

RESOLUTION NO. 2003-142

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 25 2003

A RESOLUTION RATIFYING THE NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR GATEWAY WEST BUSINESS PARK DEVELOPMENT, LOCATED IN NORTH NATOMAS, WEST OF I-5, EAST OF DUCKHORN DRIVE AND NORTH AND SOUTH OF ARENA BOULEVARD; SACRAMENTO, CA.

(P00-064) (APNs: 225-0310-020, 225-0140-037, 38, 39)

WHEREAS, the Environmental Coordinator has prepared a Negative Declaration for the above identified project;

WHEREAS, the Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;

WHEREAS, the proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;

WHEREAS, based upon the Negative Declaration and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment, provided that mitigation measures are added to the above identified project.

WHEREAS, the Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study for the above identified project; and

WHEREAS, in accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration for Gateway West Business Park (P00-064) be ratified.
2. The Mitigation Monitoring Plan is approved for the proposed Gateway West Business

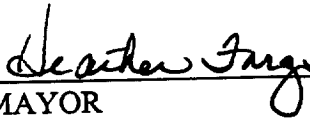
FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

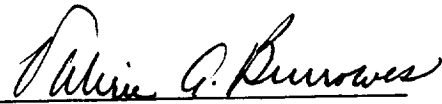
DATE ADOPTED: MAR 25 2003

Park project based upon the following findings:

- a. One or more mitigation measures have been added to the above identified project;
- b. A Mitigation Monitoring Plan, has been prepared to ensure compliance and implementation of the mitigation measures for the above identified project, a copy of which is attached as exhibit 1.


MAYOR

ATTEST:


CITY CLERK
P00-064

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142
DATE ADOPTED: MAR 25 2003

EXHIBIT 1 – Mitigation Monitoring Plan

CITY OF SACRAMENTO MITIGATION MONITORING PLAN FOR THE GATEWAY WEST BUSINESS PARK (P00-064)

This Mitigation Monitoring Plan has been required by and prepared for the Planning and Building Department, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-5381, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Gateway West Business Park / P00-064

Applicant - Name: LPA Sacramento, Inc./ Mr. Michael Hoss - contact

Project Location / Legal description of Property (if recorded):

The Gateway West Business Park is located on APN 225-0310-020, 225-0140-037, and 225-0140-039. The Friedman Retail Development is located on APN 225-0140-36, 225-1180-006, and 225-1380-014 through 225-1380-020. Both projects are located in the City of Sacramento, Sacramento County, California. Gateway West Business Park is located west of Interstate 5 between the northeast corner of Arena Boulevard and Duckhorn Drive and the southeast corner of Snowy Egret Boulevard and Duckhorn Drive. A portion of Gateway West Business Park is located between the southeast corner of Arena Boulevard and Duckhorn Drive and Interstate 5.

SECTION 2: GENERAL INFORMATION

The project as proposed includes mitigation measures for potential impacts to air quality, biological resources, noise, and cultural resources. The intent of the Monitoring Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified in the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer. The number system of the mitigation measures matches the numbering system of the Initial Study.

AIR QUALITY

Mitigation: 5a. Phase I (Grading) and Phase II (Construction) – Short Term Impacts

The SMAQMD provided the following mitigation measures to reduce the emission of ROG, NO_x, and PM₁₀ (personal communication, Phil Stafford, Sacramento Air Quality Management District).

MM 5-1 Prior to approval, all grading plans will show that the construction contractor shall enclose, cover, or water all soil piles twice daily.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

DATE ADOPTED: MAR 25 2003

- MM 5-2 Prior to approval, all grading plans will show that the construction contractor shall water all exposed soil twice daily.
- MM 5-3 Prior to approval, all grading plans will show that the construction contractor shall water all haul roads twice daily.
- MM 5-4 Prior to approval, all grading plans will show that the construction contractor shall maintain at least two feet of freeboard on trucks when hauling loads.
- MM 5-5 Prior to approval, all construction plans will show that the construction contractor shall maintain a fifteen-mile per hour speed limit on all dirt roads within the project site.
- MM 5-6 Prior to approval, all construction plans will show that the construction contractor shall stabilize all construction entrances to the site pursuant to the Administrative and Technical Procedures Manual for Grading and Erosion and Sediment Control to reduce or eliminate the tracking of sediment onto public rights-of-way or streets.
- MM 5-7 The construction contractor shall maintain construction equipment (stationary and mobile) in optimum running condition.
- MM 5-8 Prior to the issuance of a grading permit, the developer shall submit to the City of Sacramento Planning and Public Works Department an air quality mitigation strategy plan for review and approval that identifies current air quality measures that result in construction fleet emission reductions necessary to achieve ROG and NO_x. These measures may include, but are not limited to, the following:
- 1 Use of heavy duty off road vehicle equipment that will achieve NO_x and particulate matter reduction;
 - 2 Exhaust from off-road diesel powered equipment will not exceed 40% opacity; and
 - 3 Appropriate documentation and/or on-site monitoring as deemed acceptable to the City of Sacramento.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Planning and Building Department
 The City of Sacramento, Public Works, Building Inspection
 The City of Sacramento, Public Works, Construction Inspection (if in City right-of-way)

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Department and/or

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

DATE ADOPTED: MAR 25 2003

the Public Works Department shall verify that the project developer has included Mitigation Measures 5a. on all plans. Periodic inspections by the Public Works Construction Inspector or Building Inspector will ensure compliance.

BIOLOGICAL RESOURCES

Mitigation: 7a. Wildlife

Covered Species Impacts

Construction is not expected to significantly impact the covered species with implementation of the following mitigation measures:

MM 7-1 For previously disturbed lands where the applicable mitigation fees were paid to the Natomas Basin Conservancy prior to 8/16/00 and a grading permit obtained, no additional mitigation shall be required for impacts to biological resources. For all other lands within the Project, the following measure shall apply in order to mitigate for potential impacts to the Valley elderberry longhorn beetle, Swainson's hawk, western borrowing owl, mountain plover and giant garter snake (collectively the "Covered Species"):

Prior to issuance of a grading permit, the applicant shall satisfy one of the following:

- (1) If legally permissible under the NBHCP Litigation Settlement Agreement, as such Agreement may be amended, revised, extended or modified, the applicant shall pay all required HCP fees under the Settlement Agreement, and otherwise observe all requirements of the Settlement Agreement and associated documents.
- (2) If a revised NBHCP has been adopted by all required agencies, applicant will obtain coverage under the City's ITP and/or Section 2081 Management Authorization by entering into a Development Agreement with the City, by paying all required HCP fees and complying with all requirements of the NBHCP.
- (3) If a revised NBHCP is not in place, the applicant shall obtain and provide evidence to the City of a project specific ITP and/or Section 2081 Management Authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service as necessary for the Covered Species.

Entities Responsible for Ensuring Compliance:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

DATE ADOPTED: MAR 25 2003

The City of Sacramento, Planning and Building Department
The City of Sacramento, Public Works, Development Services

Monitoring Program:

Prior to Issuance of Grading Permits the Building Department shall verify that the project applicant has paid the applicable mitigation fees to the Natomas Habitat Basin Conservancy or has obtained an incidental take from USFWS.

NOISE

Mitigation: 9a. Conditionally Acceptable Noise Levels

Friedman Retail Development

MM 9-1 The project applicant shall provide for the design and construction of an eight-foot-high sound wall along the south perimeter of the project site.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Planning and Building Department

Monitoring Program:

Prior to the issuance of Special Permits the City of Sacramento Planning and Building Department will ensure that project design includes noise walls.

Mitigation: 9b. Severe Noise Levels

Gateway West Business Park

MM 9-2 The project applicant shall provide for the design and construction of six-foot-high sound walls located along the north, east, and west sides of plazas A, B, and C.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Planning and Building Department

Monitoring Program:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

DATE ADOPTED: MAR 25 2003

Prior to the issuance of Special Permits the City of Sacramento Planning and Building Department will ensure that project design includes noise walls.

CULTURAL RESOURCES

Mitigation: 13a. Paleontological Resources

Construction of the project will not impact paleontological resources with implementation of the following mitigation measures:

MM 13-1 If subsurface paleontological resources are discovered during excavation or construction of the site, work in the affected area shall stop immediately and a qualified paleontologist shall be consulted to develop, if necessary, further mitigation measures to reduce any impact to a less than significant level before construction continues.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Utilities Department
The City of Sacramento, Planning & Building Department

The City of Sacramento, Public Works, Development Services

Monitoring Program:

Prior to issuance of Grading Permits the Planning and Building Department will verify that this mitigation measure is included on all construction plans.

Mitigation: 13b. Archeological Resources

Construction of the project will not impact archeological resources with implementation of the following mitigation measures:

MM 13-2 If subsurface archaeological or historical remains (including, but not limited to, unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work within 50 feet of the affected area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

DATE ADOPTED: MAR 25 2003

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Planning & Building Department
The City of Sacramento, Public Works, Development Services
The City of Sacramento, Utilities Department

Monitoring Program:

Prior to issuance of Grading Permits the Planning and Building Department will verify that this mitigation measure is included on all construction plans.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-142

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