, subjected to significant gridlock due to the access of the St. Anton apartment complex tenants. To add 425 entries, another 425 exits, as well as untold number of midday "comings and goings," we are confident Liestral Alley will result in a traffic nightmare.

I  
12-2  
I

Presently, the parking complex across from 2020 L St. provides the parking for that office building. The access to that facility is off of both L St. and 20<sup>th</sup> Streets, not the alley. In fact, it is my understanding that previous City policy was to not use the narrow alleys for such traffic, reserving the alley use to occasional service vehicles.

I  
12-3  
I

The EIR references a peak period of 18 seconds wait time at Liestral and 21<sup>st</sup> Street. Assuming an unlikely 5:00 p.m. peak period exit of the parking lot of 425 cars, the math is  $425 \times 18 \text{ sec} = 7,650 \text{ seconds}$ , or over 2 hours. I realize there is an alternate to 22<sup>nd</sup> Street. If all of the vehicles exited via 22<sup>nd</sup> St., by simple math results in an hour. The data presented in the EIR does not seemingly assume the 425 parking spaces arriving or departing. It is my experience the "rush hours" around 8 a.m. and 5p.m. will be the likely time for normal office building employees to arrive and depart. Therefore, even with the EIR conclusion of the 18 second delay at 21<sup>st</sup> street, the factors in place will result in nightmare gridlock. This gridlock is

I  
12-4  
I  
↓

avoidable if the original design of Capitol Avenue entrance and exits were implemented.

↑ 12-4  
cont.

The EIR makes note of the congestion at Liestral and 21<sup>st</sup> Street, but suggests such solutions as a “fish-eye mirror” to mitigate the congestion. I have used this alley for over 30 years and have had numerous “close calls” with not only pedestrians, but with bicycles navigating the sidewalk. Capitol Avenue is a two way street, with dedicated left turn lanes solely for the northbound 21<sup>st</sup> Street traffic. Therefore, even when the 21<sup>st</sup> Street light is RED, there is vehicle traffic from the Capitol left turn lanes, which make access from Liestral Alley onto 21<sup>st</sup> Street difficult. Adding hundreds of more activity is mind-boggling and unreasonable.

12-5

Additional congestion relates to the design of the loading facilities for 2101, which utilize Liestral Alley. The narrowness of the alley will make it very difficult for alley use. The applicant is relying on the 3<sup>rd</sup> party delivery truckers to use short “Bobtail” trucks and to refuse shipment outside of approved hours. I have dealt with truckers for many years, and telling them to leave if their truck is too big, or they are too early or too late is impractical if not impossible. However, overlaying the parking volume of 425 vehicles makes this site a positive nightmare.

12-6

This proposal does not make sense. The applicant told me the City wanted the traffic to be directed in and out of Liestal Alley. There is access already designed, but it is limited to only the 1st floor parking, presumably for the benefit of the proposed retail, hence a higher level of “in and out.”

12-7

By no means am I a traffic engineer, but it is clear that the present configuration, which heavily relies on Liestal Alley for the majority of the 425 vehicles, is a mistake. While the EIR assumes a morning increase of 76 and an afternoon increase of 53, layman common sense suggests you cannot accommodate 425 vehicles with an increase of 76 and 53 during peak hours (21<sup>st</sup> St and Liestal.) Where, and when will the other 300 plus vehicle activity occur? The spaces required for the 2020 L St office building should reasonably exceed this assumption.

12-8

We respectfully request the City require the use of Capitol Avenue and/or 21<sup>st</sup> Street for the primary entrance and exits for the 2101 Capitol Avenue garage project.

12-9

Respectfully,

*M Hooper*

Michael Hooper  
2131 Capitol Avenue

## **RESPONSE TO COMMENT I2-1**

*The commenter is owner of the 2131 Capitol Avenue building adjacent to proposed garage. Concerns from the commenter are regarding the proposed parking garage at the 2101 Capitol Avenue portion of the project site.*

Please see Section 4.7 of the Draft EIR, which includes an analysis of impacts related to additional traffic added to the referenced alley between L Street and Capitol Avenue. The commenter is interested intersections 17 and 18 (see Exhibit 4.7-1 on page 4.7-8 of the Transportation and Traffic section of the Draft EIR). As shown in Exhibit 4.7-3B, on page 4.7-12 of the Draft EIR, under existing conditions, there are approximately 28 trips in both directions in the alley for Intersection 17 (21st Street and Liestal Alley) that in the A.M. peak hour. During the P.M. peak hour, there are approximately 24 trips under existing conditions. As shown on Table 4.7-2 of the Draft EIR, the existing level of traffic for Intersections 17 and 18 is A (free-flow traffic conditions) except for the interaction of 21st Street and Liestal Alley during the P.M. peak-hour, which shows level of service C (18 seconds of delay on average during peak conditions for the worst-case leg of the intersection). With the project, as shown on Exhibit 4.7-8B on page 4.7-30 of the Draft EIR, for Intersection 17, during the A.M. peak hour, trips have increased to 104 trips. During the P.M. peak hour, the number of trips increases to 77. With the project, the peak-period congestion level during the morning peak-hour is still A (free-flowing conditions). Please refer to Table 4.7-6 on page 4.7-32 of the Draft EIR. However, during the afternoon peak-hour, congestion has increased to level of service D for the worst approach to Intersection 17, with an average delay for the worst leg of the intersection during the peak afternoon period of congestion of 31 seconds. The overall level of service for this intersection is A (including consideration of all approaches, rather than just the worst approach). Parking structure gates will be open during peak periods. As shown in Draft EIR Table 4.7-6 (pages 4.7-32 and 4.7-33), all study intersections would continue to operate with an overall intersection LOS of C or better during both peak hours with implementation of the proposed project and based on the City's thresholds, there would be no significant impacts. As noted, the proposed project has been changed to move the proposed parking structure at the 2101 Capitol Avenue portion of the project site further from the alley. This would result in a reduction of approximately 14 parking spaces, which could very slightly reduce the level of traffic in the alley at nights and on weekends when the parking structure is open to the public. The project revisions do not result in any new significant environmental impacts nor a substantial increase in the severity of impacts discussed in the Draft EIR.

Please refer also to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project.

## **RESPONSE TO COMMENT I2-2**

*The commenter suggests that the addition of parking garage would make Liestal Alley a traffic nightmare.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project.

### **RESPONSE TO COMMENT I2-3**

*The commenter notes that the parking complex across from 2020 L Street currently provides parking for office building. The commenter believes previous city policy reserved alley use to occasional service vehicles.*

Please see Response to I2-1, above, and to Master Response 1 (Section 2.2.1), which addresses traffic volumes in Liestal Alley with implementation of the proposed project, and in particular to the discussion of Access Alternative 3. The City does not have a policy, as suggested by the commenter, that limits traffic to occasional service vehicles only. The City's Design and Procedures manual specifically states that public alleys may be used for site access, provided that they are improved to City standards (City of Sacramento 2009). At Liestal Alley, there is access today for residents of the St. Anton apartment building and there are examples in the City of the use of alleys for access to parking structures and associated residential and non-residential uses.

### **RESPONSE TO COMMENT I2-4**

*The commenter contends that the project would result in nightmare gridlock.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project.

### **RESPONSE TO COMMENT I2-5**

*The commenter offers the opinion that hundreds of vehicles that would result from the parking garage use is unreasonable.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project. Please refer also to Master Response 2, which addresses bicycle and pedestrian circulation and safety in relation to the proposed project – particularly the 2101 Capitol Avenue portion of the proposed project.

### **RESPONSE TO COMMENT I2-6**

*The commenter suggests that the narrowness of the alley will make it difficult for use. Overlaying volume of 425 vehicles would make this site a nightmare.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project.

### **RESPONSE TO COMMENT I2-7**

*The commenter is discussing access to the parking garage from the alley and access to parking for the ground floor retail from Capitol Avenue.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project. Please see Master Response 1 (Section

2.2.1), and in particular to the discussion of Access Alternative 3. The City's Design and Procedures manual specifically states that public alleys may be used for site access, provided that they are improved to City standards (City of Sacramento 2009).

As discussed on pages 2-13 and 2-14 of the Draft EIR, the parking structure would be accessed via the alley located between L Street and Capitol Avenue, where deliveries for the proposed retail development would also be routed. Retail patrons would access parking from Capitol Avenue midway between 21st and 22nd Streets. Further, the City will condition the proposed project to ensure that adequate signage for access points to the parking structure is provided, consistent with City standards. City standards are described in Chapter 15.148 of the Municipal Code and are designed to eliminate potential hazards to motorists and pedestrians. From the purpose statement:

15.148.010 Purpose.

The purpose of the sign regulations set forth in this chapter shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy, and which eliminate excessive and confusing sign displays; to preserve and improve the appearance of the city as a place in which to live and to work and as an attraction to nonresidents who come to visit or trade; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to supplement and be a part of the regulations imposed and the plan set forth under the Planning and Development Code; and to promote the public health, safety and general welfare. (Ord. 2013-0021 § 57; prior code § 3.02.030)

### **RESPONSE TO COMMENT I2-8**

*The commenter suggests 425 vehicles with increase of 76 and 53 during peak hours at 21<sup>st</sup> and Liestal cannot be accommodated. Space required for the 2020 L Street building should reasonably exceed EIR assumptions.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project.

### **RESPONSE TO COMMENT I2-9**

*The commenter requests the City require use of Capitol Avenue and/or 21<sup>st</sup> Street for primary entrance and exit for proposed parking garage.*

Please see Response to I2-1, above, and to Master Response 1, which addresses traffic volumes in Liestal Alley with implementation of the proposed project.

### **COMMENT LETTER I3 – DALE KOOYMAN**

**Letter I3**

Yes that and the total design of the project.

I 13-1

- > -----Original Message-----
- > From: Dale Kooyman
- > Sent: Friday, April 03, 2015 11:55 AM
- > To: Dana Mahaffey
- > Subject: 2101 Capitol Ave project
- >
- > At least two of the top floors should include residential.
- >
- >

I 13-2

### **RESPONSE TO COMMENT I3-1**

*The commenter indicates interest in the design of the project.*

Please see the Responses to Comments I1-4 through I1-6.

### **RESPONSE TO COMMENT I3-2**

*The commenter shares the opinion that at least two of the top floors of the 2101 Capitol Avenue portion of the project should include residential uses.*

As detailed in Chapter 5 of the Draft EIR (see pages 5-5 and 5-6), alternatives that were considered and rejected include an alternative which would place residential uses on the 2101 Capitol Avenue site and parking above the retail use on the 2025 L Street site; this alternative would not avoid any significant environmental effects. Although it would reduce the potential for existing noise generated from nightclubs to affect future residents of the proposed project, it would create a temporary lack of vehicle parking for existing office uses at 2020 L Street during the period between demolition of the existing parking structure and construction of the new building and parking structure. Furthermore, the presence of residential uses above the retail facility at the 2025 L Street site is important to meeting the project objectives related to providing a mix of uses.

### **COMMENT LETTER I4 – DEANNA J MARQUART**

**Letter I4**

**From:** Deanna J Marquart  
**Sent:** Monday, April 20, 2015 7:52 AM  
**To:** Dana Mahaffey  
**Subject:** Draft EIR for 2025 L Street / 2101 Capitol Avenue

TO: Dana Mahaffey

I don't take issue with anything I saw when I paged through the Draft EIR Saturday afternoon at the Central Library, but I do have a *question* regarding the list of "intersection operations — existing conditions" in Table 4.7-2 on pp. 4.7-14/15. In particular, I was surprised that the traffic signal at L & 23rd was not included. I'm sure I wouldn't have noticed that omission if I didn't object to that traffic signal's being there in the first place, but it did make me wonder why the powers that be would have excluded it from that listing ... also the traffic signal at L & 26th and the all-way stops at Capitol & 24th and N & 24th.

14-1  
14-2

I am not asking for, certainly not demanding, a full explanation for these decisions; I'm just curious. If there's a simple explanation, I would be grateful to receive it.

14-3

Thank you!

Deanna J Marquart  
2216 L Street



## **RESPONSE TO COMMENT I4-1**

*The comment poses a question regarding the list of intersection operations – existing conditions in Table 4.7-2 on pp. 4.7-14/15. Commenter is surprised the traffic signal at L & 23<sup>rd</sup> was not included.*

As documented on page 4.7-4 of the Draft EIR,

“[Study] intersections were selected based on their proximity to the project site, expected usage by project traffic, and susceptibility for being impacted. Output from the SACMET regional travel demand model was used to assist with the determination of the study area and the selection of study intersections. The resulting list was reviewed and approved by the City’s Department of Public Works.”

The 26 study intersections evaluated in the Draft EIR were chosen using a selection process that enabled study of the main access routes into and out of the project site. For the proposed project, these corridors include J Street, L Street, Capitol Avenue, and N Street, which are east-west streets that connect the project site with Business 80. The study intersections selected along these streets represent the points along the corridors most susceptible to potential adverse transportation-related impacts.

The intersection of L Street/23rd Street was not selected for study due to the intersections of 22nd Street/L Street and 24th Street/L Street being more indicative of potential impacts to the L Street corridor. The intersection of 22nd Street/L Street was selected due to its proximity to the project, while the intersection of 24th Street/L Street was selected for experiencing relatively higher traffic volumes.

## **RESPONSE TO COMMENT I4-2**

*The commenter notes that the traffic signal at L & 26<sup>th</sup> and the all-way stops at Capitol & 24<sup>th</sup> and N & 24<sup>th</sup> are also excluded.*

Please refer to the Response to Comment I4-1. In addition, the intersections of Capitol Avenue/24th Street and N Street/24th Street were not selected for study due to the intersections of 24th Street/K Street and 24th Street/L Street being more indicative of potential adverse transportation-related impacts to the 24th Street corridor. The 24th Street corridor is not expected to carry particularly high volumes of project traffic, so the two chosen study intersections on the 24th Street corridor were determined to be sufficient in studying potential impacts along the 24th Street corridor.

## **RESPONSE TO COMMENT I4-3**

*The commenter indicates that if there’s an explanation, commenter would be grateful for a response.*

Please refer to the Responses to Comments I4-1 and I4-2.

## **COMMENT LETTER I5 – DONNA STEELE**



**4/16/15**

**To:**

**Dana Mahaffey, Associate Planner  
City of Sacramento, Community Development Department  
Environmental Planning Services  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95811**

**From:**

**Donna Steele  
1725 K St., #306  
Sacramento, CA 95811**

**I live in Midtown Sacramento. The new Whole Foods Market will be a great addition to the neighborhood. Many of us who live here are retired workers who no longer drive. We're all very excited to have a Whole Foods store nearby. It will be just three blocks from where I live. I've always wanted to live within walking distance of a great market. Please come soon.**

15-1

**Thank you.**

**Sincerely,**

**Donna Steele**

## **RESPONSE TO COMMENT I5-1**

*The commenter is excited for Whole Foods Market in midtown close to where she lives.*

The commenter's support for the project does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration.

## **COMMENT LETTER I6 – LYNNE STEVENSON**

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Lynne Stevenson  
Date: 05/17/2015 9:24 PM (GMT-08:00)  
To: Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
Subject: Draft EIR for 2025 L Street/2101 Capitol Ave

May 17, 2015

Dear Ms. Mahaffey:

Thank you for opportunity to review the Draft Environmental Impact Report (EIR) for the 2025 L Street/2101 Capitol Avenue Mixed-Use Project (P14-045) (SCH#: 2014112053) dated April 2015. I am a nearby resident of Midtown and so am particularly interested in the proposed project. I have the following comments and questions on the draft EIR: I 16-1

1. General: My previous comments on the Notice of Preparation have either been addressed or explained to my satisfaction in the draft EIR. Thank you for your efforts. I 16-2

2. Section 2.0: Please improve the resolution of the labels and other printed information on the exhibits in this section. They are either illegible, e.g., Exhibit 2-4, or very hard to read, e.g., Exhibits 2-5 and 2-9, even when enlarged. I 16-3

3. Section 2.2: Do the designs for the new parking structures consider the potential for access and use by the homeless in Midtown? I 16-4

4. Section 2.3: Please either expand this section (or include a separate appendix) to include a detailed description of project construction, including staging, types and chronology of construction activities, weekly work schedule (days and hours), and public safety and security at the work sites. As a nearby resident, I am particularly interested in these types of details. I 16-5

5. Section 4.7, Mitigation Measure 4.7-5: Please indicate when the project applicant will develop the Construction Traffic Management Plan. The draft EIR states that the plan is "... subject to review by all affected agencies ...." Will the draft traffic management plan also be made available to the public for review? If not, how can a City resident access or obtain a copy of the final plan? As a nearby resident, I am particularly interested in ensuring vehicle and pedestrian safety during construction activities. I 16-6

I look forward to reviewing your responses in the final EIR.

Sincerely,  
Lynne Stevenson  
2316 Capitol Avenue #7  
Sacramento, California 95816

### **RESPONSE TO COMMENT I6-1**

*The commenter thanks the City for the opportunity to comment. The commenter is a nearby midtown resident interested in the project.*

The City acknowledges this comment and provides response to each comment from this letter in the material that follows.

### **RESPONSE TO COMMENT I6-2**

*The commenter indicates that previous comments on NOP have been addressed or explained to the commenter's satisfaction.*

The City acknowledges that the topics raised during the NOP process have been addressed in the Draft EIR.

### **RESPONSE TO COMMENT I6-3**

*The commenter indicates that in Section 2.0, the resolution of labels and other printed information are illegible in some sections.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR. The City can provide exhibits in alternative formats, if desired by the commenter. Please contact Teresa Haenggi, the planner assigned to this project, at (916) 264-5011.

### **RESPONSE TO COMMENT I6-4**

*The commenter references Section 2.2: Do designs for new parking structures consider the potential for access and use by Midtown homeless?*

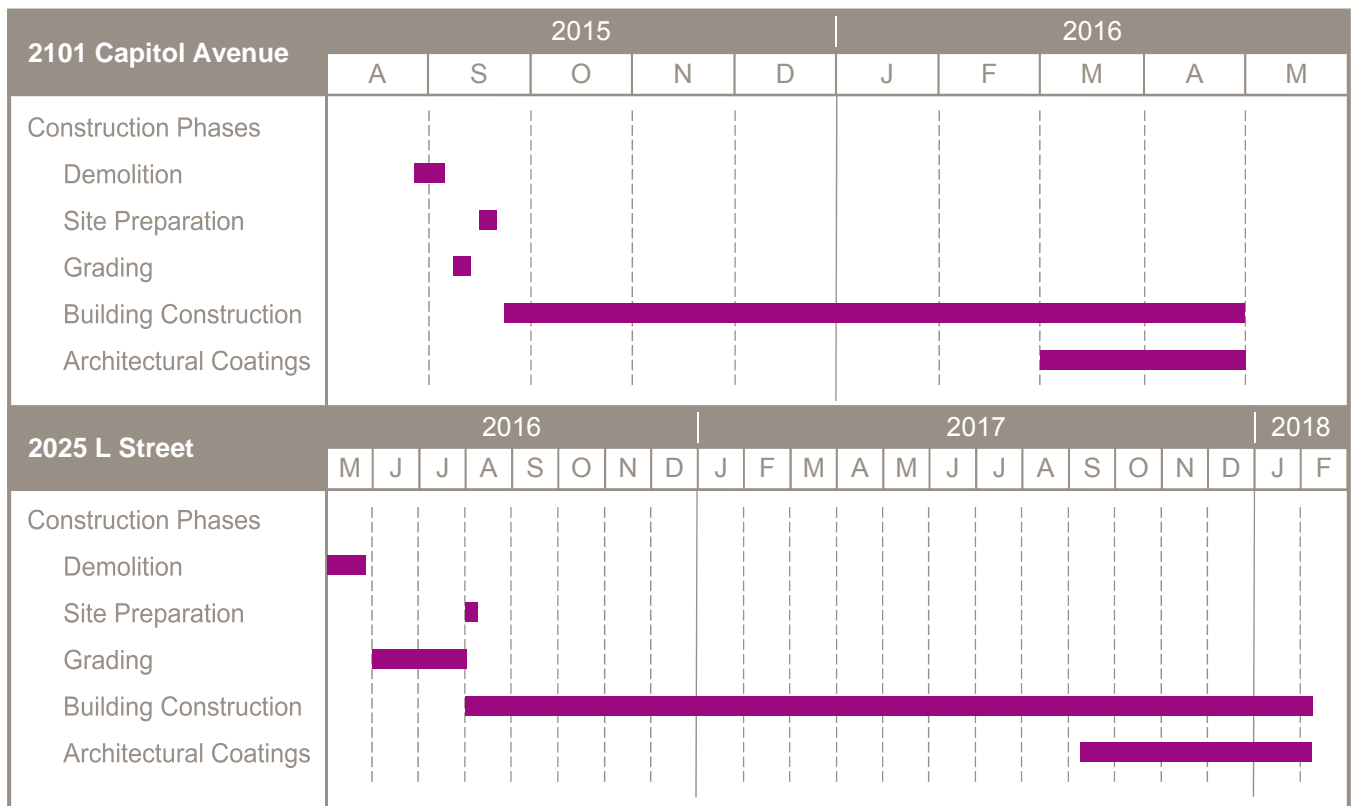
The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration. For the 2101 Capitol Avenue portions of the project, just as with the existing parking structure for the offices at 2020 L Street, the project applicant plans to provide on-site security. Whole Foods Market is anticipated as the tenant for the non-residential portion of the 2025 L Street portion of the project and it is likely that this tenant will also provide some sort of security during business hours. There will be locked doors and security lighting for the residential portion of the 2025 L Street portion of the project and security lighting for the entire project. The Sacramento Police Department was contacted regarding the project and submitted an NOP comment letter dated December 23, 2014 providing recommendations related to security lighting, eliminating hiding areas, alarm systems, video surveillance, alcohol sales, and locking dumpsters. Recommendations will be incorporated into the proposed project to the extent feasible.

**RESPONSE TO COMMENT I6-5**

*The commenter references Section 2.3: Please expand section to include detailed description of project construction.*

As discussed in the Draft EIR (see page 2-24, in particular), the project is currently anticipated to start with construction on the 2101 Capitol Avenue portion of the project site in late summer 2015, extending into spring 2016. Construction on the 2025 L Street site would occur between spring 2016 and the end of 2017. See also the discussion on page 4.2-15 of the Draft EIR under the heading, “Construction.”

As noted, construction would consist of building demolition, grading, site preparation, building construction, and application of architectural coatings. The proposed project would be built out over multiple years. For the purposes of the analysis reported in the Draft EIR, it is assumed build-out of both phases would occur over an approximate 2.5-year period, spanning portions of three calendar years (i.e., 2015, 2016, and 2017). The City has also provided a schedule graphic, below, to help illustrate the current assumed timing of construction (Exhibit 2-2). While the timing of construction represents the best available current knowledge, this is subject to change based on factors outside the control of the City and the project applicant.



**Exhibit 2-2. Construction Schedule Estimate**

## **RESPONSE TO COMMENT I6-6**

*The commenter references Section 4.7; Mitigation Measure 4.7-5: Please indicate when the project applicant will develop Construction Traffic Management Plan. Will the draft Plan be available for public review. How can a resident obtain copy of the final plan if not?*

The Traffic Management Plan, required by City Code, must be reviewed and approved by the City's Traffic Engineer prior to the start of any construction-related activities on the project site. The Plan will be a public document, and will be available for public review, upon request, to the City's Department of Public Works.

## **COMMENT LETTER I7 – SAMARA PALKO**



**Letter I7**

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----  
From: Samara Palko  
Date: 05/18/2015 4:36 PM (GMT-08:00)  
To: Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
Subject: Fwd: 2101 Capitol Ave

Please include the paragraph below.  
Sincerely,  
Samara Palko

Begin forwarded message:

**From:** Samara Palko  
**Date:** May 18, 2015 at 3:48:22 PM PDT  
**To:** ^  
**Subject:** FW: 2101 Capitol Ave

In addition to the previously sent letter, I would like to add the following. If said garage is built the garage should exit onto to 21<sup>st</sup> Street. The 22<sup>nd</sup> Street side is residential as well as has diagonal parking, which does not allow for much visibility when exiting. The exit onto 21<sup>st</sup> has parallel street parking and has much more visibility upon exiting. If an exit is put on 22<sup>nd</sup>, cars should be made to turn right only as to avoid pedestrians.

17-1

Thank you for your consideration of the above mentioned items.  
Samara and Peter Palko, Residents  
1212 22<sup>nd</sup> Street  
Sacramento, CA 95816

---

**From:** Samara Palko  
**Sent:** Tuesday, December 09, 2014 11:54 AM  
**Subject:** 2101 Capitol Ave

To Whom it May Concern:

I, Samara Palko along with my husband Peter Palko residents and home owners of 1212 22<sup>nd</sup> Street are in **opposition of proposal** to construct a six level parking structure on the corner of 21<sup>st</sup> Street and

17-2

Capitol Avenue addressed as **2101 Capitol Avenue**. We are in opposition of, ‘A General Plan Amendment of 0.16 acres from Traditional Neighborhood Medium to Urban Corridor Low; a Rezone of 0.406 acres from Residential Office to General Commercial’ and ‘A Site Plan and Design Review with deviations; and a Variance for Signage’.

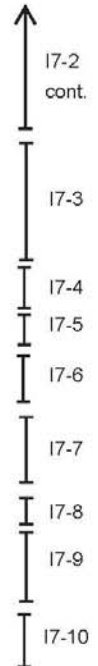
The reason for the opposition include the following: this area of Midtown is currently a mixed use neighborhood. There are families homes and apartments surrounding the proposed location. Building a garage with not add to the livability of this area. The retail on the bottom floor will bring commerce, people and businesses and residents together during the day, but after that an empty garage will not serve any neighborhood purpose in the evening. The addition of a parking structure to a highly residential neighborhood, will negatively impact the quality of life for its’ residents. A much better use of this space should include market rate apartment homes on the top floors as opposed to a garage. Another reason for opposition to the proposed project is the developer never once did any outreach to the immediate stakeholders in the area. We pride ourselves in raising a family, building community between residents and businesses, however the lack of outreach by the developer indicates a lack of care for longtime residents who live within blocks and have made this area highly desirable are for both residents and businesses.

It would be greatly appreciated if any further development on said project on **2101 Capitol Avenue** include input or a neighborhood outreach plan to work together. There are many variables that need to be considered if a park structure is built. Proper safety standards need to be put into place such as/but not limited to proper street lighting and alley lighting, tree scape/landscape, proper pedestrian/yield or stop signs visible when exiting the alley onto 21<sup>st</sup> and 22<sup>nd</sup>. This block is very high pedestrian or both residents and businesses and safety measures need to support such an area.

Sincerely,  
Samara and Peter Palko  
1212 22<sup>nd</sup> Street  
Sacramento, CA 95816

Samara Palko, Education Achievement Specialist  
St. Francis of Assis Elementary School  
2500 K St., Sacramento, CA 95816  
916-442-5494  
[www.stfranciselem.org](http://www.stfranciselem.org)

*‘Lord Make Me An Instrument of Your Peace’*



### **RESPONSE TO COMMENT I7-1**

*The commenter shares the opinion that the parking structure on the 2101 Capitol Avenue portion of the project site should exit onto 21<sup>st</sup> Street only.*

Please see Responses to Comments I2-1 and I1-18. Please refer also to Master Response 1, which addresses traffic volumes in relation to the proposed parking structure on the 2101 Capitol Avenue portion of the project site.

### **RESPONSE TO COMMENT I7-2**

*The commenter is opposed to a parking structure on corner of 21<sup>st</sup> Street and Capitol Avenue, General Plan Amendment of 0.16 acres from Traditional Neighborhood Medium to Urban Corridor Low, and Site Plan and Design Review with deviations.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration. Please see Chapter 2 of the Draft EIR, "Project Description," which details the above mentioned portions of the proposed project, as well as other details.

### **RESPONSE TO COMMENT I7-3**

*The commenter contends that the garage wouldn't serve any purpose in the evening.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration. As noted in Chapter 2 of the Draft EIR (pages 2-13 and 2-14), the parking structure on the 2101 Capitol Avenue property will be open to the public in the evenings and on weekends, just as with the current parking structure for the offices at 2020 L Street, which is used at night and on the weekends by the public.

### **RESPONSE TO COMMENT I7-4**

*The commenter suggests that addition of a garage would negatively impact quality of life for residents.*

Please see Responses to Comments I2-1 and I1-18.

### **RESPONSE TO COMMENT I7-5**

*The commenter believes that market rate apartments would be a better use.*

As detailed in Chapter 5 of the Draft EIR (see pages 5-5 and 5-6), alternatives that were considered and rejected include an alternative which would place residential uses on the 2101 Capitol Avenue portion of the project site and parking above the retail use on the 2025 L Street site; this alternative would not avoid any significant environmental effects. Although it would reduce the potential for existing noise generated from nightclubs to affect future residents of the proposed project, it would create a temporary lack of vehicle parking for existing office uses at 2020 L Street during the period between

demolition of the existing parking structure and construction of the new building and parking structure. Furthermore, the presence of residential uses above the retail facility at the 2025 L Street portion of the project site is important to meeting the project objectives related to providing a mix of uses in this location.

## **RESPONSE TO COMMENT I7-6**

*The commenter alleges that the developer never did any outreach to immediate stakeholders.*

This environmental impact report (EIR) has been prepared by the City of Sacramento (City) as lead agency to evaluate the potential environmental effects of the proposed 2025 L Street/2101 Capitol Avenue Mixed-Use Project (proposed project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). The City has asked for input from federal, state, and local agencies; organizations; and members of the public regarding the issues that should be evaluated in the EIR. On November 21, 2014, the City circulated a Notice of Preparation (NOP) for the EIR for public review. This NOP was subsequently amended, and the comment period was extended to January 5, 2015. A scoping meeting was held on December 10, 2014. The NOP for the EIR and written comments received regarding the content of the EIR, are included with this EIR as Appendix A. The Draft EIR was circulated for public comment via a Notice of Availability, which includes the dates of circulation and comment. The Draft EIR was circulated to local, state, and federal agencies, and to interested organizations and individuals who may wish to review and comment on the document.

In addition, the project applicant has been engaged in outreach on the proposed project since shortly before the project application was submitted to the City for review. The applicant has engaged two public outreach firms to assist in this effort. The project applicant has reached out to different community groups and neighborhood associations, business owners, and residents. A partial list of outreach efforts where the project applicant described the project and asked for input follows:

- ▶ Midtown Business Association – Mixer September 18, 2014 (afternoon)
- ▶ Runyon, Saltzman & Einhorn – Open House – September 18, 2014 (evening)
- ▶ Presentation at AECOM (tenant in 2020 L Street) – November 5, 2014
- ▶ Meeting with WalkSacramento, Sacramento Area Bicycle Advocates (SABA), Sacramento Metropolitan Air Quality Management District (SMAQMD), and Sacramento Regional Transit (RT) – November 6, 2014
- ▶ Presentation to area business leaders and owners – November 13, 2014 (lunch presentation)
- ▶ Presentation to the area Neighborhood Association – November 13, 2014 (evening)
- ▶ Presentation to the Sacramento Old City Association (SOCA) – February 21, 2015

- ▶ Presentation to Midtown Rotary Club – April 15, 2015
- ▶ One on One meetings with almost all neighboring property owners – ongoing

### **RESPONSE TO COMMENT I7-7**

*The commenter suggests that the lack of outreach indicates the lack of care for longtime residents.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration. In addition, please see Response to Comment I7-6, above.

### **RESPONSE TO COMMENT I7-8**

*The commenter indicates that it would be appreciated if further development on project include input and outreach from stakeholders.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration. In addition, please see Response to Comment I7-6, above.

### **RESPONSE TO COMMENT I7-9**

*The commenter suggests that proper safety standards need to be put in place, such as street lighting, alley lighting, tree landscape, and traffic sign visibility when exiting into alley.*

Please refer to Master Response 2, which addresses bicycle and pedestrian circulation and safety, with a focus on the proposed parking structure at the 2101 Capitol Avenue portion of the project site.

The project does not propose changes to the street lights in the vicinity of the project site, but will provide additional security lighting and lighting for aesthetics. In addition, please see pages 4.7-44 and 4.7-45 of the Draft EIR, which explain that the resulting increase in traffic on the alley is not expected to result in substantial delays for vehicles turning from Liestal Alley onto 21st Street or 22nd Street. While turning delays from the alley are expected to remain modest, the project would introduce additional traffic across a sidewalk from a movement with impeded sight distance. Existing structures flank both sides of the alley's approach to 21st Street, resulting in limited visibility of oncoming pedestrians to westbound motorists on the alley. For this reason, it is recommended that the project include installation of appropriate measures at this location, which could include "fish-eye" mirror mounted on existing utility pole at the southeast quadrant of the 21st Street / Liestal Alley intersection to improve westbound motorists' visibility of oncoming pedestrians; appropriate regulatory and warning signage and pavement markings for westbound motorists (e.g., stop control, "watch for pedestrians," striping a stop bar on the westbound Liestal Alley approach to 21st Street, etc.); and/or stenciling on sidewalk to warn pedestrians of oncoming motorists. Final designs for all of the above measures are to be reviewed and approved by the City Traffic Engineer.

## **RESPONSE TO COMMENT I7-10**

*The commenter indicates that safety measures need to support very high pedestrian use.*

Please refer to Master Response 2, which addresses bicycle and pedestrian circulation and safety, with a focus on the proposed parking structure at the 2101 Capitol Avenue portion of the project site. Please see Response to Comment I7-9, above.

### **2.3.3 ORGANIZATION COMMENTS AND RESPONSES TO COMMENTS**

#### **COMMENT LETTER O1 – MIDTOWN BUSINESS ASSOCIATION**



**Letter 01**

et  
Sacramento, CA 95811

916.442.1500  
916.442.1535  
info@mbasac.com  
exploremidtown.org

April 7th, 2015

Dana Mahaffey, Associate Planner  
Environmental Planning Services  
Community Development Department  
City of Sacramento  
300 Richards Blvd. 3rd Floor  
Sacramento, CA 95811

*Re: Whole Foods Development and Housing Project*

As Executive Director of the Midtown Business Association (MBA), I am writing to express MBA's support for the Whole Foods Development and Housing Project in Midtown. In January 2015, the MBA Board of Directors voted unanimously to support this endeavor.

O1-1

The Whole Foods Development and Housing Project provides an incredible amenity for the Central City. Grocery and access to fresh foods is important to our current and future residents, office tenants and retailers. The recent retail study released by the Downtown Sacramento Partnership cites grocery as one of the top factors that will attract or repel future investment.

O1-2

But this project is so much more than just grocery. This provides additional housing – a critical priority for our city as outlined in the Mayor's Housing Initiative and parking relief right as the ESC comes online. This housing will have a positive economic impact on Midtown as additional Market Rate Units attract disposable income for our small, locally owned businesses that surround this development. The parking will be located adjacent to the streetcar line to alleviate congestion from the ESC.

O1-3

We appreciate the consideration the developer has given to community outreach. Our community is very dynamic and engaged. They've met with entertainment businesses, neighbors, our preservation community and have considered all modes of transportation, especially the integration of the bike community.

O1-4

The Midtown Business Association endorses the Whole Foods Development and Housing Project. We encourage you to do the same.

If we can be of assistance to you, we would welcome the opportunity to help. I can be reached directly at 916-442-1500 or via email at [emily@mbasac.com](mailto:emily@mbasac.com). I look forward to hearing from you.

O1-5

Sincerely,

Emily Baime Michaels  
Executive Director

CC: Steve Hansen, Sacramento City Council  
Phil Serna, Sacramento County Board of Supervisors  
Wendy Saunders, Capital Area Development Authority  
Michelle Smira, R Street Partnership



919 20<sup>th</sup> Street  
Sacramento, CA 95811

COMMUNITY DEVELOPMENT  
DEPARTMENT

MAY 21 2015  
RECEIVED

5591021800

SACRAMENTO CA 957

29 MAY 2015 PM 4 L



*Community Development Dept.  
Environmental Planning Svc.  
City of Sacramento, CA 95811  
300 Richards Blvd. 3rd Floor  
Sacramento, CA 95811  
Attn: Dana Mahaffey*





### **RESPONSE TO COMMENT O1-1**

*The commenter expresses support for the project.*

The commenter's support for the project does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT O1-2**

*The commenter indicates that the project's amenities are important for the community and that the project will help attract future investment.*

The commenter's support for the project does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT O1-3**

*The commenter supports additional housing as a critical need in the area.*

The commenter's support for the project does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT O1-4**

*The commenter appreciates the community outreach conducted by the project applicant.*

The commenter's support for the project does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration.

### **RESPONSE TO COMMENT O1-5**

*The commenter endorses the project.*

The commenter's support for the project does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the Draft EIR, but this comment is provided here for decision maker consideration.

## **2.4 REFERENCES**

California Air Resources Board (ARB). 2013. Mobile Source Emission Inventory. Available: <http://www.arb.ca.gov/msei/msei.htm>. Last updated in September 2013. Accessed March 28, 2014.

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Lawrence Berkeley National Laboratory. 2013 (April). California Energy Balance Update and Decomposition Analysis for the Industry and Building Sectors. Available: <http://www.energy.ca.gov/2013publications/CEC-500-2013-023/CEC-500-2013-023.pdf>. Accessed January 9, 2015.

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U.S. Environmental Protection Agency (EPA). 2013 (October). Location and Efficiency of Housing Types. Available: [http://www.epa.gov/smartgrowth/location\\_efficiency\\_BTU.htm](http://www.epa.gov/smartgrowth/location_efficiency_BTU.htm). Accessed January 29, 2015.

## **2.5 PREPARERS**

### **2.5.1 CITY OF SACRAMENTO**

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Dana Mahaffey ..... Associate Planner  
Teresa Haenggi ..... Associate Planner  
Samar Hajeer ..... Senior Engineer

Aelita Milatzo ..... Transportation Engineer  
Roberta Deering ..... Preservation Director  
Robert Armijo ..... Senior Engineer  
William Wann ..... Police Sergeant  
King Tunson ..... Fire Program Analyst

**2.5.2 AECOM**

Francine Dunn ..... Project Director  
Matthew Gerken ..... Project Manager  
Joseph Howell ..... Environmental Planner  
Issa Mahmodi ..... Noise Specialist  
George Lu ..... Air Quality/Greenhouse Gas Emissions Specialist  
Charisse Case ..... Document Specialist

**2.5.3 FEHR & PEERS**

David Carter ..... Transportation Engineer

### 3 REVISIONS TO THE DRAFT EIR

This chapter presents minor revisions made to the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would create the need to recirculate portions or all of the Draft EIR. The changes are presented in the order in which they appear and are identified by page number. Text deletions are shown in ~~strikeout~~ and additions are shown in underline.

#### CHAPTER 2, “PROJECT DESCRIPTION”

##### Page 2-13, Table 2-1.

The proposed parking structure at 2101 Capitol Avenue has been revised to move the proposed structure further away from the Liestal Alley and the St. Anton apartment building. This has resulted in the loss of 14 parking spaces. This revision is shown in Table 2-1:

<b>Table 2-1 Land Use Summary</b>	
<b>2025 L Street Site</b>	
Commercial Area	42,307 square feet*
Residential Units	141 units, 115,706 square feet**
Automobile Parking	333 spaces
Bicycle Parking	126 long term, 44 short term
Building Height	85 feet
<b>2101 Capitol Avenue Site</b>	
Commercial Area	13,000 square feet
Automobile Parking	<del>425</del> <u>411</u> spaces
Bicycle Parking	2 long term, 8 spaces short term
Building Height	64.5 feet
Note: *This is the total leasable area. The gross commercial square footage is approximately 47,000 square feet and this was used for analytical purposes. **This is the net rentable area. Gross square footage is used in certain sections of this EIR for analytical purposes, where appropriate. Source: Data provided by Pappas Investments, and adapted by AECOM in 2015	

Exhibit 2-7 has been revised for the 2101 Capitol Avenue portion of the project site.



**Exhibit 2-7. View of 2101 Capitol Avenue Ground Floor Retail Space and Parking Structure Looking Northeast from 21st Street toward Capitol Avenue**

Page 2-17, Exhibit 2-8 has been revised for the 2101 Capitol Avenue portion of the project site.

This illustrates the change in the proposed project to move the proposed parking structure at the 2101 Capitol Avenue portion of the project site further from Liestal Alley and further from the St. Anton apartment building.

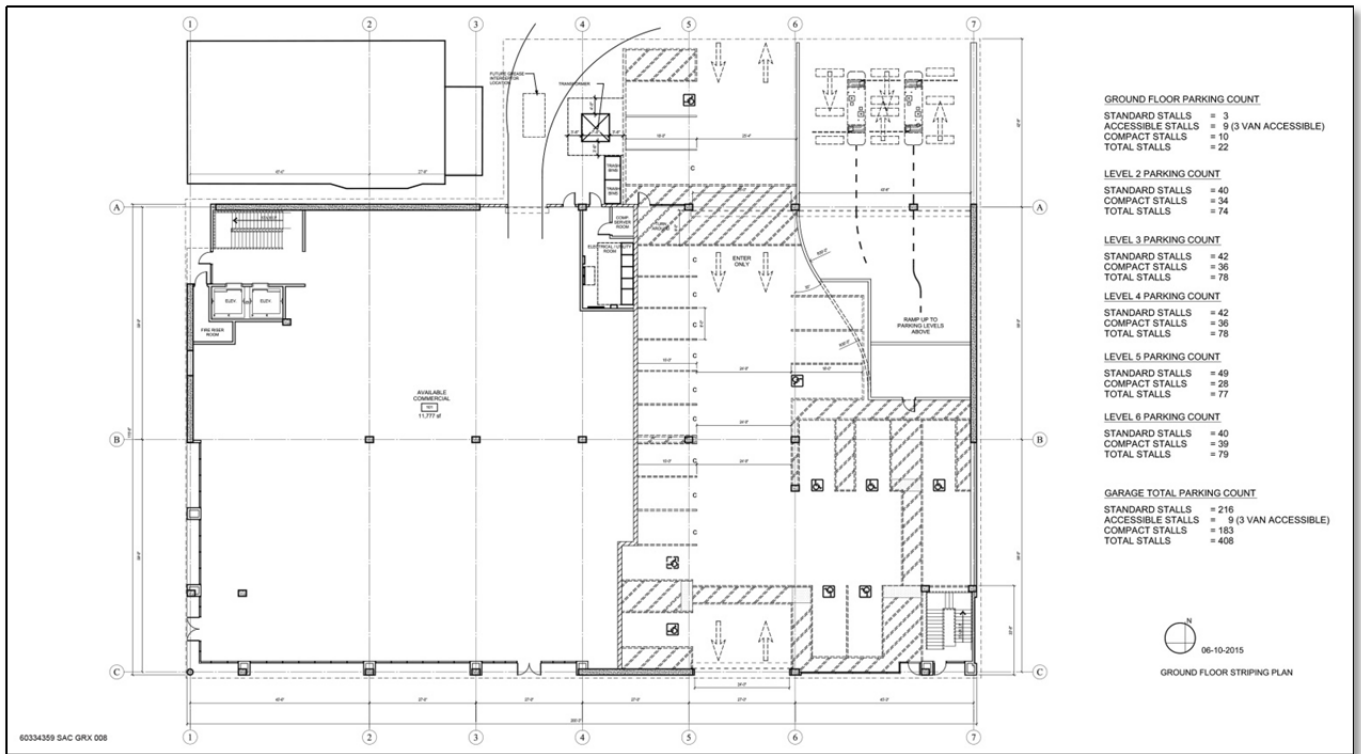
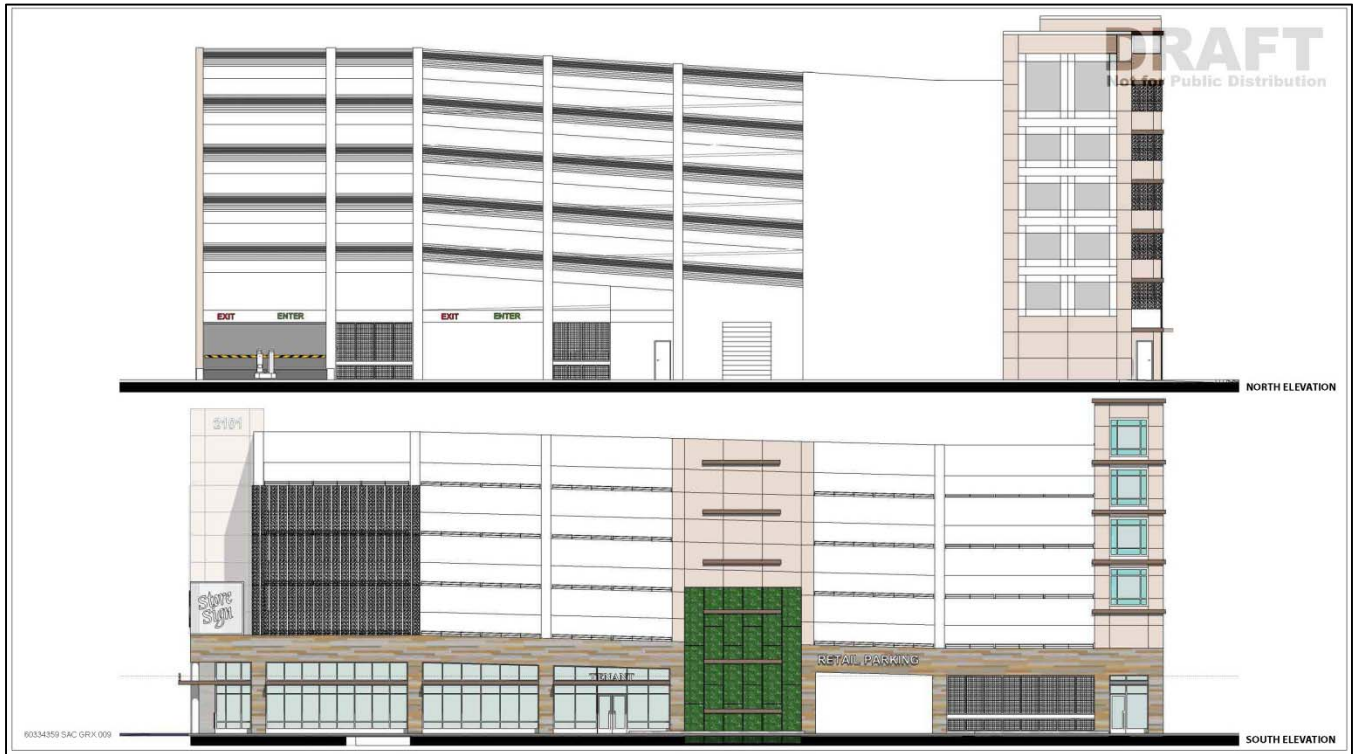


Exhibit 2-8.

2101 Capitol Avenue Site Plan

**Page 2-19, Exhibit 2-9.**

Exhibit 2-9 has been revised for the 2101 Capitol Avenue portion of the project site.



**Exhibit 2-9. 2101 Capitol Avenue Exterior Elevations (from North and from South)**

Exhibit 2-10 has been revised for the 2101 Capitol Avenue portion of the project site.



Exhibit 2-10. 2101 Capitol Avenue Exterior Elevations (from East and from West)

The text has been revised as shown below:

## **ELECTRIC AND GAS UTILITIES**

### **Electric—Sacramento Municipal Utility District**

The Sacramento Municipal Utility District (SMUD) supplies electrical service to the project site and the surrounding area. The existing development is served by SMUD’s aboveground and underground electric transmission and distribution lines. SMUD would use existing facilities and the newly-undergrounded lines to supply the necessary service to the project site. The proposed project includes undergrounding of the above-ground electrical lines running along Kayak Alley on the north side of the 2025 L Street property and ~~along Liestal Alley on the north side of the 2101 Capitol Avenue property.~~ On site, the proposed project would include relocation of some existing electrical infrastructure and installation of new pad-mounted transformers and electrical vaults to serve the new buildings. The project will be required to comply with SMUD’s guidance for transmission encroachment and electric service requirements for distribution underground structure.



## SECTION 4.1, “AESTHETICS”

Page 4.1-21 and 4.1-22.

The text has been revised and a new exhibit (Exhibit 4.1-6) has been added as shown below:

In general, the proposed project would remove the existing surface parking lot and add an approximately 65-foot tall, mixed-use structure containing commercial/retail space and parking (see Exhibit 4.1-6). The views of the new structure would be partially obstructed by surrounding buildings, but the new structure would be visible from nearby and distant locations. The visual changes would be most noticeable to existing residents of the St. Anton Building.



**Exhibit 4.1-6. Revised Plan - Parking Structure on Left and St. Anton Building to the Right.**

## SECTION 4.3, “CULTURAL RESOURCES”

Page 4.3-15.

The text has been revised as shown below:

Mitigation Measure 4.3-4: Stop Work If Human Skeletal Remains Are Uncovered, and Follow the Procedures Set Forth In State CEQA Guidelines CCR Section 15064.5(e)(1).

In the unlikely event of the inadvertent discovery or recognition of any human remains in any location other than a dedicated cemetery, the project applicant shall take the following steps:

No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until:

(A) the coroner of Sacramento County in which the remains are discovered has been contacted to determine that no investigation of the cause of death is required, and

(B) if the coroner determines the remains to be Native American:

1. the coroner shall contact the NAHC within 24 hours;
2. the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American; and
3. the most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in Section 5097.98 of the Public Resources Code; ~~or~~.

## **SECTION 4.7, “TRANSPORTATION AND TRAFFIC”**

### **Page 4.7-4.**

The text has been revised as shown below:

The structure containing the retail component of the project located at 2101 Capitol Avenue would also include a ~~397-space~~ parking garage that would serve as replacement parking for the existing parking garage and surface parking that would be removed by the project. This proposed new parking structure would be served by an access point located on Liestal Alley immediately to the east of the alley access to the retail component of the project. A total of 411 spaces is proposed on the 2101 Capitol Avenue portion of the project site (including spaces on the ground level and in the parking structure).

## **CHAPTER 5, “ALTERNATIVES”**

### **Page 5-6.**

The text has been revised as shown below:

All of the proposed project’s significant and potentially significant environmental effects other than cultural resources impacts would be temporary, short-term construction-related effects. The project site is in an existing urban area, and has been previously developed; the project site has no significant resource constraints. The project site vicinity currently has a mix of uses, including residential, office, retail, restaurant and nightclub uses; an active railroad line also passes the project site approximately 1/2 block to the west. There are few sensitive receptors near the project site; the residents of the apartment building at the southeast corner of L and 21st Streets are the only residential use adjacent to the project site. Because mitigation measures can reduce the proposed project’s non-construction impacts to a less-than-significant level, selection of alternatives for analysis is difficult. In the absence of significant impacts to be

reduced or avoided through alternative project designs, the alternative selection process included less substantial issues, including the potential for existing late-night noise from nearby night clubs to affect future residential uses on the project site, the potential to affect private views from the adjacent apartment building, avoiding the need for amendments to the general plan and zoning designation on the 2101 Capitol Avenue site, and avoiding the need for alley parking access at the 2101 Capitol Avenue site.

## **APPENDIX A**

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### Mitigation Monitoring and Reporting Program



# MITIGATION MONITORING AND REPORTING PROGRAM

## 1 INTRODUCTION

Where a CEQA document has identified significant environmental effects, Public Resources Code Section 21081.6 requires adoption of a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment.”

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required for the 2025 L Street / 2101 Capitol Avenue Mixed-Use Project (the project), as set forth in the Final Environmental Impact Report (FEIR).

The City of Sacramento (City) is the Lead Agency that must adopt the MMRP for development and operation of the project. This report will be kept on file with the City of Sacramento Community Development Department, 300 Richards Boulevard 3<sup>rd</sup> Floor, Sacramento, California 95811.

The CEQA Statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of portion of the project, as identified in the EIR.

## 2 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures. The MMRP is intended to be used by City staff and others responsible for project implementation.

The MMRP identifies the timing of implementation, the party/ies responsible for monitoring and enforcement, and a column to confirm implementation (see the MMRP table, below). Mitigation measures are numbered in the same way they are numbered in the EIR and the City’s Initial Study for the project.

## 3 ROLES AND RESPONSIBILITIES

The project applicant is responsible for fully understanding and effectively implementing the mitigation measures/standards/regulatory requirements contained within the MMRP, as directed by the City. The City is responsible for overall administration/enforcement of the MMRP.

## 4 CHANGES TO MMRP

Any substantive change in the MMRP shall be reported in writing. Modifications to the requirements of the MMRP may be made by the City subject to one of the following findings, documented by evidence included in the public record:

- ▶ The requirement included in the FEIR and the MMRP is no longer required because the significant environmental impact identified in the FEIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in environment conditions, and/or other factors.

OR,

- ▶ The modified or substitute mitigation measure provides a level of environmental protection equal to, or greater than that afforded by the mitigation measure included in the FEIR and the MMRP; and,
- ▶ The modified or substitute mitigation measure or measures do not have significant adverse effects on the environment in addition to, or greater than those which were considered by the responsible hearing bodies in their decisions on the FEIR and the proposed project; and,
- ▶ The modified or substitute mitigation measures are feasible, and the City or, where applicable, other public agencies, through measures included in the MMRP or applicable regulations, can ensure implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures, including a determination whether further environmental review is required, shall be maintained in the project file with this MMRP and shall be made available to the public, upon request (CEQA Guidelines Sections 15162-15164).

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<b>EIR Section 4.2, Air Quality</b>				
<p><b>Mitigation Measure 4.2-1: Implement SMAQMD Basic Construction Emission Control Practices.</b></p> <p>City approval of any grading or improvement plans shall require the following Basic Construction Emission Control Practices to be implemented by the project applicant:</p> <ul style="list-style-type: none"> <li>• Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>• Cover or maintain at least 2 feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Cover any haul trucks that will be traveling along freeways or major roadways.</li> <li>• Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</li> <li>• Limit vehicle speed on unpaved roads to 15 mph.</li> <li>• Complete pavement of all driveways and sidewalks to be paved as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (required by California</li> </ul>	<p>Include as notes on grading plan</p>	<p>Prior to approval of grading and plan</p>	<p>City of Sacramento                      Community Development Department</p>	



Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>Code of Regulations, Title 13, Sections 2449[d][3] and 2485). Provide clear signage that posts this requirement for workers at the entrances to the site.</p> <ul style="list-style-type: none"> <li>Maintain all construction equipment in proper working condition according to manufacturer's specifications. Have the equipment checked by a certified mechanic and determined to be running in proper condition before it is operated.</li> </ul>				
<p><b>Mitigation Measure 4.2-5: Parking Lot Design.</b></p> <ul style="list-style-type: none"> <li>Subterranean parking lots for the proposed residential and commercial land uses at 2025 L Street shall be equipped with sufficient ventilation systems to meet applicable requirements of the California and City of Sacramento building codes, which are designed to provide adequate ventilation to protect the public health.</li> <li>Parking designated for residential land uses shall have assigned parking spaces for each dwelling unit to avoid residents from idling and/or circling to look for open parking spaces.</li> <li>The parking entrance for the Whole Foods Market shall either have electronic signage indicating how many parking spaces are still available, or a parking attendant shall be on-duty during peak times of use in order to avoid patrons and visitors from entering the parking</li> </ul>	<p>Demonstration of mitigation requirements on building plan</p>	<p>Prior to approval of building permit</p>	<p>City of Sacramento Community Development Department</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
garage and idling or circling for open parking spaces.				
<b>Biological Resources (Initial Study)</b>				
<p><b>Mitigation Measure Bio-1.</b></p> <ul style="list-style-type: none"> <li>If tree removal or construction activities on the project site are to begin during the nesting season for raptors or other protected bird species in the region (generally February 15-September 15), a qualified biologist shall be retained by the project applicant to conduct preconstruction surveys in areas of suitable nesting habitat for common raptors and other bird species protected by the MBTA or California Fish and Game Code located within 500 feet of project activity. Surveys shall be conducted no more than 10 days before tree removal or ground disturbance is expected to occur.</li> <li>If no active nests are found, no further mitigation is required. If active nests are found, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around the nest. The appropriate buffer size for all nesting birds shall be determined by a qualified biologist, but shall extend at least 50 feet from the nest. Buffer size will vary depending on site-specific conditions, the species of nesting bird, nature of the project activity, the extent of existing disturbance in the area, visibility of the disturbance from the nest site, and other relevant circumstances.</li> <li>No construction activity shall occur within the buffer area of an active nest until a qualified biologist confirms that the chicks have fledged and are no longer dependent on the nest, or the nesting cycle has otherwise completed. Monitoring of the nest</li> </ul>	<p>Submittal of pre-construction survey, if tree removal or construction would occur during the nesting season</p> <p>Verification of establishment of a no-disturbance buffer as defined by the project biologist and subsequent monitoring</p>	<p>Prior to, but no more than 10 days before the beginning of tree removal, demolition, or ground disturbance, whichever comes sooner</p> <p>During tree removal, demolition, ground disturbance and construction activities</p>	<p>City of Sacramento                      Community Development Department</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>by a qualified biologist during construction activities shall be required if the activity has the potential to adversely affect the nest. The qualified biologist shall determine the status of the nest at least weekly during the nesting season. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance shall be increased until the agitated behavior ceases.</p>				
<p><b>Mitigation Measure Bio-2.</b> The project applicant shall comply with tree permit requirements in effect at the time of project approval for removal, pruning, or soil disturbance within the canopy dripline of a Heritage or City Street Tree. In addition, the following measures shall be implemented to reduce impacts from the removal of City Street Trees:</p> <ul style="list-style-type: none"> <li>• City Street Trees to be removed for construction purposes having a DBH of 6 inches or greater shall be replaced with the same number of 24-inch box size trees. City Street Trees to be removed having a DBH less than 6 inches shall be replaced with the same number of 15-gallon size trees (as required under City Code Section 12.56.090 based on the sizes of the City Street Trees to be removed). Replacement trees for City Street Trees shall be replanted within the City right-of-way in coordination with the City's Urban Forester. If replacement trees for City Street Trees cannot be accommodated in the City's right-of-way, they shall be planted on site and incorporated into the project landscape plan or be planted at another off-site location at the City's direction.</li> </ul>	<p>Issuance of permit for pruning or removal of Heritage Tree or City Street Tree</p>	<p>Prior to removal, canopy pruning, or root disturbance within the canopy dripline of a Heritage Tree or City Street Tree</p>	<p>City of Sacramento Department of Transportation (Urban Forestry Services Division)</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<ul style="list-style-type: none"> <li>Replacement plantings shall consist of shade tree species approved by the City Urban Forestry Director.</li> <li>Tree planting shall comply with the City's landscaping requirements (City Code Sections 17.612.010 and 17.612.040).</li> <li>Canopy or root pruning of any retained City Street Trees to accommodate construction shall be conducted according to applicable ANSI A300 tree pruning standards and International Society of Arboriculture best management practices.</li> <li>All City Street Trees shall be protected from construction-related impacts pursuant to Sacramento City Code Section 12.64.040 (Heritage Trees) and Section 12.56.060 (City Street Trees). Full details of tree protection measures are available in the arborist report for the project (Sierra Nevada Arborists 2014), included as Appendix 1 of the Initial Study and Appendix A of the Draft EIR).</li> </ul>				
<b>EIR Section 4.3, Cultural Resources</b>				
<p><b>Mitigation Measure 4.3-2: Stop Work If Any Prehistoric or Historic Subsurface Cultural Resources Are Discovered, Consult a Qualified Archaeologist to Assess the Significance of the Find, and Implement Appropriate Measures, as Required.</b></p> <p>If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted within 24 hours to assess the significance of the find, according to CCR Section 15064.5 of the State CEQA Guidelines. If any find is determined to be significant, representatives from the City and the archaeologist will meet to determine the</p>	<p>Verification of inclusion of protocol as part of grading plan general notes</p>	<p>Prior to issuance of grading permit</p>	<p>City of Sacramento Community Development Department</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>appropriate avoidance measures or other appropriate mitigation. Cultural resources shall be recorded on DPR Form 523 (Historic Resource Recordation form), and all significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. If it is determined that the proposed development could damage an historical resource or a unique archaeological resource (as defined pursuant to the State CEQA Guidelines), mitigation shall be implemented in accordance with Section 21083.2 of the California Public Resources Code and CCR Section 15126.4 of the State CEQA Guidelines, with a preference for preservation in place. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.</p> <p>Consistent with State CEQA Guidelines CCR Section 15126.4(b)(3), this may be accomplished by planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, the qualified archaeologist shall develop a treatment plan in consultation with the City's Community Development Department and (if the find is of Native American origin) the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The treatment plan shall include, but shall not be limited to, data recovery</p>				

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>procedures based on location and type of archaeological resources discovered and a preparation and submittal of report of findings to the City's Preservation Director and the North Central Information Center of the California Historical Resources Information System. Any resources discovered shall be returned to the Native American tribe determined to be the most likely descendant.</p> <p>Additionally, in accordance with Section 5097.993 of the California Public Resources Code, the project applicant or contractor(s) shall inform project personnel that the collection of any Native American artifact is prohibited by law.</p>				
<p><b>Mitigation Measure 4.3-3: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan, as Required.</b></p> <p>To minimize the potential for accidental destruction of or damage to potentially unique, scientifically important paleontological resources during project-related earthmoving activities, the project applicant shall implement the following measures:</p>				

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<ul style="list-style-type: none"> <li>Before the start of any earthmoving activities at the 2025 L Street and 2101 Capitol Avenue portions of the project site, the project applicant shall retain a qualified professional to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered.</li> </ul>	Verification of project paleontologist attendance at pre-construction meeting to conduct required training session	Prior to commencement of earthmoving activities	City of Sacramento Community Development Department	

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Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<ul style="list-style-type: none"> <li>If paleontological resources are discovered during earthmoving activities, the construction crew shall notify the project applicant and the City of Sacramento Community Development Department and shall immediately cease work in the vicinity of the find. The project applicant shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with SVP guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City of Sacramento to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</li> </ul>				
<p><b>Mitigation Measure 4.3-4: Stop Work If Human Skeletal Remains Are Uncovered, and Follow the Procedures Set Forth In State CEQA Guidelines CCR Section 15064.5(e)(1).</b></p> <p>In the unlikely event of the inadvertent discovery or recognition of any human remains in any location other than a dedicated cemetery, the project applicant shall take the following steps:</p>	<p>Verification of inclusion of requirement in general notes on grading plan</p>	<p>Prior to approval of grading plan</p>	<p>City of Sacramento Community Development Department</p>	



Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until:</p> <p>(A) the coroner of Sacramento County in which the remains are discovered has been contacted to determine that no investigation of the cause of death is required, and</p> <p>(B) if the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> <li>1. the coroner shall contact the NAHC within 24 hours;</li> <li>2. the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American; and</li> <li>3. the most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in Section 5097.98 of the Public Resources Code.</li> </ol>				

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<b>EIR Section 4.5, Greenhouse Gas Emissions</b>				
<p><b>Mitigation Measure 4.5-1: Greenhouse Gas Reduction Measures to Address Checklist items 6 and 7.</b></p> <p>The project applicant shall identify and implement one or more greenhouse gas reduction measures. The project applicant shall quantify for review and approval by the City that the substitute measure or measures would be as effective or more effective in reducing annual greenhouse gas emissions compared to requiring on-site renewable energy systems that would generate at least a minimum of 15% of the project's total energy demand.</p> <p>The substitute measures shall be enforceable, effective, and quantifiable and may include, but are not limited to energy efficiency improvements, renewable energy systems, participation in the Sacramento Municipal Utility District Greenergy program, carbon off-sets, land use/transportation measures, transit incentives, other measures, or a combination of these strategies imposed as a part of the project. The City may also approve as a substitute for Checklist items 6 and 7 the project's location, land use mix, and design, if the reduction in vehicle miles traveled is sufficient to equal or exceed the greenhouse gas emissions potential of Checklist items 6 and 7.</p> <p>If the Sacramento Municipal Utility District Greenergy program is used, it shall be included as a part of the lease agreement for residents of the 2025 L Street property and the lease agreement language shall be provided to the City for review. If GHG offsets (also known as carbon credits) are used, the emission credit must be in addition to any GHG reduction otherwise required by law or regulation, and any</p>	<p>Document substitute measures, including quantification of reduction potential</p>	<p>Prior to issuance of building permit</p>	<p>City of Sacramento                      Community Development Department</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>GHG emission reduction that otherwise would occur. The required amount of credits shall be calculated on an annual basis for the estimated lifetime of the proposed project. An enforcement mechanism of some type must be implemented so that the offset requirement is tracked through the project approval process. Offsets used for mitigation should have a mechanism to monitor the effectiveness of offsets over time to ensure that they accurately account for the needed level of mitigation for the lifetime of the project.</p>				
<p><b>Hazards and Hazardous Materials (Initial Study)</b></p>				
<p><b>Mitigation Measure Haz-1.</b> In the event that excavation or construction of the proposed project reveals evidence of soil contamination, USTs, or other environmental concerns, work shall stop in the area of potential contamination by the project applicant's contractor and the type and extent of contamination shall be identified by a Registered Environmental Assessor or other qualified professional, retained by the project applicant. A report shall be prepared by a Registered Environmental Assessor or other qualified professional to identify specific measures to take to protect worker and public health and safety and specify measures to identify, manage, and remediate wastes. Site preparation or construction activities shall not recommence within the contaminated areas until remediation is complete and a "no further action" letter is obtained from the appropriate regulatory agency. The plan shall include the following:</p> <ul style="list-style-type: none"> <li>• Preconstruction training of workers to identify potentially hazardous materials.</li> <li>• Identification of air monitoring procedures and parameters and/or physical observations (soil staining,</li> </ul>	<p>Protocol documented in general notes on grading plan</p>	<p>Prior to issuance of grading permit</p>	<p>City of Sacramento Community Development Department</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>odors, or buried material) to be used to identify potential contamination.</p> <ul style="list-style-type: none"> <li>Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern if potential contamination is encountered.</li> <li>Procedures for limiting access to the contaminated area to properly trained personnel.</li> <li>Procedures for notification and reporting, including internal management and local agencies (fire department, Sacramento County Environmental Management Department,), as needed.</li> <li>A worker health and safety plan for excavation of contaminated soil, including soils management, dust control, air monitoring, and other relevant measures.</li> <li>Procedures for characterizing and managing excavated soils in accordance with CCR Title 14 and Title 22.</li> <li>Procedures for certification of completion of remediation.</li> </ul>				
<b>EIR Section 4.6, Noise and Vibration</b>				
<p><b>Mitigation Measure 4.6-1: Select, Locate, Design, and Shield Mechanical Equipment Acceptable to City Standards.</b></p> <p>The project applicant and contractor(s) shall demonstrate on building plans that the selection, location, design, and/or shielding of noise-generating equipment on-site will comply with the City's exterior noise standards prior to issuance of a building permit. Noise-generating mechanical equipment (e.g., HVAC units) shall</p>	<p>Protocol documented in general notes on building plan</p>	<p>Prior to issuance of building permit</p>	<p>City of Sacramento Community Development Department</p>	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p>be selected to be of a type that would not produce noise in excess of City noise standards and/or shall be shielded, designed, or located at a distance that would reduce noise levels at noise-sensitive outdoor activity areas for both on- and off-site residences to acceptable levels, as identified in the City's General Plan. Shielding may include the use of fences or partial equipment enclosures. To provide effectiveness, fences or barriers shall be continuous or solid, with no gaps, and shall block the line-of-sight to windows of neighboring dwellings.</p> <p><b>Mitigation Measure 4.6-3a: Minimize Construction Noise.</b></p> <p>The project applicant and contractor(s) shall implement the following measures throughout all construction phases.</p> <ul style="list-style-type: none"> <li>• Project construction traffic shall not use any alleys in the vicinity of the project with the exception Kayak Alley from 20th to 21st Street and Liestal Alley from 21st to 22nd Streets. Construction traffic shall avoid use of Liestal Alley from 21st to 22nd Streets to the maximum extent feasible.</li> <li>• The project shall comply with the City of Sacramento Noise Ordinance, including limitations on the hours of construction and conditions related to intake silencers for combustion engines.</li> <li>• Stationary construction equipment, such as compressors, shall have acoustical shielding and shall be placed as far away as is feasible from adjacent noise-sensitive uses when operated.</li> </ul>	<p>Protocol documented in general notes on grading plan</p>	<p>Prior to issuance of grading permit</p>		

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<ul style="list-style-type: none"> <li>Idling times of equipment shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes.</li> <li>The project applicant or designee shall designate a disturbance coordinator and conspicuously post this person's number around the project site and in construction notifications. The disturbance coordinator shall receive complaints about construction disturbances and, in coordination with the City, determine the cause of the complaint and implementation of feasible measures to alleviate the problem.</li> <li>The project applicant or its designee shall provide written notice to all known occupied noise-sensitive uses (i.e., residential, educational, religious, lodging) within 400 feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule, as well as the name and contact information of the project disturbance coordinator.</li> </ul>	<p>Documentation of noticing</p>	<p>At least 2 weeks prior to initiation of demolition, tree removal, grading, or any construction-related activity that could generate noise that could be perceived at adjacent properties</p>		

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<p><b>Mitigation Measure 4.6-3b: Prepare and Implement a Noise and Vibration Control Plan for Pile Installation.</b></p> <p>Any pile installation determined to be necessary for the project shall use the auger-cast pile foundation system.</p> <p>Prior to the issuance of any building permit for any phase of project development that proposes the use of piles for foundations, the project applicant shall develop a Noise and Vibration Control Plan, in coordination with an acoustical consultant, geotechnical engineer, and construction contractor, and submit the plan to the City's Chief Building Official for review and approval. The plan shall include measures demonstrated to ensure construction noise exposure for the interior of nearby residential dwellings is at or below 45 dB L<sub>eq</sub> and that vibration exposure for adjacent buildings is less than 0.5 PPV and less than 80 VdB for adjacent residences and less than 0.2 PPV for the building at 1217 21st Street – “Kupros Craft House.” These performance standards shall take into account the reduction in vibration exposure that would occur through coupling loss provided by each affected building structure.</p>	Approved noise and vibration control plan	Prior to the issuance of building permit	City of Sacramento Chief Building Official	

Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<ul style="list-style-type: none"> <li>• Prior to installation of piles for the 2101 Capitol Avenue property, the applicant shall contact the owner of the building at 1217 21st Street to photo document current conditions. This should include photos of existing cracks and other material conditions present on or at the surveyed building – both exterior and interior.</li> <li>• The construction contractor(s) shall regularly inspect and photograph the building at 1217 21st Street during installation of piles, collect vibration data, and report vibration levels to the City Chief Building Official on a monthly basis.</li> <li>• If, based on monitoring of building conditions or vibration levels, it is determined necessary to avoid damage, the project applicant shall coordinate with the Chief Building Official to implement corrective actions, which may include, but is not limited to building protection or stabilization.</li> </ul>				
<b>EIR Section 4.7, Transportation and Traffic</b>				
<p><b>Mitigation Measure 4.7-5: Construction Management Plan.</b></p> <p>The project applicant shall develop a Construction Traffic Management Plan to the satisfaction of the City’s Traffic Engineer and subject to review by all affected agencies, as required by City Code. The plan shall be designed to ensure acceptable operating conditions on local roadways studied as a part of this EIR and affected by construction traffic. At a minimum, the plan shall include:</p>	<p>Approved traffic management plan</p>	<p>Prior to commencing construction</p>	<p>City of Sacramento Department of Public Works</p>	



Mitigation Measure / Existing Regulation	Standard for Compliance	Timing	Monitoring and Enforcement	Date Completed
<ul style="list-style-type: none"> <li>• Description of trucks including: number and size of trucks per day, expected arrival/departure times, truck circulation patterns.</li> <li>• Description of staging area including: location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, specific signage.</li> <li>• Description of street closures and/or bicycle and pedestrian facility closures including: duration, advance warning and posted signage, safe and efficient access routes for emergency vehicles, and use of manual traffic control.</li> <li>• Description of driveway access plan including: provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses.</li> </ul>				